

Policy on Use of Artificial Intelligence

Purpose

This policy outlines requirements that all PUC employees must follow if they choose to use artificial intelligence (AI) to assist with their work.

Policy Statement

The PUC recognizes the potential value and evolving nature of AI tools in the workplace to increase efficiency and productivity as well as the challenges presented by their use. The PUC expects the use of AI tools by staff and outside parties to conform to state law and ethics policies, to be supplemental to staff work product and not replace staff analysis, and to be undertaken with the highest integrity.

Policies

PUC employees must be familiar with and adhere to the policies described below on ensuring data security, following the open meeting law, using AI in an ethical and responsible way in your daily work, and ensuring transparency about the use of AI at the PUC.

I. Data Security

Government employees using AI must be mindful of their obligations under the Minnesota Government Data Practices Act, [Minnesota Statutes chapter 13](#), to protect not-public data from unauthorized disclosure. AI poses particular data security risks because large language models commonly collect and store user-supplied data and use it for training AI systems, which may result in the data being divulged to future users.

The Commission currently is unable to ensure the security of data entered into AI systems. Even if the user agreement for the AI service asserts that user-supplied data will not be saved or used to train AI systems, the Commission's policy is to exercise caution with this emerging and rapidly evolving technology. As explained in MNIT's [Public Artificial Intelligence Services Security Standard](#), publicly available AI services are approved for state agency use only with data available to the general public.

Employees must not upload trade secret data, security information, private personally identifying information on individual customers, or other data classified as not public under the Data Practices Act into any AI system.

To preserve attorney-client privilege, legal advice memos and communications to or from attorneys seeking or providing legal advice also should not be entered into AI systems.

Additionally, employees should be aware that AI prompts and responses may be subject to public data requests like any other data in the Commission's possession. This means that AI prompts and responses may be released to someone requesting this data unless there is a specific exemption or exception in the Data Practices Act.

II. Open Meeting Law

The open meeting law prohibits a quorum of Commissioners from communicating with one another about Commission business outside of a meeting open to the public. It also gives the public a right to review any materials distributed to all Commissioners relating to Commission business.

AI-generated content related to matters the Commission may vote on should be treated like any other document or communication under the open meeting law. Accordingly, Commissioners must not share AI output with other Commissioners, nor may staff share these resources with multiple Commissioners off the record. If a Commissioner or staff wishes to share AI-generated content with multiple Commissioners, they should first file it in the record.

III. Ethics and Responsibilities

AI should be viewed as a tool, not a decision maker. The availability of AI does not affect the existing responsibility of each PUC employee to fulfill their core job duties with diligence and good judgment.

Additionally, any AI use must comply with the employee's ethical obligations to "behave in a manner that promotes public confidence in the integrity and impartiality of the commission's decision making process" and to avoid any action that might create the appearance of impropriety, including losing independence or impartiality of action or making a Commission decision outside official channels.¹

Below are some reminders to help guide ethical and responsible use of AI.

Keeping to the Record

Because all information the Commission may rely on when making decisions must be filed in the relevant administrative record in eDockets, Commissioners and staff must take care to avoid inadvertently introducing information from outside the record into the analysis.

To that end, any AI use related to a docketed matter should be done in a closed "container" that excludes web or other outside content. For example, staff may create a docket-specific "notebook" in NotebookLM and upload to that notebook *only* documents that have been filed in that docket.

¹ [Minn. R. 7845.0400](#).

AI-generated responses to queries within a docket-limited container generally will not need to be added to the record because they should not contain any new information that is not already in the record.²

AI services that include web search, such as ChatGPT, may be used only for general background knowledge. Such searches must be kept separate from any docket-specific containers or inquiries to avoid introducing off-the-record information into the analysis of a particular matter. If a Commissioner or analyst considers information outside the record in their analysis or decision making for more than general background knowledge, that information should be filed into the record.

Verifying Accuracy and Record Support

In addition to keeping inputs within the bounds of the record, the employee is responsible for verifying that any AI-generated content accurately reflects the record. Always confirm with the source filing before accepting an AI response as true. Some AI services provide citations, which can make verification easier by directing the user to the purported source in the record; however, one should never assume AI-provided citations are accurate without reading the cited sources directly.

The availability of AI does not alter a staff analyst's existing responsibility to read every filing and to have thorough knowledge of the record in all assigned matters.

The availability of AI does not alter a Commissioner's obligations to make impartial decisions based on independent consideration of the complete record.

Accounting for Bias

Even closed-container, non-web-searching AI systems have been trained on outside material and may contain biases. PUC employees must take care to prevent AI from contaminating their work or the Commission's decision-making process with unintended bias.

It is imperative that the lead analyst assigned to a matter read every comment in the record and not rely on AI-generated summaries or analyses. Assigned staff and Commissioners are expected to know the full record well enough that they will not be misled by an AI-generated response that misses a nuance, omits a perspective, or unfairly elevates certain positions over others.

AI must not be relied on to make decisions about employment candidate selection or other actions that are vulnerable to implicit biases which could undermine state or PUC policies on affirmative action or diversity, equity, and inclusion.

² The employee remains responsible for verifying that AI-generated statements accurately reflect something that actually exists in the record and are not "hallucinations" or mischaracterizations.

IV. Transparency

Communication with Supervisor

Any PUC employee intending to use AI in their work should discuss this intent with their supervisor and follow any guidance provided by the supervisor consistent with this policy. Supervisors should guide and monitor AI use by their supervisees to ensure any such use is appropriate and consistent with this policy.

Disclosure in Briefing Papers

Staff who use AI to assist with briefing paper preparation in ways that could introduce a risk of record mischaracterization, loss of nuance, or bias should include a short statement in the briefing paper disclosing how AI was used and how staff ensured the quality of the final product.

For example:

- Staff used AI to synthesize data from [cite source in the record] to generate Figure 2. Staff conducted an independent analysis and personally verified Figure 2's consistency with the data source in the record, consistent with the PUC's AI Policy.
- Staff used AI to summarize comments to assist with the initial drafting of Section II. Staff personally verified the content's consistency with sources in the record and conducted an independent analysis consistent with the PUC's AI Policy.
- Staff used AI to generate a draft list of issues for Commission consideration based on the Company's initial filing. Staff revised the draft issue list after reading and independently analyzing each filing in the record, consistent with the PUC's AI Policy.

Less-generative uses that do not entail the same level of risk, such as applying an editing tool to improve grammar or reduce wordiness in text you personally drafted, need not be disclosed in briefing papers.

Staff should work with their supervisors to determine whether a particular use case requires a written disclosure statement in briefing papers and, if so, to formulate appropriate disclosure language.

Transparency Generally

Commissioners and staff should be transparent if asked whether or how they have used AI in their work. Candidness with regulated entities, stakeholders, and the public is essential to promote public confidence in the Commission's decision-making process.

When discussing AI use with anyone outside the agency, Commissioners and other employees should consider their obligations to avoid adversely affecting public confidence in the integrity, independence, and impartiality of Commission decision making. Where appropriate, employees should explain steps taken to ensure their AI use did not impair the integrity or independence of the work.

If you would be uncomfortable disclosing a particular use of AI to the public or could not explain why you are certain this use did not impair the integrity or impartiality of your work, you may need to reconsider whether that particular use is appropriate and consistent with this policy.

Conclusion

All PUC employees using AI to assist with their work must do so in compliance with all applicable laws, rules, ethical obligations, and this policy.

If you have questions about this policy or would like case-specific guidance on implementing it, please consult the Legal Unit Coordinator or General Counsel.



Effective: September 15, 2025

Sasha Bergman, Executive Secretary