

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA STATE REGULATIONS

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to

the Minn. Energy Agency
(Agency or Board)

Regulation No. EA 300-311

Subject: Rules and Regulations Governing Natural Gas Utilities and Interstate Natural Gas Pipeline Companies

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration

AUG 5 1975

BY Eda Standemarei
AUTH. SIGNATURE 3:15 PM
RS

Stamped and filed with the Secretary of State 8-5-75

Rev. 9-72

MINNESOTA ENERGY AGENCY

RULES AND REGULATIONS GOVERNING

NATURAL GAS UTILITIES AND INTERSTATE

NATURAL GAS PIPELINE COMPANIES

EA 300 to EA 311

EA 300. PURPOSE

The purpose of these rules is to implement the forecasting statistical and informational reporting requirements of Minn. Stat. §§ 116H.10 and 11 (1974). These rules are adopted pursuant to the powers of the director conferred by Minn. Stat. § 116H.08 subd. a (1974), and are designed to identify emerging energy trends based on supply and demand, conservation and public health and safety factors and to determine the level of state-wide and service area energy needs.

EA 301. APPLICABILITY OF THESE RULES

Each gas utility serving ultimate customers in the State of Minnesota and each interstate gas pipeline company serving any gas utility located in the State of Minnesota or ultimate consumers in the State shall submit the information required by these rules to the director in the form specified by him.

Any entity which is both a gas utility company and an interstate gas pipeline company shall file one report on its pipeline operations and one report on its utility operations.

EA 302. DEFINITIONS

For purposes of these rules, the following definitions shall apply:

(a) "Agency" means the Minnesota Energy Agency;

(b) "Annual gas consumption" means the total annual amount of gas used or disposed of in Minnesota for all purposes by either a utility or pipeline company. This definition shall not include natural gas in storage;

(c) "Annual sales to ultimate consumers" means gas sales to end use customers in a utility's or pipeline company's Minnesota Service Area;

(d) "Construction" means any significant physical alteration of a site to install or enlarge a large energy facility but shall not include activities incident to preliminary engineering or environmental studies;

(e) "Curtailment below contract demand" means the reduction or cut-off of supply to firm or interruptible customers which is related directly to deficiencies in gas supply.

(f) "Design day" means the 24-hour period of the greatest theoretical gas demand at a given 24-hour average temperature.

(g) "Design day availability" means the volume of each type of gas available on the design day and the maximum total volume of such supplies;

(h) "Director" means the director of the Minnesota Energy Agency;

(i) "Firm contract customers" means customers served under schedules or contracts which neither anticipate nor permit interruption;

(j) "Gas" means any form of gaseous fuel distributed as a vapor through distribution systems to ultimate consumers including natural gas and all gaseous fuels equivalent in performance to domestic natural gas.

(k) "Gas volume" means the volume of gas as measured at 14.73 psia at 60° Fahrenheit. All volumes shall be in thousands of cubic feet (MCF) unless otherwise stated;

(l) "Interruptible contract customers" means customers served under schedules or contracts which anticipate or permit interruption of service during the term of the contract;

(m) "Large energy facility" means any pipeline greater than six inches in diameter and having more than 50 miles of its length in Minnesota, any facility designed for or capable of storing on a single site more than 100,000 gallons of liquified natural gas or synthetic gas, or any underground gas storage facility requiring a permit pursuant to Minn. Stat. § 84.57 (1974);

(n) "Last calendar year" means the calendar year immediately preceding the year in which reports are required to be filed;

(o) "Liquified natural gas" means natural gas stored as a liquid at or near atmospheric pressure at a temperature of approximately -260 degrees Fahrenheit.

(p) "Minnesota Service Area" means the geographical area within the state of Minnesota where a utility or pipeline company serves ultimate consumers. The Minnesota Service Area for a pipeline company shall also include all Minnesota utilities which it services;

(q) "Natural gas" means domestic natural gas received by the utility from its pipeline supplier.

(r) "Off-peak contract customers" means customers served on special schedules or contracts on a firm basis but only for a specified time during the off-peak season;

(s) "Peak day" means the 24-hour period of greatest gas send out;

(t) "Pipeline company" means an entity which operates an interstate gas pipeline which provides gas to any utility located in Minnesota;

(u) "Substitute natural gas" means a gaseous fuel, equivalent in performance to domestic natural gas, which is created from other gases, liquids, or solid hydro-carbons. For purposes of these rules, substitute natural gas shall include liquid petroleum gas, propane/air, coal gas, blue gas and all other manufactured gases. Substitute natural gas shall not include liquid natural gas;

(v) "Utility" means any entity engaged in Minnesota in the distribution of gas to ultimate consumers including, but not limited to, a private investor owned utility or a public or municipally owned utility.

EA 303. REGISTRATION

Each utility serving ultimate consumers and each pipeline company serving any gas utility in Minnesota on June 1, 1975, must file a registration statement with the director by July 1, 1975. Any utility or pipeline company which commences operation in the state after June 1, 1975, shall file a registration statement with the director within 30 days after commencing operation. Each registration statement shall be on forms issued by the director and made available from the agency and shall contain the name and headquarter address of the utility or pipeline company, the type of utility or company which it is, the names and addresses of all officers of the utility or pipeline company, and the name, address and telephone number of a person who may be contacted for information about the utility or pipeline company.

EA 304. REPORTING DATES

Except as provided by the director, each utility shall file with the director the information required by EA 305, 306(b) and (c), 307 and 309, by July 1 of each year. Except as provided by the director, each utility shall file with the director the information required by EA 308 on a quarterly basis as follows:

Information for the period of January 1 to March 31 shall be filed by April 30th;

Information for the period of April to June 30 shall be filed by July 31st;

Information for the period of July 1 to September 30 shall be filed by October 31st;

Except as provided by the director each pipeline company shall file with the director the information required by EA 305, EA 306(a) and EA 307 by July 1 of each year. Except as provided by the director, each pipeline company shall file with the director the information required by EA 308(c) within 10 days after said information is supplied to the Federal Power Commission;

No changes shall be made in the reporting dates set forth in this section unless each reporting utility and pipeline company has been given written notice of such change 30 days before the effective date of such change.

EA 305. FEDERAL REPORTS FILED BY UTILITIES AND PIPELINE COMPANIES

Each utility and pipeline company shall identify to the director all forms and reports pertaining to gas supply and demand which it regularly files with the Federal Power Commission, Bureau of Mines and other federal agencies. Upon request of the director, any utility or pipeline company shall make copies of any such forms or reports available to the director.

EA 306. FORECASTS

(a) Each pipeline company shall submit annually to the director 5, 10 and 15 year annual gas supply forecasts within its Minnesota Service Area. The five year

forecast shall be broken down by utility showing the volume of gas that is expected to be available to each in each of the reporting years in 306(d);

(b) Each utility shall submit annually to the director 5, 10, and 15 year annual consumption forecasts. The forecasts shall contain the following data for each of the reporting years in 306(d):

(i) Annual sales to ultimate consumers for each community within the utility's Minnesota Service Area and the total sales, by volume, to ultimate consumers in its Minnesota Service Area;

(ii) The annual volume of gas delivered or expected to be delivered to other utilities for resale;

(iii) The annual volume of gas used in the operation of the utility;

(iv) The annual volume of gas used in the utility's Minnesota Service Area but unaccounted for in EA 306 (i)-(iii);

(v) The total annual gas consumption, for all purposes, in the utility's Minnesota Service Area. (Total consumption equals: i + ii + iii + iv = v).

(vi) The total annual supply by volume of substitute natural gas provided by the utility for use in its Minnesota Service Area;

(vii) The total annual supply by volume of liquified natural gas supplied by the utility for use in its Minnesota Service Area.

(viii) The maximum winter peak day volume of gas delivered or expected to be delivered in the utility's Minnesota Service Area.

(c) Market profile forecasts. Each utility shall, based on the forecasts required by EA 306(b), provide a historical or forecasted annual market profile of its direct sales to customers for each of the reporting years in 306(d). Market profile categories shall be as follows: residential firm, commercial firm, commercial interruptible, commercial off-peak, industrial firm, industrial interruptible, industrial off-peak, electric utilities firm, electric utilities interruptible, electric utilities off-peak, other consumers firm, other consumers interruptible, other consumers off-peak, own company use, transferred to storage, removed from storage, unaccounted for gas, total disposition of natural gas.

(d) Reporting years. The data required in 306(a), (b) and (c) shall be supplied for the following years:

(i) the last calendar year;

(ii) the present calendar year;

(iii) the year 5 years after the present calendar year;

(iv) the year 10 years after the present calendar year;

(v) the year 15 years after the present calendar year;

In 1975, data shall also be supplied for the year 1973.

(e) For the last calendar year and for the year 1973, historical data shall be supplied. If recorded figures are not available, estimates shall be used and shall be identified as such. For each other reporting year, the forecasts shall be made using the utility's or pipeline company's best estimate for each of the items requested. The forecasts shall be based on those assumptions and factors which the reporting utility or pipeline company deems most likely to occur. The data for each reporting year shall be

calculated by applying these factors to the data for the last calendar year for which actual data is available. The assumptions and factors used in deriving the forecasts in 306(a), (b) and (c) shall be stated in writing. Each utility or pipeline company shall evaluate the size of the estimating error, given the conditions and factors used in the estimate. Each utility or pipeline company shall comment on probable deviations from the projection.

EA 307. FACILITY REQUIREMENTS

(a) Present facilities. Each utility and pipeline company shall provide the following information with regard to its existing facilities serving its Minnesota Service Area as of January 1 of the current year:

(i) The name and geographic location of all gas delivery points or town border stations where a local gas utility accepts ownership of gas from a pipeline company;

(ii) The name and geographic location of all underground storage facilities for gas and liquified natural gas, the total storage capacity, the type of storage facility, and maximum single day withdrawal capability of each facility;

(iii) The name and geographic location of all substitute natural gas facilities and the following information about each:

(aa) The BTU content per cubic foot of substitute natural gas produced and the type of fuel that is converted to substitute natural gas;

(bb) Annual production of substitute natural gas by the facility during the past calendar year;

(cc) Maximum annual storage capacity and refill capability of the substitute natural gas facility;

(dd) Maximum daily production of substitute natural gas by the facility during the past calendar year;

(ee) Maximum daily production of substitute natural gas which the facility is capable of providing;

(ff) The total volume of substitute natural gas generated by the facility for non-plant use during the last calendar year;

(gg) The annual estimated energy required to operate the substitute natural gas facility listed by type and quantity of each fuel during the last calendar year;

(hh) Anticipated facility retirement year;

(iv) A map, on which the general scale is indicated, of the utility's or pipeline company's Minnesota Service Area, identifying municipalities served, utilities served, delivery points or town border stations, substitute natural gas facilities underground storage facilities, transmission lines and major distribution lines.

(b) Future facility requirements. Each utility and pipeline company shall estimate the additional facilities or additions to existing facilities necessary to meet the level of gas use predicted in its forecast in EA 306. Each utility and pipeline company shall supply the following information about new facilities, or substantial additions to existing facilities, which are currently in the planning stage:

(i) Name and geographic location of all new gas delivery points or town border stations where a local utility will accept ownership of gas from a pipeline company;

(ii) The name and geographic location of all planned for additional underground storage facilities or additions to existing facilities for either gas or liquid natural gas, the total storage capacity, the type of storage facility, and maximum single day withdrawal capability of each storage facility;

(iii) The name and geographic location of all new substitute natural gas facilities or additions to existing facilities and the following information about each:

(aa) The type of fuel which will be converted to substitute natural gas and the BTU content per cubic foot of the substitute natural gas produced;

(bb) The annual production capability of substitute natural gas by the facility;

(cc) The anticipated annual production of substitute natural gas by the facility;

(dd) The maximum daily production capability of substitute natural gas by the facility;

(ee) The anticipated actual maximum daily production of substitute natural gas by the facility;

(ff) The year in which construction is predicted to begin;

(gg) The month and year in which the plant is predicted to begin operation;

(hh) Estimated cost of the new facility or addition at the time of construction;

(ii) Estimated annual consumption of fuels in the operation of the facility and the estimated annual consumption of fuels for conversion into substitute natural gas;

(iv) Any additional utilities which a pipeline company expects to serve or any which the company expects to stop serving;

(v) Any additional municipalities or geographic areas a utility expects to serve;

(vi) A map of any additional transmission lines in the state which a pipeline company plans to build;

(vii) A map of any additional major distribution lines which a utility plans to build.

(c) Fuel requirements and generation by fuel type.

(i) Based on the data reported under EA 307(a) and (b), each utility and pipeline company shall report the quantity and type of fuels used in Minnesota to produce substitute natural gas during the past calendar year and the amount of substitute natural gas generated from each fuel type during the past calendar year. In 1975, the information required by this section shall also be reported for the calendar year 1973;

(ii) Each utility and pipeline company shall estimate the quantities and types of fuels which will be necessary for use by its substitute natural gas facilities in Minnesota in order to provide

for the gas usage predicted by the forecasts required in EA 306. Each gas utility and pipeline company shall estimate by fuel type the volume of substitute natural gas which will be produced by its Minnesota substitute natural gas facilities. In preparing such estimates, each utility shall consider increases in fuel use by existing facilities and possible conversions between fuel types.

EA 308. DISPOSITION OF GAS

(a) Beginning in the year 1976, all utilities shall report quarterly the monthly volume of gas delivered to ultimate consumers, broken down by customer class/geographic area combination.

(i) Geographic areas shall be defined by customer zip code;

(ii) Customer class shall be defined by standard industrial classification (SIC) codes with extensions for more detailed breakdown of households and governmental units;

(iii) In each customer class/geographic area combination, the utility or pipeline company shall report the number of customers and the total gas volume consumed;

Said information shall be in the form determined by the director. Upon written application, the director may allow a utility to report said information in a different form.

(b) The director may, after an evaluation of the date availability, level of automation and homogeneity of accounts of a utility, require any utility to report the information required by this section for the 3rd

and 4th quarters of 1975. Third quarter statistics for such gas utilities shall be filed by October 31, 1975. No utility shall be required to report in 1975 unless it has been notified in writing by the director of its obligation 30 days prior to the reporting date.

(c) During the year 1975, Bureau of Mines Form 6-1340-A for Minnesota Gas Utilities servicing Minnesota, or its equivalent shall provide the basis for reporting the disposition of gas in Minnesota. The disposition categories for Minnesota shall be defined as follows:

(i) Delivered directly to:

(aa) Residential. This category shall include gas used in private household for heating, cooking and other household uses;

(bb) Commercial. This category shall include gas used by non-manufacturing establishments such as hotels, restaurants, retail stores, laundries, and other service enterprises. This category shall include agriculture, forestry and fisheries, and the utility shall provide a separate breakdown of total gas used by agriculture, forestry and fisheries;

(cc) Industrial. This category shall include gas used in manufacturing and mining establishments for heat and power;

(dd) Electric utilities. This category shall include gas used as fuel in electric utility plants including those operated by the utility;

(ee) Other consumers. This category shall include direct deliveries to all other

consumers not reported in categories (aa) through (dd). This category shall include deliveries to municipalities and government agencies for use in schools, institutions, street lighting, etc. The utility shall provide a separate breakdown of the total volume of gas used by governmental units.

(ii) Own company use. This category shall include all gas used by the company;

(iii) The gas placed in underground storage;

(iv) The gas withdrawn from underground storage;

(v) Unaccounted for. This category shall include all gas otherwise unaccounted for;

(vi) Total disposition. This figure shall consist of the sum of (i)+(ii)+(iii)+(v)-(iv).

Each utility shall explain in writing any significant deviation in its customer assignments which would affect the delivery figures reported under this section. Data for 1975 shall be reported to the agency within 10 days after form 6-1340-A or its equivalent has been filed with the Bureau of Mines.

(d) In 1975, any utility which files a Bureau of Mines form 6-1340-A or its equivalent, shall submit copies of such forms for its Minnesota Service Area for the years 1965 to 1974 to the director by July 1, 1975. If the actual data for its Minnesota Service Area is not available, estimates of the data provided on these forms shall be provided for the years 1965-1974.

(e) Each pipeline company shall provide semi-annually the data equivalent to that reported on FPC Form 17 within 10 days after it is provided to the Federal Power Commission.

EA 309. OTHER INFORMATION TO BE REPORTED

Each utility shall provide the following:

(a) Annual load curve profile for the last calendar year consisting of a graphed curve of the total monthly consumption of gas in the following classifications:

(i) Firm residential

(ii) Firm industrial

(iii) Small volume interruptible

(iv) Large volume interruptible

(v) Electric generation

(vi) Gas to storage

(vii) Other dispositions and losses

(viii) Level of contract demand

(b) Supply available to Minnesota firm contract customers. Each utility shall provide:

(i) The peak day gas requirements for its firm customers for each of the last five years;

(ii) The peak day send out for each of the last five years;

(iii) The design day availability for each of the last five years;

(iv) An estimate of peak day gas requirements for firm contract customers for the next two winter heating seasons;

(v) Design day availability for the next two winter heating seasons.

(c) Customer phase-outs and curtailments. Each gas utility shall provide:

(i) A list of firm, interruptible, off-peak, or seasonal customers who will be curtailed and a list of any customers who will be completely phased out in the five years following the year of filing;

(ii) An estimate of the annual volume of gas that will be made available for other purposes by the curtailment and phase-out of the customers listed in EA 309(c)(i) for each of the five years following year of filing;

(iii) A general priority list of gas cutbacks in case a severe curtailment or phase-out is required due to a deficiency in gas supply and a description of the criteria used in preparing the list.

(d) Firm, interruptible, and off-peak customers. Each utility shall provide the following information concerning its direct sales customers:

(i) The number of firm contract customers for each of the past five years and the total volume of gas sold to them during each year;

(ii) The number of interruptible contract customers for each of the past five years and the total volume of gas sold to them during each year;

(iii) The number of off-peak contract customers for each of the past five years and the total volume of gas sold to them during each year;

(iv) The criteria used to determine the classification of a customer as a firm, interruptible or off-peak customer.

(e) Each gas utility shall provide a list of its 25 largest users and the volume each consumed during the past calendar year.

EA 310. CORRECTIONS

Corrections of a substantial nature to any report or statement which pertain to historical data and not forecasts shall be filed with the agency within 10 days following the date of the

event prompting the change in reported information or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph of the information to be changed or corrected.

EA 311. FEDERAL OR STATE DATA SUBSTITUTION FOR ENERGY AGENCY DATA REQUIREMENTS

The director may, upon written request, allow any utility or pipeline company to substitute data provided to the federal government or another state agency in lieu of data required by these regulations if the data required by both agencies is substantially the same.

APPROVED AS TO FORM AND LEGALITY
AUG - 5 1975. 19__
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 5 - 1975 - 3:00 pm
Joan Anderson Growe
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
AUG 5 1975
BY Edna Standenmaier
AUTH. SIGNATURE 3:15 p.m.

STATE OF MINNESOTA

MINNESOTA ENERGY AGENCY

COUNTY OF RAMSEY

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In the matter of the Proposed
Adoption by the Minnesota
Energy Agency of Rules and
Regulations Governing
Natural Gas Utility and
Interstate Natural Gas Pipeline
Information Reporting (EA 300 - 311)

NOTICE OF HEARING

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NOTICE IS HEREBY GIVEN that a public hearing will be held pursuant to Minnesota Statutes Section 15.0412 (1973) and Minnesota Statutes 116H.08 (Minnesota Laws 1974, Chapter 307), in the above-entitled matter in Large Hearing Room, on the 7th floor of the American Center Building, 160 East Kellogg Boulevard, St. Paul, Minnesota on April 29, 1975, commencing at 9:30 A. M., and continuing until all representatives or other interested groups of persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted in writing without appearing at the hearing by mailing to the Minnesota Energy Agency, Room 740, American Center Building, 160 East Kellogg Boulevard, Saint Paul, Minnesota 55101, at any time prior to closing of the record. The record shall close at 4:30 P. M. on May 19, 1975.

Copies of the proposed rules are now available and may be obtained by writing to the Minnesota Energy Agency at the address below. Additional copies will be available at the door on the date of the hearing.

These rules are proposed rules only and are subject to alterations or modifications as the Agency deems necessary and appropriate from its consideration of all the evidence adduced at the public hearing and all statements entered into the record.

Dated this 24 day of March, 1975.

MINNESOTA ENERGY AGENCY

By John C. McKay
John McKay, Director

Minnesota Energy Agency
740 American Center Building
160 East Kellogg Boulevard
Saint Paul, Minnesota 55101

Telephone: 612-296-5120
612-296-5124

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA ENERGY AGENCY

- -

In the matter of the Proposed
Adoption by the Minnesota Energy
Agency of Rules and Regulations
Governing Natural Gas Utility and
Interstate Natural Gas Pipeline Company
Information Reporting (EA 300 - 311)

ORDER FOR HEARING

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To effectively implement Minnesota Statutes 116H.08 (Minnesota Laws 1974, Chapter 307), the Minnesota Energy Agency deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in the Agency by said Minnesota Statutes, Section 116H.08.

NOW, THEREFORE, IT IS ORDERED this 24th day of March, 1975, that a public hearing on the proposed rules captioned above shall be held in The Large Hearing Room on the 7th floor of the American Center Building 160 East Kellogg Boulevard, Saint Paul, Minnesota on April 29th, 1975, commencing at 9:30 A.M., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

MINNESOTA ENERGY AGENCY

By John C. McKay
John McKay
Director

AFFIDAVIT OF ACQUISITION
OF MAILING LIST

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

In the Matter of the Proposed
Adoption by the Minnesota
Energy Agency of Rules and Regulations
Governing Natural Gas Utilities
and Interstate Natural Gas Pipeline Companies
Information Reporting (EA 300 to 311)

DANIEL L. QUILLIN, being first duly sworn upon oath, desposes and says:

1. That he is a Research Analyst in the Minnesota Energy Agency for the State of Minnesota.

2. That on the 19th day of March, 1975, he went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minnesota Statute 15.0412.

3. That on the 19th day of March, 1975, in response to the above request, the Secretary of State provided him with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Daniel Quillin

DANIEL L. QUILLIN

Subscribed and sworn to before me
This 21st day of March, 1975.

Mildred G. Norling

MILDRED G. NORLING,
Notary Public, Hennepin County, Minn.
My commission expires February 12, 1976

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

CERTIFICATE

In the matter of the Proposed
Adoption by the Minnesota
Energy Agency of Rules and Regulations
Governing Natural Gas Utilities and
Interstate Natural Gas Pipeline Companies
Information Reporting (EA 300 to EA 311)

I hereby certify that the attached 420 labels & one sheet ~~labels~~ constitute the complete list of persons, associations, and other interested groups who as of 3:30 o'clock P .M., this 19th day of March, 1975, have requested pursuant to M. S. 1974, Stat. 15.0421, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Joan Anderson Growe
JOAN GROWE
Secretary of State
State of Minnesota

BY Gail Dacon

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY)

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In the matter of the Proposed
Adoption by the Minnesota
Energy Agency of Rules and
Regulations Governing
Natural Gas Utilities and Interstate
Natural Gas Pipeline Companies
EA 300 to EA 311

AFFIDAVIT

OF MAILING

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Daniel L. Quillin, BEING FIRST DULY SWORN,
deposes and says:

That on the _____ day of March, 1975, at the City of Saint Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State.

Daniel Quillin

Subscribed and sworn to
before me this 25th day
of March, 1975.

Mildred G. Norling

Mildred G. Norling
Notary Public-Minnesota
Hennepin County
My Commission Expires
February 12, 1976

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA ENERGY AGENCY

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In the matter of the Proposed Adoption by the Minnesota Energy Agency of Rules and Regulations Governing Natural Gas Utility and Interstate Pipeline Company Utility Information Reporting (EA 300 - EA 311)

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STATEMENT OF NEED

The above captioned rules have been adopted by the Minnesota Energy Agency in partial fulfillment of its responsibilities under the provisions of Minn. Stat. §§ 116H.10 and 11 (1974). The Agency is charged by the statute with collecting forecasts of future energy supply and demand from various energy suppliers. This information is needed by the Agency to permit it to accurately assess Minnesota's energy future. The rules and regulations adopted herewith are designed to ensure that the necessary information is reported in a uniform, easily understood manner. The rules are also needed to ensure that all of the relevant information is presented by every supplier. Finally, in order to assess the validity of a particular forecast, it is necessary to know the assumptions which underly that forecast. For this reason, the rules are required to compel disclosure of the various forecasting assumptions and methodology employed by the suppliers.

Dated: July 17, 1975

MINNESOTA ENERGY AGENCY

By _____
Philip W. Getts, Acting Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA ENERGY AGENCY

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In the matter of the proposed Adoption by the Minnesota Energy Agency of Rules and Regulations Governing Natural Gas Utilities and Interstate Natural Gas Pipeline Companies Information Reporting

FINDINGS OF FACT

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The above-entitled matter came on for hearing before the Minnesota Energy Agency (hereinafter the Agency) on the 29th day of April, 1975, at 9:30 A.M., in the Large Hearing Room, 7th Floor, American Center Building, 160 East Kellogg Boulevard, St. Paul, Minnesota, after proper notice required by Minnesota Statutes § 15.0412 (1974) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose and upon all members of the Minnesota Legislature.

After affording all persons an opportunity to present written and oral data, statements and arguments, having considered all of the evidence adduced and upon the records, files and proceedings herein, the Agency finds the following:

1. Minn. Stat. § 116H.10 subd. 1 (1974) requires the Director of the Minnesota Energy Agency (hereinafter the Director) to develop and maintain an effective program of collection, compilation and analysis of energy statistics.

2. Minn. Stat. § 116H.10 subd. 2 (1974) requires each gas utility to submit annually to the Director a report in which the utility makes 5, 10, and 15-year forecasts of the projected demand for energy within its service area and the facilities necessary to meet the demand. Minn. Stat. § 116H.10 subd. 2 (1974) further authorizes the Director to specify what information shall be included in the report.

3. Minn. Stat. § 116H.11 subd. 1 (1974) requires the Director to make a biennial report to the governor and the legislature which is designed to identify emerging trends related to energy supply, demand, conservation, public health and safety factors, and to specify the level of statewide and geographic area energy needs. Much of the information required by EA 300-EA 311 is necessary in order to enable the Director to prepare such reports.

4. Knowledge of the federal forms filed by each gas utility and pipeline company will allow the Agency to extract data from federal sources with the subsequent elimination of duplication in reporting.

5. A distinction between interstate pipeline companies and gas utilities is necessary in order to define the proper data reporting for each.

6. The terms gas, natural gas, synthetic natural gas and liquefied natural gas are required in the definition so that the forecast computations will balance between the supplies received from the pipeline company and the product delivered to ultimate consumers.

7. A reporting date 30 days after the close of each quarterly reporting period leaves sufficient time for the company to respond to these rules and regulations, since the data required is product flow and not financial accounting data. It is anticipated that the data will be produced on the reporting firm's data processing equipment and that allowances will be made for those firms whose automation does not allow rapid response.

8. In order to make the forecasts of gas energy demand, production and consumption meaningful, and in order to assess the accuracy of forecast as required by Minn. Stat. § 116H.11, Subd. 1(a) (1974), the forecast must contain information regarding the anticipated level of consumption by ultimate consumers and supplies available from interstate pipeline companies.

9. Information regarding purchase of gas from other utilities or pipelines, sales of gas to other utilities, the amount of SNG produced and the amount used by generation plants or lost in transmission will enable the Agency to examine the relationship between the utility's gas supply and the consumption by its ultimate consumers and the supply relationships among utilities.

10. Information regarding peak demand and load factor will also assist the Agency in examining production/consumption relationships. The load factor in this case will be an annual projection of gas sold to various classes of customers; for example, firm residential, firm industrial, small-volume interruptible, large volume interruptible, electrical generation.

11. Market profile forecasts are necessary in order to ascertain the effect of curtailment proceedings on the distribution pattern of the utility.

12. Data on consumption by community for the past calendar year and the present calendar year and for all forecast years will enable the Agency to determine whether the growth rate of demand for gas differs in different regions of a utility service area. Forecasts by community are reasonable, as communities define the natural boundaries of company operations.

13. Historical data for the past calendar year and historical data or estimates for the present calendar year will assist the Agency in determining the rate of growth in demand for gas which is expected to occur.

14. In making its 5, 10 and 15-year forecasts, the utility must state the assumptions on which the forecasts are based, the possible estimating error, and probable deviations in order to enable the Agency to assess the accuracy of the forecasts.

15. Information regarding plant capacity of utility, storage and SNG facilities, the amount of SNG produced, the fuelage used in generation, and information regarding the plant equipment of each facility will enable the Agency to determine whether additions to existing facilities or new facilities will be necessary to supply projected gas energy demand. This information can be used as well in the Certificate of Need program (Minn. Stat. § 116H.13) (1974).

16. Information regarding fuel requirements and SNG production by fuel type will assist the Agency in assessing the future use of various scarce energy resources.

17. Information regarding the location of present and planned large distribution lines will assist the Agency in evaluating the distribution system for gas which the utility has planned.

18. Identification of large gas users will assist the Agency in developing conservation initiatives.

19. Information regarding fuel and gas supply will assist the Agency in evaluating the use of various scarce energy resources.

20. A map of the utility service area will assist the Agency in evaluating the utility's production and distribution system.

21. Identification of utilities from which gas is purchased or sold and descriptions of any interconnections between utilities will assist the Agency in examining supply relationships among gas utilities. The identification of the contractual relationships between the utilities and the interstate pipeline companies will also assist in this matter.

22. At some future date the Agency may need quarterly reporting of some annually reported data, in order to fulfill its responsibilities in cases of shortage, mandatory allocation, or catastrophic disruption of the supply system.

23. Some uniform means of identification of the type of consumer served by each utility is necessary for the Agency to assess the accuracy of forecasts, to assist in operating the Certificate of Need programs, and to use in formulating energy use and substitution programs.

24. Standard Industrial Classification codes provide a familiar and uniform method of identifying types of consumers and can easily be utilized by most reporting utilities in the future.

25. Information on consumers using SIC codes is not available for the past and present years for most utilities.

26. A Bureau of Mines report 6-1340-A provides the best available historical information on types of consumers and can be used by the Agency during the initial reporting periods as a starting point in identifying types of consumers.

27. Effective operation of the Certificate of Need programs and other energy use substitution programs will require much of the same information now supplied to the Minnesota Environmental Quality Council.

28. Other information required by these regulations may also be required by other state or federal agencies, and if possible, utilities may be allowed to substitute those reports for reports required under these regulations if the information required is substantially the same.

Dated: July 17, 1975

MINNESOTA ENERGY AGENCY

By James E Carter
James E. Carter
Hearing Officer

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA ENERGY AGENCY

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In the matter of the Proposed Adoption by the Minnesota Energy Agency of Rules and Regulations Governing Natural Gas Utility and Interstate Natural Gas Pipeline Companies Utility Information Reporting (EA 300 - EA 311)

ORDER ADOPTING RULES

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The above entitled matter came for hearing before the Minnesota Energy Agency on the 29th day of April, 1975, at 9:30 A.M., in the Large Hearing Room, 7th Floor, American Center Building, 160 East Kellogg Boulevard, Saint Paul, Minnesota, after proper notice required by Minnesota Statutes 15.0412 (1974) was served upon members of the Minnesota State Legislature and upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria and having confirmed the need for the above captioned rules:

NOW, THEREFORE, IT IS ORDERED that these rules identified as EA 300 - EA 311 are adopted this 17th day of July, 1975, pursuant to the authority vested in the Agency by Minn. Stat. § 116H.08(a) (1974).

MINNESOTA ENERGY AGENCY

By _____
Philip W. Getts, Acting Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

MINNESOTA ENERGY AGENCY

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In the matter of the Proposed Adoption By the Minnesota Energy Agency of Rules and Regulations Governing Natural Gas Utilities & Interstate Natural Gas Pipeline Companies Information Reporting (EA 300-EA 311)

STATEMENT OF COMPLIANCE WITH MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Joan Swartz, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

JOAN SWARTZ
Special Assistant
Attorney General

Dated: July 17, 1975.

MINNESOTA ENERGY AGENCY

PROPOSED RULES AND REGULATIONS GOVERNING

NATURAL GAS UTILITIES AND INTERSTATE

NATURAL GAS PIPELINE COMPANIES

EA 300 to EA 311

EA 300. PURPOSE

The purpose of these rules is to implement the forecasting, statistical and informational reporting requirements of Minn. Stat. SS 116H.10 and 11 (1974). These rules are adopted pursuant to the powers of the director conferred by Minn. Stat. S 116H.08 subd. a (1974), and are designed to identify emerging energy trends based on supply and demand, conservation and public health and safety factors and to determine the level of state-wide and service area energy needs.

EA 301. APPLICABILITY OF THESE RULES

Each natural gas utility serving ultimate customers in the State of Minnesota and each interstate natural gas pipeline company serving any gas utility located in the State of Minnesota or ultimate customer in the State shall submit the information required by these rules to the director in the form specified by him.

Any entity which is both a gas utility company and an interstate natural gas pipeline company shall submit the required information as to its gas utility operation and as to its interstate pipeline company operation on separate forms.

EA 302. DEFINITIONS

For purposes of these rules, the following definitions shall apply:

(a) "Agency" means the Minnesota Energy Agency;

(b) "Annual natural gas consumption" means the total annual amount of natural gas used or disposed of in Minnesota for all purposes by either a utility or pipeline company. This definition shall not include unused natural gas in storage;

(c) "Annual sales to ultimate consumers" means gas volume sales of natural gas to end use customers in a utility's or pipeline company's Minnesota Service Area;

(d) "Construction" means any significant physical alteration of a site to install or enlarge a large energy facility but shall not include activities incident to preliminary engineering or environmental studies;

(e) "Curtailment" means the reduction or cut-off of supply to firm or interruptible customers which is related directly to deficiencies in gas supply rather than to weather;

(f) "Design day" means the 24-hour period of the greatest theoretical gas demand;

(g) "Design day availability" means the volume of each type of natural gas available on the design day and the maximum total volume of such supplies;

(h) "Director" means the director of the Minnesota Energy Agency;

(i) "Firm contract customers" means customers served under schedules or contracts which neither anticipate nor permit interruption;

(j) "Gas volume" means the volume of gas as measured at 14.73 psia at 60° Fahrenheit. All volumes shall be in thousands of cubic feet (MCF) unless otherwise stated;

(k) "Interruptible contract customers" means low priority customers served under schedules or contracts which anticipate or permit interruption of service during the term of the contract;

(l) "Large energy facility" means any pipeline greater than six inches in diameter and over 50 miles in length, any facility designed for or capable of storing on a single site more than 100,000 gallons of liquefied natural gas or synthetic gas, or any underground gas storage facility requiring a permit pursuant to Minn. Stat. S 84.57 (1974);

(m) "Last calendar year" means the calendar year immediately preceding the year in which reports are required to be filed;

(n) "Minnesota Service Area" means the geographical area within the state of Minnesota where a utility or pipeline company serves ultimate consumers. The Minnesota Service Area for a pipeline company shall also include all Minnesota utilities which it services;

(o) "Natural gas" means natural gas and substitute natural gas (SNG) unless otherwise indicated;

(p) "Off-peak contract customers" means customers served on special schedules or contracts on a firm basis but only for a specified time during the off-peak season;

(q) "Peak day" means the 24-hour period of greatest natural gas send out;

(r) "Pipeline company" means an entity which operates an interstate natural gas pipeline which provides natural gas to any utility located in Minnesota;

(s) "Substitute natural gas" (SNG) means a gaseous fuel, equivalent in performance to domestic natural gas, which is created from other gases, liquids, or solid hydrocarbons. For purposes of these rules, substitute natural gas shall include liquid petroleum gas, coal gas, blue gas and all other manufactured gases. SNG shall not include liquid natural gas;

(t) "Utility" means any entity engaged in Minnesota in the distribution of natural gas to ultimate customers including, but not limited to, a private investor owned utility or a public or municipally owned utility.

EA 303. REGISTRATION

Each utility serving ultimate consumers and each pipeline company serving either ultimate consumers or any gas utility in Minnesota on June 1, 1975, must file a registration statement with the director by July 1, 1975. Any utility or pipeline company which commences operation in the state after June 1, 1975, shall file a registration statement with the director within 30 days after commencing operation. Each registration statement shall be on forms issued by the director and made available from the agency and shall contain the name and headquarter address of the utility or pipeline company, the type of utility or company which it is, the names and addresses of all officers of the utility or pipeline company, and the name, address and telephone number of a person who may be contacted for information about the utility or pipeline company.

EA 304. REPORTING DATES

Except as provided by the director, each utility and pipeline company shall file with the director the information required by EA 305, 306, 307 and 309, by July 1 of each year. Except as provided by the director, each utility and pipeline company shall file with the director the information required by EA 308 on a quarterly basis as follows:

Information for the period of January 1 to March 31 shall be filed by April 30th;

Information for the period of April to June 30 shall be filed by July 31st;

Information for the period of July 1 to September 30 shall be filed by October 31st;

Information for the period of October 1 to December 31 shall be filed by January 31st of the following year.

No changes shall be made in the reporting dates set forth in this section unless each reporting utility and pipeline company has been given written notice of such change 30 days before the effective date of such change.

EA 305. FEDERAL REPORTS FILED BY UTILITIES AND PIPELINE COMPANIES

Each utility and pipeline company shall identify to the director all forms and reports which it files with the Federal Power Commission, Bureau of Mines and other federal agencies. Upon request of the director, any utility or pipeline company shall make copies of any such forms or reports available to the director.

EA 306. FORECASTS

(a) Each utility and pipeline company shall submit annually to the director 5, 10 and 20 year annual supply and consumption forecasts for natural gas within its Minnesota Service Area.

(b) The forecasts shall contain the following data for each reporting year:

(i) Annual sales to ultimate consumers for each county within the utility's or pipeline company's Minnesota Service Area and the total sales, by volume, to ultimate consumers in its Minnesota Service Area;

(ii) The annual volume of natural gas delivered or expected to be delivered to utilities for resale;

(iii) The annual volume of natural gas used in the operation of the utility or pipeline company;

(iv) The annual volume of natural gas used in the utility's Minnesota Service Area but unaccounted for in EA 306 (i - iii);

(v) The total annual natural gas consumption, for all purposes, in the utility's or pipeline company's Minnesota Service Area. (Total consumption equals: i + ii + iii + iv + v.)

(vi) The annual supply by volume of natural gas available to the utility's or pipeline company's Minnesota Service Area;

(vii) The total annual supply by volume of substitute natural gas available to the utility or pipeline company for use in its Minnesota Service Area;

(viii) The maximum winter and summer peak day volumes of natural gas delivered or expected to be delivered in the utility's or pipeline company's Minnesota Service Area.

(c) Reporting years. The data required in 306 (b) shall be supplied for the following years:

(i) the last calendar year;

(ii) the present calendar year;

(iii) the year 5 years after the present calendar year;

(iv) the year 10 years after the present calendar year;

(v) the year 20 years after the present calendar year;

In 1975, data shall also be supplied for the year 1973.

(d) Market profile forecasts. Each utility and pipeline company shall, based on the supply forecasts from EA 306 (b)(vi), provide a historical or forecasted annual market profile of its direct sales to customers for each of the reporting years in 306 (c). Market profile categories shall be as follows: residential firm, residential interruptible, residential off-peak, commercial firm, commercial interruptible, commercial off-peak, industrial firm, industrial interruptible, industrial off-peak, electric utilities firm, electric utilities interruptible, electric utilities off-peak, other consumers firm, other consumers interruptible, other consumers off-peak, own company use, transferred

to storage, removed from storage, unaccounted for gas, total disposition of natural gas.

(e) For the last calendar year and for the year 1973, historical data shall be supplied. If recorded figures are not available, estimates shall be used and shall be identified as such. For each other reporting year, the forecasts shall be made using the utility's or pipeline company's best estimate for each of the items requested. The forecasts shall be based on those assumptions and factors which the reporting utility or pipeline company deems most likely to occur. The data for each reporting year shall be calculated by applying these factors to the data for the last calendar year for which actual data listed in 306 (b) is available. The assumptions and factors used in deriving the forecasts in 306(b) shall be stated in writing. Each utility shall evaluate the size of the estimating error, given the conditions and factors used in the estimate. Each utility or pipeline company shall comment on probable deviations from the projection.

EA 307. FACILITY REQUIREMENTS

(a) Present facilities. Each utility and pipeline company shall provide the following information with regard to its existing facilities serving its Minnesota Service Area as of January 1 of the current year:

(i) The name and geographic location of all natural gas delivery points or town border stations where a local gas utility accepts ownership of natural gas from a pipeline company and measures and regulates such gas;

(ii) The name and geographic location of all underground storage facilities for natural gas and liquefied natural gas, the total storage capacity, the type of storage facility, and maximum single day withdrawal capability of each facility;

(iii) The name and geographic location of all substitute natural gas facilities and the following information about each:

(aa) The BTU content per cubic foot of substitute natural gas produced and the type of fuel that is converted to substitute natural gas;

(bb) Annual production of substitute natural gas by the facility during past calendar year;

(cc) Maximum annual production of substitute natural gas which the facility is capable of providing;

(dd) Maximum daily production of substitute natural gas by the facility during the past calendar year;

(ee) Maximum daily production of substitute natural gas which the facility is capable of providing;

(ff) The total volume of substitute natural gas generated by the plant for non-plant use during the last calendar year;

(gg) The annual energy required to operate the substitute natural gas facility listed by type and quantity of each fuel during the last calendar year;

(hh) Anticipated facility retirement year;

(iv) A detailed map, on which the scale is indicated, of the utility's or pipeline company's Minnesota Service Area, identifying municipalities served, utilities served, delivery points or town border stations, substitute natural gas plants or facilities, underground storage facilities, transmission lines and major distribution lines.

(b) Future facility requirements. Each utility and pipeline company shall estimate the additional facilities or additions to existing facilities necessary to meet the level of natural gas use predicted in its forecast in EA 306. Each utility and pipeline company shall supply the following information about projected new facilities or substantial additions to existing facilities:

(i) Name and geographic location of all new natural gas delivery points or town border stations where a local utility will accept ownership of natural gas from a pipeline company and where such natural gas will be measured and regulated;

(ii) The name and geographic location of all planned for additional underground storage facilities or additions to existing facilities for either natural gas or liquid natural gas, the total storage capacity, the type of storage facility, and maximum single day withdrawal capability of each storage facility;

(iii) The name and geographic location of all new substitute natural gas facilities or additions to existing facilities and the following information about each:

(aa) The type of fuel which will be converted to substitute natural gas and the BTU content per cubic foot of the substitute natural gas produced;

(bb) The annual production capability of substitute natural gas by the facility;

(cc) The anticipated annual production of actual substitute natural gas by the facility;

(dd) The maximum daily production capability of substitute natural gas by the facility;

(ee) The anticipated actual maximum daily production of substitute natural gas by the facility;

(ff) The year in which construction is predicted to begin;

(gg) The month and year in which the plant is predicted to begin operation;

(hh) Estimated cost of the new facility or addition at the time of construction;

(ii) Estimated annual consumption of fuels in the operation of the facility and the estimated annual consumption of fuels for conversion into substitute natural gas;

(iv) Any additional utilities which a pipeline company expects to serve or any which the company expects to stop serving;

(v) Any additional municipalities or geographic areas a utility expects to serve;

(vi) A map of any additional transmission lines in the state which a pipeline company plans to build;

(vii) A map of any additional main distribution lines which a utility plans to build.

(c) Fuel requirements and generation by fuel type.

(i) Based on the data reported under EA 307 (a) and (b), each utility and pipeline company shall report the quantity and type of fuels used in Minnesota to produce substitute natural gas during the past calendar year and the amount of substitute natural gas generated from each fuel type during the past calendar year. In 1975, the information required by this section shall also be reported for the calendar year 1973;

(ii) Each utility and pipeline company shall estimate the quantities and types of fuels which will be necessary for use by its substitute natural gas facilities in Minnesota in order to provide for the natural gas usage predicted by the forecast projected in EA 306. Each gas utility and pipeline company shall estimate by fuel type the volume of substitute natural gas which will be produced by its Minnesota substitute natural gas facilities. In preparing such estimates, each utility shall consider increases in fuel use by existing facilities and possible conversions between fuel types.

EA 308. DISPOSITION OF NATURAL GAS

(a) Beginning in the year 1976, all utilities and pipeline companies shall report quarterly the volume of natural gas delivered to ultimate consumers, broken down by customer class/geographic area combination.

(i) Geographic areas shall be defined by customer zip code;

(ii) Customer class shall be defined by standard industrial classification (SIC) codes with extensions for more detailed breakdown of households and governmental units;

(iii) In each customer class/geographic area combination, the utility or pipeline company shall report the number of customers and the total gas volume consumed;

Said information shall be in the form determined by the director. Upon written application, the director may allow a utility to report said information in a different form.

(b) The director may, after an evaluation of the data availability, level of automation and homogeneity of accounts of a utility or pipeline company, require any utility or pipeline company to report the information required by this section for the 3rd and 4th quarters of 1975. Third quarter statistics for such gas utilities or pipeline companies shall be filed by October 31, 1975. No utility or pipeline company shall be required to report in 1975 unless it has been notified in writing by the director of its obligation 30 days prior to the reporting date.

(c) During the year 1975, Bureau of Mines Form 6-1340-A for Minnesota Gas Utilities and Form 6-1341-A for Interstate Pipeline Companies servicing Minnesota, or their equivalents, shall provide the basis for reporting the disposition of natural gas in Minnesota. The disposition categories for Minnesota shall be defined as follows:

(i) Delivered directly to:

(aa) Residential. This category shall include natural gas used in private households for heating, cooking and other household uses;

(bb) Commercial. This category shall include natural gas used by non-manufacturing establishments such as hotels, restaurants, retail stores, laundries, and other service enterprises. This category shall include agriculture, forestry and fisheries, and the utility or pipeline company shall provide a separate breakdown of total natural gas used by agriculture, forestry and fisheries;

(cc) Industrial. This category shall include natural gas used in manufacturing and mining establishments for heat and power;

(dd) Electric Utilities. This category shall include natural gas used as fuel in electric utility plants including those operated by the utility;

(ee) Other consumers. This category shall include direct deliveries to all other consumers not reported in categories (aa) through (dd). This category shall include deliveries to municipalities and government agencies for use in schools, institutions, street lighting, etc. The utility or pipeline company shall provide a separate breakdown of the total volume of natural gas used by governmental units.

(ii) Own company use. This category shall include all natural gas used by the company;

(iii) The natural gas placed in underground storage;

(iv) The natural gas withdrawn from underground storage;

(v) Unaccounted for. This category shall include all natural gas otherwise unaccounted for;

(vi) Total disposition. This figure shall consist of the sum of (i)+(ii)+(iii)+(v)-(iv).

For pipeline companies, the additional category "Natural Gas delivered to Minnesota gas utilities for resale" shall be provided separately. Each utility or pipeline company shall explain in writing any significant deviation in its customer assignments which would affect the delivery figures reported under this section. Data for 1975 shall be reported to the agency within 10 days after forms 6-1340-A or 6-1340-A or their equivalents have been filed with the Bureau of Mines.

(d) In 1975, any utility which files a Bureau of Mines form 6-1340-A or a pipeline company servicing Minnesota which files a Bureau of Mines form 6-1341-A or their equivalent, shall submit copies of such forms for its Minnesota Service Area for the years 1965 to 1974 to the director by July 1, 1975. If the actual data for its Minnesota Service Area is not available, estimates of the data provided on these forms shall be provided for the years 1965-1974.

EA 309. OTHER INFORMATION TO BE REPORTED

Each utility and pipeline company shall provide the following:

(a) Peak day load curve profiles which shall consist of a table and graphed curve by hour of the peak day send out for its Minnesota Service Area. Each utility shall provide:

(i) A peak day load curve for the peak day during the summer months;

(ii) A peak day load curve for the peak day during the winter months.

(b) Supply available to Minnesota firm contract customers. Each utility and pipeline company shall provide:

(i) The peak day gas requirements for its firm customers for each of the last five years;

(ii) The peak day send out for each of the last five years;

(iii) The design day availability for each of the last five years;

(iv) An estimate of peak day gas requirements for firm contract customers for the next two winter heating seasons;

(v) Design day availability for the next two winter heating seasons.

(c) Customer phase-outs and curtailments. Each gas utility and interstate natural gas pipeline company shall provide:

(i) A list of firm, interruptible, off-peak, or seasonal customers who will be curtailed and a list of any customers who will be completely phased out in the five years following the year of filing;

(ii) An estimate of the annual volume of natural gas that will be made available for other purposes by the curtailment and phase-out of the customers listed in EA 309(c)(i) for each of the five years following year of filing;

(iii) A general priority list for gas cutbacks in case a severe curtailment or phase-out is required due to a deficiency in natural gas supply and a description of the criteria used in preparing the list.

(d) Firm, interruptible, and off-peak customers. Each utility and pipeline company shall provide the following information concerning its direct sales customers:

(i) The number of firm contract customers for each of the past five years and the total volume of natural gas sold to them during each year;

(ii) The number of interruptible contract customers for each of the past five years and the total volume of natural gas sold to them during each year;

(iii) The number of off-peak contract customers for each of the past five years and the total volume of natural gas sold to them during each year;

(iv) The criteria used to determine if a customer qualifies as a firm, interruptible or off-peak customer.

(e) Each gas utility and pipeline company shall provide a list of its 25 largest users and the volume each consumed during the past calendar year.

EA 310. CORRECTIONS

Corrections of any report or statement shall be filed with the agency within 10 days following the date of the event prompting the change in reported information or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph of the information to be changed or corrected.

EA 311. FEDERAL OR STATE DATA SUBSTITUTION FOR ENERGY AGENCY DATA REQUIREMENTS

The director may, upon written request, allow any utility or pipeline company to substitute data provided to the federal government or another state agency in lieu of data required by these regulations if the data required by both agencies is substantially the same.