MINNESOTA
PUBLIC UTILITIES COMMISSION

Notice of Right to Appeal

If you are not satisfied with the results of the Consumer Affairs Office (CAO) investigation you may file an appeal with the Public Utilities Commission (Commission). Complaint appeals are governed by Minn. Stat. § 216B.172. This process applies to a complaint against a public utility and does not apply to a complaint against a municipal or cooperative utility.

After you file your appeal, the complaint may be referred to a Commission subcommittee or to the Commissioners for review, the complaint may be referred to the Office of Administrative Hearings as a contested case, or the complaint may be dismissed. This is a formal complaint process.

The Consumer Affairs Office can assist you in filing your appeal. You may be asked to appear in person to explain your case. You may represent yourself and do not need to hire an attorney. Be prepared to present evidence to support your case for the appeal. An appeal form is attached at the end of this document or can be accessed online at https://mn.gov/puc/consumers/complaint/.

If you would like to appeal the resolution of your complaint, you may follow the steps listed below.

Right to Utility Service During Appeal

You have a right to utility service while your dispute is pending. The utility must continue or promptly restore service during the appeals process as long as you do one of the following:

1. Agree to enter into a payment agreement under Minn. Stat. § 216B.098, subd. 3;
2. Post the full disputed payment in escrow.
3. Demonstrate receipt of public assistance or eligibility for legal aid services; **OR**
4. Demonstrate that your household income is at or below 50 percent of the median income in Minnesota.

Appeals Process Step-by-Step

Here are the steps to appeal your complaint to the Commission.

1. **Summarize the dispute.**

   Fill out the Appeal of Customer Complaint Ruling Form attached to this notice or available online at https://mn.gov/puc/consumers/complaint/.

Appeals must be submitted in writing and must contain the following information:

- A detailed description of what you are appealing from the outcome of your case.
- What state law, rule, or company tariff has been violated.
- Additional documentation or evidence you have to support your case.

Please note that we may share the information you send, such as complaint form, bill copies, and other information with the utility company. Formal complaints are public record. State law requires your signature in order for us to contact the utility company about your complaint.

2. Submit your appeal form to the Commission.

If you have filled out the online appeal form, it will be submitted to the Commission once you press the "submit" button. If you have filled out a paper appeal form, you should email, mail, fax, or deliver it in person it to CAO using the contact information below. CAO will eFile your appeal form in the eDockets system.

When eFiled, a docket number will be assigned and the appropriate parties will be notified, including the Office of the Attorney General, Department of Commerce, and Respondent (typically the utility).

Information that you provide, and that could be used to identify you, is treated as not public. When eFiled, your appeal form will appear in the Commission's public eDockets system in a redacted form to protect your identifying information. Access to the unredacted information will be limited. If you need a copy of your own unredacted data, you can contact the Commission to request it.

3. Commission conducts initial review.

Once your appeal is filed, it will be reviewed by the chair of the Commission or a subcommittee to decide whether the complaint should be:

a. dismissed because there is no reasonable basis on which to proceed;

b. resolved through an informal Commission proceeding; or

c. referred to the Office of Administrative Hearings for a contested case proceeding.

4. If the Commission dismisses your appeal:

The Commission will issue a written order summarizing its decision that it does not have jurisdiction over the matter or reasonable grounds to further investigate.

You can appeal this decision to the District Court.

5. **If the Commission orders an informal proceeding:**

   The Commission's Executive Secretary will issue a notice setting the procedural schedule. The utility will have an opportunity to submit a written reply to your appeal. Then you will have an opportunity to submit a written response to that reply.

   The Commission will then review the entire record. Your appeal will be resolved at a public agenda meeting where the Commission will discuss your appeal and vote on a decision. The Commission will then issue a written order of that decision. You can appeal that order to the District Court.

6. **If the Commission refers for a contested case:**

   Your appeal will move to the Office of Administrative Hearings where an Administrative Law Judge (ALJ) will hold a formal, trial-like hearing where you and the utility will each present your side of the case. The ALJ will make a recommendation to the Commission, and then the Commission will consider that recommendation at a public agenda meeting and vote on a decision. The Commission will then issue a written order of that decision. You can appeal that order to the Minnesota Court of Appeals.

For more information

If you have questions about the appeals process, please contact the CAO:

Minnesota Public Utilities Commission

Consumer Affairs Office

121 7th Place East #350

St. Paul, MN 55101

consumer.puc@state.mn.us

651-296-0406 Metro/800-657-3782 toll free/651-297-7073 fax

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Appeal of Consumer Complaint Ruling

Use this form to explain why you are appealing your complaint after it was resolved by the Consumer Affairs Office (CAO). Explain why you are not satisfied and how you would like the complaint resolved. Consumer complaint appeals are governed by Minn. Stat. § 216B.172.

Name:	Name of Electric or Natural Gas Company:
Business Name (If business complaint):	Phone Number: Email Address:
Mailing Address:	
Service Address (If different from mailing address):	

Your signature is needed on this form. Electronic signatures are accepted.

The information I have given is true and accurate to the best of my knowledge and may be used as stated on this form.

Signature: Date:

Section 1-3 must be completed. Attach additional pages and evidence or documentation to support your claim.

Section 1

Explain in detail the basis for your appeal and what errors were made in the Consumer Affairs Office decision.

Section 2

What state law, rule, or company tariff was violated?

Section 3

What resolution are you seeking?

The Minnesota Public Utilities Commission (MN PUC) Consumer Affairs Office is the first stop for consumers for information and assistance in addressing a variety of questions or problems concerning gas and electric utility and telecommunications companies under the jurisdiction of the MN PUC.

This notice explains why we request certain private data about you, how we will use that data, who will see it, and any obligation to provide the data to others, as authorized in Minnesota Statutes Sections 216A.07, 216B.096, subd. 6, 216B.09, 216B.08, and Minnesota Rule 7820.0300.

The MN PUC information system contains required information fields. We need your name and contact and service address information, and the name of your utility and account number. We also need a description of your complaint and the parties that you spoke to or who are involved.

Why do we ask you for this data?

This data is used to process the issue that you have with the utility or company that you name. The requested data helps us to determine the nature of your complaint and to contact you or the utility or company that you name. The data may also be used to develop new programs, ensure current programs effectively and efficiently meet consumer needs, and to comply with federal and state law and rules. Once we start working on your complaint, we may ask for data about you or the utility that we have already collected including your account number and contact information to ensure we are matching you to the correct utility or company that you have identified in your complaint. If you provide any data about yourself or others that is not necessary, we will not use it for any purpose.

Do you have to answer the questions we ask?

You are not required to provide the data we request. But, if you do not provide the requested data, we may not be able to follow up with the utility or company that is the subject of your complaint and assist in resolving it, and your file may be closed. If you do provide the data, it will be used as described in this notice.

What will happen if you do not answer the questions we ask?

If you do not answer our questions, there may be a delayed response to your complaint, or the file may be closed.

Who else may see this data about you?

In the course of handling your complaint, we may give the data you provide us to the utility or company you have identified, the MN Department of Commerce, and the Office of Administrative Hearings. We may also give the data to the Office of the Legislative Auditor or other agency with the legal authority to request the data, and to anyone authorized to receive the data by a valid court order.

How else may this data be used?

We can use or release this data only as stated in this notice unless you give us your written permission to release the data for another purpose or to release it to another individual or entity. The data may also be used for another purpose if Congress or the Minnesota Legislature passes a law allowing or requiring us to release the data or to use it for another purpose.