

E-308/C-92-1146 ORDER REQUIRING ANSWER TO COMPLAINT

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm	Chair
Tom Burton	Commissioner
Cynthia A. Kitlinski	Commissioner
Dee Knaak	Commissioner
Norma McKanna	Commissioner

In the Matter of a Complaint By Donald and Janine Wolbeck Regarding Service Standards and Practices Involving Stray Voltage Against Sauk Centre Water, Light & Power Commission	ISSUE DATE: October 23, 1992 DOCKET NO. E-308/C-92-1146 ORDER REQUIRING ANSWER TO COMPLAINT
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PROCEDURAL HISTORY

On September 28, 1992, Donald and Janine Wolbeck (Complainants) filed a formal complaint with the Commission against Sauk Centre Water, Light & Power Commission (Sauk Centre Commission or the Respondent). The Complaint alleged that the Sauk Centre Commission has failed to provide safe, adequate and reasonable service in violation of Minn. Stat. § 216B.04 (1990). Specifically, Complainants allege that the Sauk Center Commission has failed to install equipment which provides reasonable and adequate protection against injury from stray electrical voltage to Complainants' dairy herd within 90 days of a request for such services.

Complainants requested five elements of relief: 1) removal of pad-mounted transformers and all concentric neutral cables buried in and about the property; 2) installation of pole-mounted transformers and reinstalling of existing isolating devices at roadside locations with a required distance of 20 feet or more between primary and secondary ground rods at these locations; 3) continuation of a full three phase service to neighboring dairies to upgrade the line; 4) complete investigation by an independent expert of the entire electrical parameter; and 5) disconnection of primary neutral wire from former service at Hoboken Hill.

On October 15, 1992, the Commission met to consider this matter.

FINDINGS AND CONCLUSIONS

Under Minn. Stat. § 217B.17, subd. 6 (1990), the Commission has jurisdiction over complaints against any municipally owned gas or

electric utility about rates and services upon petition of ten percent of the nonresident consumers of the municipally owned utility or 25 such nonresident consumers, whichever is less. The Commission has insufficient evidence before it to conclude that this Complaint is sponsored by enough nonresident customers to give the Commission jurisdiction to hear this Complaint.

The Commission will accept this Complaint contingent upon resolution of the jurisdiction question, serve the Complaint upon the Sauk Centre Commission, and require it to respond to the Complaint within 20 days of this Order. In its response, the Sauk Centre Commission will address whether the Complaint, as filed, is adequate to give the Commission jurisdiction over it.

ORDER

1. Within 20 days of the date of this Order, Sauk Centre Water, Light & Power Commission shall file an Answer to the attached Complaint and shall serve a copy of its Answer on Complainants' attorney. The Answer shall address whether the Commission has jurisdiction over the Complaint under Minn. Stat. § 216B.17, subd. 6 (1990) and, if so, shall also respond to the Complaint's allegations and requests for relief.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)