

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm
Tom Burton
Marshall Johnson
Cynthia A. Kitlinski
Dee Knaak

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Application of Minnesota Power for Authority to Increase Its Schedule of Rates for Retail Electric Service in the State of Minnesota

ISSUE DATE: December 28, 1994

DOCKET NO. E-015/GR-94-1

ORDER GRANTING PETITIONS FOR RECONSIDERATION

PROCEDURAL HISTORY

On November 22, 1994, the Commission issued its FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER in the above-captioned general rate case.

On December 12, 1994, petitions for reconsideration were filed by the Minnesota Senior Federation-Northeast Coalition, Minnesota Power, the Large Power Intervenors, and the Department of Public Service.

On December 13, 1994, the Residential Utilities Division of the Office of the Attorney General (RUD-OAG) filed a petition for reconsideration.

On December 15, 1994, the RUD-OAG filed a letter noting that its petition for reconsideration had been inadvertently filed one day beyond the filing deadline. The RUD-OAG requested that the Commission grant a variance to the 20 day filing requirement specified in Minn. Rules, Part 7829.3000, subp. 1, and accept the late-filed petition.

No party opposed the RUD-OAG's request for a variance.

The matter came before the Commission for consideration on December 22, 1994.

FINDINGS AND CONCLUSIONS

Under Minn. Stat. § 216B.27, subd. 4, any application for rehearing not granted within 20 days of filing is deemed denied. The Commission believes adequate review of these petitions will require more than 20 days. The Commission will therefore grant the petitions for purposes of allowing careful review of the issues they raise.

The Commission will grant the RUD-OAG's request for a variance to Minn. Rules, Part 7829.3000, subp. 1. Under Minn. Rules, Part 7829.3100, the Commission may vary the time periods established in Minn. Rules, Chapter 7829, on its own motion or at the request of a person for good cause shown. In this case the Commission finds that the RUD-OAG's inadvertent filing error will not prejudice other parties. The Commission will vary the 20 day time period specified in Minn. Rules, Part 7829.3000, subp. 1, and allow the RUD-OAG to participate in the proceedings.

For the purpose of tolling the statutory time period, the Commission will grant the petitions for reconsideration filed by the Senior Citizen Federation-Northeast Coalition, Minnesota Power, the Large Power Intervenors, the Department of Public Service, and the RUD-OAG. Deliberations on the merits of the petitions will be scheduled at a later date.

ORDER

1. The Commission grants the petitions for reconsideration filed by the Senior Citizen Federation-Northeast Coalition, Minnesota Power, the Large Power Intervenors, the Department of Public Service, and the RUD-OAG.
2. The Commission grants the RUD-OAG a variance to Minn. Rules, Part 7829.3000, subp. 1.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary

(S E A L)