

September 6, 2013

Christopher Moseng  
Staff Attorney  
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121 – 7 Place East, Suite 350  
St.Paul, MN 55101

RE: Rulemaking Minn. R. Chapter 7829 – PUC Practice & Procedure

Dear Mr Moseng,

I am filing brief comments, taken from Carol Overland's comments – which I support. I have a long standing record of participation as a public advocate, who has been involved for over 15 years in commission proceedings regarding siting and routing, integrated resource planning and certificate of need.

I also have experience in helping communities and citizens groups to understand and participate in PUC proceedings (and previously EQB proceedings). I also committed 3 years of study in a graduate degree program -- focusing on environmental planning and “public engagement in energy policy, planning and infrastructure development” at the Humphrey Institute (2006).

The integrity of public participation opportunities – a value supported in statute and rule – has long been a primary concern of my public work as a citizen advocate. I am alarmed by the -- seemly radical -- proposed repeals, truncating participation opportunities for interested and affected members of the public in PUC proceedings, under 7829 rules. I strongly support and cite Carol Overland's comments below:

**DO NOT ELIMINATE OPPORTUNITIES FOR PUBLIC COMMENT**

Regarding repeal of Minn. R. 7829.1400, subparts 5, 6, and 7; 7829.1900, subparts 6, 7, and 8; 7829.2100, subparts 4 and 5; 7829.2300 subparts 8 and 9 and 7829.2500, subpart 4, these rules should not be repealed. Each of these sections are comment opportunities, opportunities for additional comments, reply comments, comments on supplemental or corrected filings and comment periods varied. Each of these ELEVEN deletions is a deletion of the public's ability to participate in Commission proceedings. This is not acceptable. These deletions were not in the draft open for comment, and in deleting these sections, they delete all but initial comments and the Dept. of Commerce opportunity to request an extension! Comments and opportunity and solicitation of comments are an important part of the ability of the public to participate in these dockets without the necessity of intervention.” [Overland p 1 - 2]

**Re: Participation of AG-**

I likewise specifically support Overland's General comments regarding the participation of the AG in PUC proceedings governed by this rule.

"In 17 instances, by my count, the Residential Utilities Division is eliminated from the rule....The draft rules that were filed for comment on February 15, 2013 contain 16 references to Residential Utilities Division, and not one is deleted. The Request for Comments contain no reference to "Residential Utilities Division" and no plan for removal of RUD from the scheme of PUC Practice and Procedure. The Staff Briefing Papers, issued for the August 1, 2013 meeting reference "Residential Utilities Division" twice, regarding the current and proposed Minn. R. 7829.1700, and it is not deleted there. " [Overland p 4 - 5]

It is my understanding that the AG's office in question, the RUD, has become the Antitrust and Utilities Division. It would be appropriate to substitute this division title for the "Residential Utilities Division" title in the rules but it is absolutely inappropriate – and in contradiction to the public interest – to delete the AG's office from the rules.

"A fundamental purpose of the AUD f/k/a RUD is to protect and be watchful over the interests of the ratepayers and the public. Given the importance of the intervention and participation of Antitrust and Utilities Division, f/k/a RUD, and because of the failure of AUD f/k/a to participate in the most important docket and largest imposition on the Minnesota electric ratepayers in Minnesota history, the CapX 2020 Certificate of Need docket, the Division should be specifically named. In each of the 11 instances where RUD is deleted, the words "Antitrust and Utilities Division" should be substituted, and if the name changes, it can be changed in rule housekeeping at that time." [Overland p 4-5]

Thank you for the opportunity to comment.

Due to the importance of this rule making and the number of people – members of the public and other stakeholders – who are affected and have participated in the PUC proceedings related to this rulemaking -- I request that reply comment opportunity be extended to parties and noticed to the service list.

Yours truly,

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