

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Larry K. Salustro
Special Assistant
Attorney General

11-7-77

- PSC Rules on Weights and Measures

328

Attorney General

Larry K. Salustro
Special Assistant
Attorney General

September 19, 1977

296-4692

Michael B. Miller
Special Assistant
Attorney General

PSC Rules on Weights and Measures

The above-captioned rules are returned herewith for revision of Rule 128A. The following corrections are needed:

Paragraph 1: "It shall be the policy of" should be changed to "the Director shall";

Paragraph 2: "policy" should be changed to "rule".

MBM:mb

Enclosure

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

MINN. RULES PSC 106, 120, 122-24, 128,

I, Larry Salustro, do hereby declare that I have examined the proposed rules relating to Weights and Measures; Minn. Rules PSC 106, 120, 122-24, 128, 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.

LARRY SALUSTRO
Special Assistant
Attorney General

Minnesota Public Service Commission

Dated: August 4, 1977

KEY: New rules and material proposed to be added to an existing rule are underlined. Material proposed to be deleted from existing rule is printed in [single brackets]. Red underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

ADOPTED AMENDMENTS TO THE
MINNESOTA RULES RELATING TO THE
PUBLIC SERVICE COMMISSION

CHAPTER THREE - PSC 106
CHAPTER FOUR - PSC 120, 122-124 & 128

WEIGHTS AND MEASURES DIVISION

PSC 106, PSC 123 and PSC 124 are deleted in their entirety.

PSC 120 Promulgation of Existing Code by Reference. Excepting the requirements of the final sentence in 'Scales,' S.1.6.3. (Customer's Indications), the specifications, tolerances and other technical standards for commercial weighing and measuring devices as prescribed by the National Conference on Weights and Measures and published in the National Bureau of Standards Handbook 44-[3d Edition, 1965] 4th Edition, 1976, are hereby adopted by reference as the standards of the State of Minnesota for such devices. Provided, however, that should the aforesaid Handbook 44 contain any provisions contrary to the laws of Minnesota or the rules of the Minnesota Public Service Commission, Minnesota law or Public Service Commission rule shall govern.

PSC 122 Scales and Weighing Devices. General Specifications.

(a) Pivots.

(1) Positioning. All pivots or knife-edges shall be firmly secured in or to the levers.

(2) Material. The material used for pivots shall be either:

(aa) Special alloy pivot steel (SAE 6195 or 52100) hardened to Rockwell C scale not less than 58, or

(bb) Carbon steel hardened to Rockwell C scale not less than 60.

(cc) Agate may be used for prescription scales and balances.

(3) Design. All pivots shall be sharp and bear throughout the entire length of the parts designed to be in contact.

(b) Bearings.

(1) Finish of Bearing Steels. The bearing surfaces shall be brought to a smooth, true and accurate finish to insure continuity of contact with opposing pivots. (The term "bearing" used in these spcifications refers to the entire surface which is designed to be in contact with the edge of a knife-edge or pivot.)

(2) Material. The requirements shall be the same as those set forth in section (a),(2),(aa) and (bb).

(c) Approaches. A vehicle scale shall have at least twelve feet or a distance equal to one-third of the deck length, whichever is greater, of straight hard surface driveway on either end of the scale not over one-third inch per foot out of level of platform. The first 6 feet on both ends shall be constructed of reinforced concrete.

(d) Proper Position of Weighing and Measuring Devices Used in Trade for Vending. The position or location of all weighing and measuring devices shall be determined by the Weights and Measures Division, but

in no case shall the device be placed for use in such position or location that the indications cannot be easily read by all parties interested. (The permissible distance between the device and a reasonable customer position will depend upon the size and character of the indicating elements of the device.)

(e) Submission of Plans. The manufacturer shall furnish to the purchaser plans of design showing detailed dimensions for all scale parts and the material of which they are to be fabricated; also assembly plans showing location of all field connections and all information necessary for the purchaser to erect the scale. If it is so deemed necessary by the Weights and Measures Division the purchaser may be required to submit to said department for approval the foregoing plans, together with his detailed plans for the construction and location of the scale to be installed, including the foundation thereof.

(f) Livestock Scales. Livestock scales in sales pavilions, buying stations, stockyards and packing plants shall be equipped with full capacity type registering weighbeams or automatic weight recorders.

(g) Scale Pits. The scale pits on all motor vehicle and livestock scales shall have 48 inch minimum distance between the weighbridge I-beam and the floor of the pit.

(h) Pitless-type Scales. A self-contained or pitless-type motor vehicle or livestock scale shall not be used in any one location for any time period longer than 130 calendar days. If the self-contained or pitless motor vehicle or livestock scale remains in the same location for more than 130 calendar days, a pit shall be constructed in conformance to existing Minnesota regulations.

PSC 128 For The Voluntary Registration Of Service Persons For Commercial Weighing And Measuring Devices. These rules and regulations on the voluntary registration of service persons for commercial weighing and measuring devices are promulgated under authority conferred upon the Department of Public Service to promulgate regulations for registration of weighing and measuring device repair persons.

A. It shall be the policy of the Director of Weights and Measures to accept voluntary registration of individuals who provide acceptable evidence that they are fully qualified to install, service, repair, or recondition a commercial weighing or measuring device, have a thorough working knowledge of all appropriate weights and measures laws, orders, rules, and regulations and have possession of, or available for use, weights and measures standards and testing equipment appropriate in design and adequate in amount.

This policy shall in no way preclude or limit the right and privilege of any qualified individual not registered with the Director to install, service, repair, or recondition a commercial weighing or measuring device.

B. Definitions

1. Director shall mean the Director of the Department of Public Service or his delegate.
2. Registered service persons shall mean any individual who for hire, award, commission, or any other payment of any kind, installs, services, repairs, or reconditions a commercial weighing or measuring device and who voluntarily registers himself as such with the Director.
3. The term commercial weighing and measuring device shall be construed to include any weight or measure or weighing or measuring device commerically used or employed in establishing the size,

quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure, and shall also include any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects, or may affect, the accuracy of the device.

4. Reciprocity. The Director may enter into an informal reciprocal agreement with any other State or States that has or have similar voluntary registration policies. Under such agreement, the registered service person of the State party to the reciprocal agreement is granted full reciprocal authority, including reciprocal recognition of certification of standards and testing equipment, in all States party to such agreement.

5. Voluntary Registration. A service person may apply for voluntary registration to service weighing devices or measuring devices on an application form supplied by the Director. Said form, duly signed and verfied, shall include certification by the applicant that: a. The service person is fully qualified to install, service, repair, or recondition whatever devices for the service of which competence is being registered, b. The service person has in possession, or available for use, all necessary testing equipment and standards, and c. The service person has full knowledge of all appropriate weights and measures laws, orders, rules, and regulations. An applicant also shall submit appropriate evidence or reference as to qualifications.

6. Registration Fee. The minimum charge for the calibration of testing equipment for issuance of Placing-in-Service permits shall be $10.00.

7. Certificate of Registration. Upon receipt and acceptance of a properly executed application form, initial examination and certification of standards and testing equipment to be used, and any other proof of competence the Director shall deem necessary, the Director shall, after having received the applicant's annual registration fee, issue to the applicant a Certificate of Registration, including an assigned registration number, which shall remain effective until either returned by the applicant or withdrawn by the Director.

8. Privileges Of A Voluntary Registrant. A bearer of a Certificate of Registration shall have the authority to remove an official rejection tag or mark placed on a weighing or measuring device by the authority of the Director; place in service, until such time as an official examination can be made, a weighing or measuring device that has been officially rejected; and place in service, until such time as an official examination can be made, a new or used weighing or measuring device. All work on weighing and measuring devices restored to service or placed in service shall be performed by or under the direct supervision of a bearer of a certificate of registration.

9. Responsibilities Of A Voluntary Registrant. It shall be the responsibility of a bearer of a Certificate of Registration to comply with the provisions of National Bureau of Standards Handbook 44, and the Examination Procedure Outlines (E.P.O.'s) published by the National Bureau of Standards.

10. Placed-In-Service Report. The Director shall furnish each registered service person with a supply of report forms to be known as Placed-In-Service Reports. Such a form shall be executed in triplicate, shall include the assigned registration number, and shall be signed by a registered service person for each rejected device restored to service

and for each newly installed device placed in service. Within 24 hours after a device is restored to service, or placed in service, the original of the properly executed Placed-in-Service Report, together with any official rejection tag removed from the device, shall be mailed to the Division of Weights and Measures, 1015 Currie Avenue, Minneapolis, Minnesota 55403. The duplicate copy of the report shall be handed to the owner or operator of the device, and the triplicate copy of the report shall be retained by the registered service person.

11. Standards And Testing Equipment. A registered service person shall submit to the Weights and Measures Laboratory, upon initial application for voluntary registration and at least annually thereafter, for its examination and certification, any standards and testing equipment that are used, or are to be used, in the performance of the service and testing functions with respect to weighing and measuring devices for which competence is registered. The cost of such inspection and certification shall be paid by the registrant in an amount based upon the Standards Laboratory Fee Schedule. A registered service person shall not use, in servicing commercial weighing or measuring devices, any standards or testing equipment that have not been certified by the Director.

12. Publication Of Lists Of Approved Standards And Testing Equipment. The Director shall publish from time to time as he deems appropriate, and may supply upon request, information concerning standards and testing equipment acceptable for use by registered service persons.

13. Revocation Of Certificate Of Registration. The Director may inspect the work of repairman at any time and may, for good cause, after careful investigation and consideration, suspend or revoke a Certificate of Registration.

14. Publication Of Lists Of Registered Service Persons. The Director may publish, from time to time as he deems appropriate, and may supply upon request, lists of registered service persons.

15. Effective Date. This regulation shall become effective on _____.

ADMIN 1000

STATE OF MINNESOTA

DEPARTMENT Public Service

Office Memorandum

TO : Michael B. Miller
Special Assistant Attorney General

DATE: 8/4/77

FROM : Larry Salustro
Special Assistant Attorney General

PHONE: 6030

SUBJECT: Adoption of Amendments to Rules of the Minnesota Department of Public Service Relating to Weights and Measures.

Enclosed for filing are amendments to the rules of the Department of Public Service relating to Weights and Measures. This filing is one of four parts. The amendments to rules relating to Telephone, Gas & Electric, and Motor Transportation will be filed with you as they are approved by the Commission. The following documents are transmitted herewith:

1. Rules as Adopted (5 copies)

2. Rules as Proposed (3 copies)

3. Original Transcript of Public Hearing held 2/10/77 with Original Exhibits 37 thru 40

4. a. Certificate of Commission's Authorizing Resolution (Original & 2 copies)
   b. Order for Hearing & Document of Authority (3 copies and Original & 2 copies, respectively)
   c. Notice of Hearing (3 copies)
   d. Affidavit of Acquisition of Mailing List (3 copies)
   e. Secretary of State's Certificate (3 copies of certificate and one copy of mailing list)
   f. Affidavit of Mailing with Mailing List (3 copies of affidavit and one copy of mailing list)

5. a. Statement of Need (3 copies)
   b. Report of H.E. (Findings of Fact) (3 copies)
   c. Certificate of Commission's Adoption of Rules Resolution (Original & 2 copies)
   d. Resolution Approving Rules (Original & 2 copies)
   e. Order Adopting Rules (Original & 2 copies)
   f. Report of Chief Hearing Examiner (Original & 2 copies)
   g. Statement of Compliance (Original & 2 copies)

Please keep this filing until the three remaining portions are received by you as we will make reference to the documents listed above as 4a through 4f. Also, Exhibits 1 thru 36 and 38 thru 45 will be forwarded to you as the transcripts for the remaining portions are filed with you; we anticipate this to be done within the next 20 days. If you need to review these exhibits before that time, please give me a call.

It is our understanding that all of the original documents transmitted herewith will be returned after your review.

LS:ss

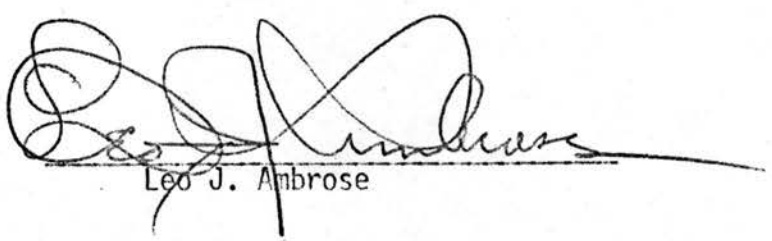
CERTIFICATE OF COMMISSION'S

ADOPTION OF RULES RESOLUTION

I, Leo J. Ambrose, do hereby certify that I am secretary of the Public Service Commission, a Commission duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Public Service Commission duly and properly called and held on the 2nd day of June, 1977; that a quorum was present at said meeting; that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

852. A-8117-16 It was voted to accept the Examiner's Recommendation and adopt, as amended, proposed rules: Minn. Reg. PSC 106, 120, 122, 123, 124 and 128, relating to the Weights and Measures Division. Paragraph 15 on page 7-W was deleted and a suggestion by counsel for a modification, which has the effect of implementing the Examiner's findings with respect to Handbook 44, was incorporated.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 12th day of July, 1977.



Leo J. Ambrose

PSC-77-011-BS
A-8117-16

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF THE PROPOSED ADOPTION OF AMENDENTS OF CERTAIN EXISTING RULES AND THE PROPOSED ADOPTION OF NEW RULES RELATING TO WEIGHTS AND MEASURES.

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on February 10, 1977, before Bernard Singer, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. §15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. §15.052, Subd. 3, was issued to the Public Service Commission on May 16, 1977; and

WHEREAS, the Public Service Commission has now determined to adopt rules pursuant to Minn. Stat. §15.0412, Subd. 4; and

WHEREAS, the Public Service Commission has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. §15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Public Service Commission has met all requirements of Minn. Stat. §15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Public Service Commission has the responsibility of submitting the complete hearing record and the rules as adopted by the Commission to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. §15.0412, Subd. 4.

Dated this 20th day of July, 1977.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

RULES RESOLUTION

A-8117-16 It was voted to accept the Examiner's Recommendation and adopt, as amended, proposed rules: Minn. Reg. PSC 106, 120, 122, 123, 124 and 128, relating to the Weights and Measures Division. Paragraph 15 on page 7-W was deleted and a suggestion by counsel for a modification, which has the effect of implementing the Examiner's findings with respect to Handbook 44, was incorporated.

BEFORE THE MINNESOTA PUBLIC SERVICE COMMISSION

Karl F. Rolvaag	Chairman
Arlen I. Erdahl	Commissioner
Richard J. Parish	Commissioner
Katherine E. Sasseville	Commissioner
Juanita R. Satterlee	Commissioner

Approved of Record
6/21 1977
Secretary

In the Matter of the Proposed Amendment of Certain Existing Rules and the Proposed Adoption of New Rules Relating to Weights and Measures, Electric Utilities, Gas Utilities, Telephone Utilities, Motor Vehicle Transportation and Rules of Practice.

DOCKET NO. A-8117-16

MINN. RULES PSC 106, 120, 122-124, 128
(WEIGHTS & MEASURES DIVISION)

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Minnesota Public Service Commission on the 10th day of February, 1977, in the Large Hearing Room, American Center Building, 160 East Kellogg Boulevard, St. Paul, Minnesota 55101, after proper notice required by Minn. Stat. Sec. 15.0412 (1976) was served 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 of criteria, and having confirmed the need for the above captioned rules and the reasonableness thereof.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The Report of the Hearing Examiner as it relates to the proposed Rules, Minn. Rules PSC 106, 120, 122-124, and 128 is adopted in its entirety as the Commission's final decision except for Finding of Fact No. 15, on page 7-W, in place of which the Commission substitutes the following paragraph:

> 15. The Commission's understanding and intention with regard to the deletion of the word "commercial" from the 4th edition of Handbook 44, "General Code," G-5.1, G-5.2 G-5.3 is that it does not extend the authority of the Department of Public Service. The scope of Handbook 44's application is specified in the "General Code," G-A.1. As clearly stated therein, the only non-commercial equipment covered by the Handbook is equipment "in official use for the enforcement of law or for the collection of statistical information by governmental agencies." Aside from that limited application to non-commercial equipment, the Handbook is to be used only "as a guide" when inspectors "upon request" inspect non-commercial equipment. Id.

2. The Rules are adopted by the Commission exactly as recommended by the Hearing Examiner except for the following in Minn. Rule PSC 120:

Insert between "Reference." and "specifications":

> Excepting the requirements of the final sentence in 'Scales,' S. 1.6.3. (Customer's Indications), the".

This amendment to the rules as proposed is necessary to implement the Examiner's Findings of Fact Nos. 17-19 on pages 7-W to 9-W which have been adopted by the Commission herein.

Leo J. Ambrose
By the Secretary

DATED: June 2, 1977

ADOPTED AMENDMENTS TO THE
MINNESOTA RULES RELATING TO THE
PUBLIC SERVICE COMMISSION

CHAPTER THREE - PSC 106
CHAPTER FOUR - PSC 120, 122-124 & 128

WEIGHTS AND MEASURES DIVISION

PSC 106, PSC 123 and PSC 124 are deleted in their entirety.

PSC 120 Promulgation of Existing Code by Reference. Excepting the requirements of the final sentence in 'Scales,' S.1.6.3. (Customer's Indications), the specifications, tolerances and other technical standards for commercial weighing and measuring devices as prescribed by the National Conference on Weights and Measures and published in the National Bureau of Standards Handbook 44-[3d Edition, 1965] 4th Edition, 1976, are hereby adopted by reference as the standards of the State of Minnesota for such devices. Provided, however, that should the aforesaid Handbook 44 contain any provisions contrary to the laws of Minnesota or the rules of the Minnesota Public Service Commission, Minnesota law or Public Service Commission rule shall govern.

(a) Pivots.

(1) Positioning. All pivots or knife-edges shall be firmly secured in or to the levers.

(2) Material. The material used for pivots shall be either:

(aa) Special alloy pivot steel (SAE 6195 or 52100) hardened to Rockwell C scale not less than 58, or

(bb) Carbon steel hardened to Rockwell C scale not less than 60.

(cc) Agate may be used for prescription scales and balances.

(3) Design. All pivots shall be sharp and bear throughout the entire length of the parts designed to be in contact.

(b) Bearings.

(1) Finish of Bearing Steels. The bearing surfaces shall be brought to a smooth, true and accurate finish to insure continuity of contact with opposing pivots. (The term "bearing" used in these spcifications refers to the entire surface which is designed to be in contact with the edge of a knife-edge or pivot.)

(2) Material. The requirements shall be the same as those set forth in section (a),(2),(aa) and (bb).

(c) Approaches. A vehicle scale shall have at least twelve feet or a distance equal to one-third of the deck length, whichever is greater, of straight hard surface driveway on either end of the scale not over one-third inch per foot out of level of platform. The first 6 feet on both ends shall be constructed of reinforced concrete.

(d) Proper Position of Weighing and Measuring Devices Used in Trade for Vending. The position or location of all weighing and measuring devices shall be determined by the Weights and Measures Division, but

SEE Order adopting for amen' ›nt to H.E. Report

in no case shall the device be placed for use in such a position or location that the indications cannot be easily read by all parties interested. (The permissible distance between the device and a reasonable customer position will depend upon the size and character of the indicating elements of the device.)

(e) Submission of Plans. The manufacturer shall furnish to the purchaser plans of design showing detailed dimensions for all scale parts and the material of which they are to be fabricated; also assembly plans showing location of all field connections and all information necessary for the purchaser to erect the scale. If it is so deemed necessary by the Weights and Measures Division the purchaser may be required to submit to said department for approval the foregoing plans, together with his detailed plans for the construction and location of the scale to be installed, including the foundation thereof.

(f) Livestock Scales. Livestock scales in sales pavilions, buying stations, stockyards and packing plants shall be equipped with full capacity type registering weighbeams or automatic weight recorders.

(g) Scale Pits. The scale pits on all motor vehicle and livestock scales shall have 48 inch minimum distance between the weighbridge I-beam and the floor of the pit.

(h) Pitless-type Scales. A self-contained or pitless-type motor vehicle or livestock scale shall not be used in any one location for any time period longer than 130 calendar days. If the self-contained or pitless motor vehicle or livestock scale remains in the same location for more than 130 calendar days, a pit shall be constructed in conformance to existing Minnesota regulations.

PSC 128 For The Voluntary Registration Of Service Persons For Commercial Weighing And Measuring Devices. These rules and regulations on the voluntary registration of service persons for commercial weighing and measuring devices are promulgated under authority conferred upon the Department of Public Service to promulgate regulations for registration of weighing and measuring device repair persons.

A. The Director shall accept voluntary registration of individuals who provide acceptable evidence that they are fully qualified to install, service, repair, or recondition a commercial weighing or measuring device, have a thorough working knowledge of all appropriate weights and measures laws, orders, rules, and regulations and have possession of, or available for use, weights and measures standards and testing equipment appropriate in design and adequate in amount.

This rule shall in no way preclude or limit the right and privilege of any qualified individual not registered with the Director to install, service, repair, or recondition a commercial weighing or measuring device.

B. Definitions

1. Director shall mean the Director of the Department of Public Service or his delegate.

2. Registered service persons shall mean any individual who for hire, award, commission, or any other payment of any kind, installs, services, repairs, or reconditions a commercial weighing or measuring device and who voluntarily registers himself as such with the Director.

3. The term commercial weighing and measuring device shall be construed to include any weight or measure or weighing or measuring device commerically used or employed in establishing the size,

quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure, and shall also include any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects, or may affect, the accuracy of the device.

4. Reciprocity. The Director may enter into an informal reciprocal agreement with any other State or States that has or have similar voluntary registration policies. Under such agreement, the registered service person of the State party to the reciprocal agreement is granted full reciprocal authority, including reciprocal recognition of certification of standards and testing equipment, in all States party to such agreement.

5. Voluntary Registration. A service person may apply for voluntary registration to service weighing devices or measuring devices on an application form supplied by the Director. Said form, duly signed and verfied, shall include certification by the applicant that: a. The service person is fully qualified to install, service, repair, or recondition whatever devices for the service of which competence is being registered, b. The service person has in possession, or available for use, all necessary testing equipment and standards, and c. The service person has full knowledge of all appropriate weights and measures laws, orders, rules, and regulations. An applicant also shall submit appropriate evidence or reference as to qualifications.

6. Registration Fee. The minimum charge for the calibration of testing equipment for issuance of Placing-in-Service permits shall be $10.00.

7. Certificate of Registration. Upon receipt and acceptance of a properly executed application form, initial examination and certification of standards and testing equipment to be used, and any other proof of competence the Director shall deem necessary, the Director shall, after having received the applicant's annual registration fee, issue to the applicant a Certificate of Registration, including an assigned registration number, which shall remain effective until either returned by the applicant or withdrawn by the Director.

8. Privileges Of A Voluntary Registrant. A bearer of a Certificate of Registration shall have the authority to remove an official rejection tag or mark placed on a weighing or measuring device by the authority of the Director; place in service, until such time as an official examination can be made, a weighing or measuring device that has been officially rejected; and place in service, until such time as an official examination can be made, a new or used weighing or measuring device. All work on weighing and measuring devices restored to service or placed in service shall be performed by or under the direct supervision of a bearer of a certificate of registration.

9. Responsibilities Of A Voluntary Registrant. It shall be the responsibility of a bearer of a Certificate of Registration to comply with the provisions of National Bureau of Standards Handbook 44, and the Examination Procedure Outlines (E.P.O.'s) published by the National Bureau of Standards.

10. Placed-In-Service Report. The Director shall furnish each registered service person with a supply of report forms to be known as Placed-In-Service Reports. Such a form shall be executed in triplicate, shall include the assigned registration number, and shall be signed by a registered service person for each rejected device restored to service

and for each newly installed device placed in service. Within 24 hours after a device is restored to service, or placed in service, the original of the properly executed Placed-in-Service Report, together with any official rejection tag removed from the device, shall be mailed to the Division of Weights and Measures, 1015 Currie Avenue, Minneapolis, Minnesota 55403. The duplicate copy of the report shall be handed to the owner or operator of the device, and the triplicate copy of the report shall be retained by the registered service person.

11. Standards And Testing Equipment. A registered service person shall submit to the Weights and Measures Laboratory, upon initial application for voluntary registration and at least annually thereafter, for its examination and certification, any standards and testing equipment that are used, or are to be used, in the performance of the service and testing functions with respect to weighing and measuring devices for which competence is registered. The cost of such inspection and certification shall be paid by the registrant in an amount based upon the Standards Laboratory Fee Schedule. A registered service person shall not use, in servicing commercial weighing or measuring devices, any standards or testing equipment that have not been certified by the Director.

12. Publication Of Lists Of Approved Standards And Testing Equipment. The Director shall publish from time to time as he deems appropriate, and may supply upon request, information concerning standards and testing equipment acceptable for use by registered service persons.

13. Revocation Of Certificate Of Registration. The Director may inspect the work of repairman at any time and may, for good cause, after careful investigation and consideration, suspend or revoke a Certificate of Registration.

14. Publication Of Lists Of Registered Service Persons. The Director may publish, from time to time as he deems appropriate, and may supply upon request, lists of registered service persons.

15. Effective Date. This regulation shall become effective on _____.

APPROVED AS TO FORM AND LEGALITY
OCT 7 1977 19__
WARREN SPANNAUS, ATTORNEY GENERAL
BY /s/ Michael B. Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 4 1977
Joan Anderson Growe
Secretary of State
12:30 p.m.

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-811-16

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Dept. of Public Service
MAY 16 1977
Commission Support

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS
FOR THE PUBLIC SERVICE COMMISSION

In the Matter of the Proposed Adoption of Amendments of Certain Existing Rules, and the Proposed Adoption of new Rules Relating to Weights and Measures, Electric and Gas Utilities, Telephone Utilities, and Motor Vehicle Transportation.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Bernard Singer, duly appointed Hearing Examiner from the State Office of Hearing Examiners, on February 8, 9, 10, and 11, 1977, in the large hearing room, American Center Building, St. Paul, Minnesota.

This was a rules hearing held pursuant to Minn. Stat. Ch. 15 to determine whether the proposed amendments to certain existing rules and the proposed new rules should be adopted as follows:

I. WEIGHTS AND MEASURES DIVISION - Proposed amendments to Rules PSC 120 and 122, the proposed deletion of Rules PSC 106, 123 and 124; and proposed Rule PSC 128.

II. MOTOR VEHICLE TRANSPORTATION - Proposed amendments to Rules PSC 2 and 5.

III. TELEPHONE UTILITIES DIVISION - Proposed amendments to and new rules to Rules PSC 179 to 185; proposed rules PSC 215 to 219.

IV. ELECTRIC AND GAS UTILITIES - Proposed amendments to and new rules to Rules PSC 279 to 336; proposed rules PSC 410 to 418; proposed rules PSC 420 to 423.

The report of the Hearing Examiner herein is divided into four sections corresponding to the four divisions stated above. Each section will list the names of persons who appeared on behalf of the Public Service Commission and the witnesses who presented testimony relevant to the subject matter of that particular section of rules.

Pursuant to Minn. Stat. § 15.0412, subd. 4 (1976), this Report shall be available for review to all affected individuals

upon request for at least ten days.

The Commission shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than ten days subsequent to the receipt of this Report. This submission shall also clearly indicate any changes made to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his report to the Commission on the issues of substantial changes in the rule and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Commission shall be responsible for filing the rules with the Attorney General.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

PROCEDURAL REQUIREMENTS

1. On October 15, 1976, the Commission filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Order for Hearing;
(c) A proposed Notice of Hearing; and
(d) A Statement of the estimated length and number of people attending the hearing.

2. On January 5, 1977, a Notice of Hearing and a copy of the proposed rules were published at 1 State Register 968.

3. On December 30, 1976, the Commission mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On January 14, 1977, the Commission filed the following documents:

(a) The Order for Hearing;
(b) The Notice of Hearing as mailed;
(c) The Affidavit of Receipt of the Secretary of State's list;
(d) The Affidavit of Mailing;
(e) The Secretary of State's Certificate and list;
(f) The Statements of Need; and
(g) The Statements of Evidence;
(h) The names of Public Service Commission personnel who will represent the agency.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the dates of the hearings.

5. At the hearing, the Commission presented a number of suggested revisions to the telephone, gas and electric rules as originally proposed. These revisions were read into the record at the hearing, but were not published in the State Register, nor were they mailed to the Secretary of State's list. On motion of counsel representing various parties, the Hearing Examiner agreed to continue the hearing until the date the transcripts of the record were made available to parties requesting same, and the 20-day period for submitting written statements commenced on that date. The telephone, gas and electric hearings terminated February 17, 1977, and the record remained open through March 9, 1977 for the receipt of written comments and statements. The Weights and Measures hearing record remained open through March 2, 1977. The Motor Vehicle Transportation hearing record remained open through March 3, 1977.

I. WEIGHTS AND MEASURES DIVISION.

Hearing held February 10, 1977

Lawrence Salustro, Special Assistant Attorney General, appeared on behalf of the Public Service Commission. Karen Carpenter, Acting Director of Research and Planning; Ray Tharalson, Metrologist for the Weights and Measures Division; Warren Czaia, Director of the Weights and Measures Division; and George McDonald, appeared and testified on behalf of the Commission. Twenty-three persons attending the hearing signed the register. Representatives of Toledo Scale Company, Scale Manufacturers Association, and the Minnesota Retailers Association testified at the hearing and also submitted post-hearing statements.

FINDINGS OF FACT (Cont.)

6. Statutory authority to promulgate these rules is found in Minn. Stat. § 216A.05, subd. 1 (1976). That is the general statutory rule-making authority of the Public Service Commission. Specific rule-making authority for the Weights and Measures Division is found in Minn. Stat. § 239.06 (1976). The inspection and sealing duties of the Division are enumerated in Minn. Stat. §§ 239.08 to 239.10, 239.12 and 239.20 (1976).

PROPOSED CHANGES IN PSC 120.

7. The Weights and Measures Division proposed to adopt the specifications, tolerances and other technical standards for weighing and measuring devices as prescribed by the National Conference on Weights and Measures and published in the National Bureau of Standards Handbook 44. Minnesota first adopted H-44 in September, 1970 as the standard for the State of Minnesota for such services. This was done in an effort to gain uniformity with the majority of other weights and measures jurisdictions in the United States, and to alleviate the conditions created by non-uniformity; e. g., the problems experienced by many manufacturers and users of weighing and measuring equipment who claim economic hardship and confusion if they would have to satisfy the varying codes and different jurisdictions.

8. The Division has experienced few problems in administering the H-44 code since its initial partial adoption in 1970; the

uniformity means fewer errors in initial installation of weighing and measuring devices and errors caused by national companies having to satisfy varying codes for a standard product.

9. The Agency now proposes to adopt the fourth edition of Handbook 44, dated 1976, in order to update the specifications, tolerances and other technical standards for weighing and measuring devices. Handbook 44 was first published in 1949, and the fourth edition, published in 1976, was developed by the Committee on Specifications and Tolerances of the National Conference on Weights and Measures, with the assistance of the Office of Weights and Measures of the National Bureau of Standards. The fourth edition includes the amendments to the third edition which have been issued individually as replacement sections since 1967. It also incorporates some stylistic and organizational changes to facilitate use of the handbook. At the present time, 38 states follow the policy of adoption of the current Handbook 44. The remainder use the handbook with some modifications. Adoption in this rule of the current edition of the handbook will continue Minnesota's policy of uniformity with other states that was officially recognized in 1970 when PSC 120 incorporated the third edition of Handbook 44.

10. The Commission proposes to change and modify PSC 120 by incorporating and adopting by reference all changes, additions, deletions and corrections made in Handbook 44 since September 7, 1970 to December 31, 1976. In the event that the technical specifications of Handbook 44 conflict with provisions of Minnesota Statutes, or any existing rules of the Public Service Commission not specifically repealed herein, the applicable statute or rule should be considered to govern over the conflicting provision of Handbook 44. The proposed changes in PSC 120, resulting from the incorporation of the fourth edition of Handbook 44, will result in the deletion of the following rules:

PSC 106:

11. The Commission proposes that PSC 106 be eliminated because the 1976 H-44 code will cover this type of device with an almost identical code; the major difference being that the present

PSC 106 allows this type of weighing for tariff purposes only, while the H-44 code does not provide this restriction. The same subject matter is treated in the Handbook under the title, "Scales-Weighing Coupled in Motion, T.3.6.3."

PSC 123:

12. The Commission proposes the elimination of PSC 123 from the existing rules because the H-44 code, fourth edition, contains an identical rule, and failure to delete this rule would result in two regulations of identical meaning. The new requirements on this subject can be found in the chapter of Handbook 44 entitled, "Vehicle Tanks used as Measures."

PSC 124:

13. This rule is to be deleted from existing rules. The adoption of the current edition of Handbook 44 necessitates deletion of this rule. The new requirements can be found in the following sections of Handbook 44:

"LIQUID MEASURING DEVICES - Provision for Sealing," 5.2.2;

"VEHICLE TANK METERS - Provision for Sealing" 5.2.2;

"LPG LIQUID MEASURING DEVICES, Provision for Sealing" 5.2.2;

"LPG VAPOR MEASURING DEVICES, Provision for Sealing" 5.2.2.

14. The Commission indicated that there are no major changes in the Fundamental Considerations section of the H-44 code. There is basically some language changes in the front of the book designed to give the inspector an idea of how to proceed and what to look for. Under the General Code, the Commission indicated that there were no major changes that would affect the devices to a great extent. However, a change in the General Code specifications 1., 2., and 3., drew some discussion regarding the deletion of the word "commercial" from these sections which constitutes an expansion of authority to all weighing and measuring devices. The Commission contends that this broader authority would allow for more effective enforcement and protection. The Scale Manufacturers Association contends that this would result in many serious problems. The first being that it would include virtually all weighing and measuring devices that exist, for some of which

there are applicable standards, and others for which applicable standards do not exist. It is noted that the inclusion of the amended sections to the General Code would include industrial equipment and equipment used in other processes such as the packaging that is presently not included in the Handbook. Also, this might expand the responsibility or double the number of weighing and measuring devices that the Division is presently concerned with. The Scale Manufacturers Association contends that this represents a serious departure from the stated purpose of making Minnesota laws uniform with respect to other jurisdictions. The new requirement would require that scales now classified as non-commercial and industrial scales be constructed and maintained to standards which are not recognized as applicable with these scales by those states adopting the provisions of Handbook 44. They claim that such a requirement could be met only at considerable expense to the manufacturing sector, the business community and consumers of Minnesota manufactured goods. They also claim that this would have the potential for limiting the number of scale manufacturers able to do business in Minnesota by requiring special designs, specifications and manufacturing tooling for a relatively small market segment. They further argue that the deletion of the word "commercial" would enable speedometers and odometers, even bathroom scales, to fall within this commercial category.

15. The Commission contends that the deletion of the word "commercial" would expand the weights and measures jurisdiction to all weighing and measuring devices regardless of whether they are used in a commercial transaction or as a service. This would broaden the authority now experienced by the Weights and Measures Division.

16. The Examiner finds that the rule is reasonable with the deletion of the word "commercial" in order to allow for more effective enforcement and protection and maintain uniformity.

17. The Commission proposes a change in the Scale Code, S.1.6.3. (formerly S.1.5.2.). The second sentence of this section provides the requirement for dual digital indications as a

benefit to and a protection for the customer in retail transactions. The third sentence of this section requires the exclusion of fractional and multiple pound pricing in a retail device. The intent is to eliminate the possibility of fraud and to prevent a clear understanding to all parties involved in the transaction. This proposed change was necessitated by possible problems that might be generated out of the weighing transaction when other than a price per pound is used. In the quarter and half-pound pricing, the confusion and misrepresentation has generated major concerns in regulatory agencies and the consumer protection groups. This section was adopted by the National Conference after much consideration and weighing of the evidence on both sides; they determined it was prudent to protect a purchaser from this type of device by the adoption of the rule.

18. The Scale Manufacturers Association does not feel that the adoption of S.1.6.3. will achieve the stated purpose of eliminating the possibility of fraud, or eliminating complaints regarding the practice of fractional pricing. They maintain that there is nothing inherently fraudulent in either the design or the use of fractional computing capability on the scales. They argue that the consumer confusion concerns mainly the widely accepted sales practice of pricing by fractional pound unit for delicatessen-type products. The elimination of this confusion would more properly be addressed by a requirement that the practice of selling or advertising for sale by quarter and half-pound be prohibited or be more specifically regulated. They conclude that limiting the technology would not be the solution to the sales practice of advertising, exposing for sale or selling by the one-fourth and one-half pounds. In addition, they argue that the prohibition of the capability on a computing scale may result in other problems. Today, the vast majority of scales in use with fractional pricing capability have a limit to three digits. Thus, items sold at unit prices exceeding $9.99 per pound will have to be computed by hand, or a new scale will have to be purchased if this requirement is, in fact, enforced. The specific wording of the rule states, "Unit price displays visible to the

customer shall be in terms of the price per pound and not in fractions or multiples of a pound."

19. The problem narrows down to the issue of the weight, itself, on the scale being visible by pound only but advertisers and merchants can advertise products by the quarter or half pound. To adopt this proposed change in S.1.6.3. will not achieve the elimination of possibility of fraud or customer complaints regarding fractional pricing. The advertisements of said commodities must be closely scrutinized, and possibly regulated to avoid customer deception. The rule, which requires the exclusion of fractional and multiple pound pricing in a retail device, is unreasonable and unnecessary.

20. That the amendments to PSC 120 as modified above are reasonable in order to continue the uniformity originally established in the 1970 adoption of Handbook 44 so that it includes all Handbook 44 amendments through December 31, 1976. This will also eliminate the duplication of regulations and said amendments are necessary and reasonable for proper regulation by the Weights and Measures Division of the Commission.

PROPOSED CHANGES IN PSC 122

21. The Commission proposes to amend PSC 122, which is the regulation concerning the installation of pit-type scales. In subsection (c), it is proposed that the words "hard surface" be added after the word "straight" and before the word "driveway", thus making it read: "Straight hard surface driveway". The Commission feels that the addition of the descriptive phrase, "hard surface" would help eliminate the confusion sometimes existent when new motor vehicle scales are installed. This would help clarify the meaning of the regulation as to what type of material is necessary to maintain the one-third inch per foot level condition required in PSC 122. The Commission has received a number of calls inquiring as to what type of material should be used in constructing new approaches to motor truck scales. They feel that the insertion of the descriptive phrase is reasonable and necessary in order to eliminate that confusion.

22. There was some concern raised at the hearing by the representative of Toledo Scale Company and the Scale Manufacturers Association that the term "hard surface" may lead to subjective enforcement. It was suggested that the wording in Section UR.2.6.1 of Handbook 44 be considered with additional allowance for the use of other durable materials in addition to concrete; for example, bituminous concrete.

23. The Commission's proposal is reasonable and the term "hard surface" will not cause an ambiguity in the interpretation.

PROPOSED PSC 128.

24. PSC 128 is a new rule which provides for the voluntary registration of persons authorized to service commercial weighing and measuring devices. Such registrants would be authorized, after making necessary repairs, to remove official rejection tags or marks placed on a weighing or measuring device and allow such device to be placed in service until such time as an official inspection or test can be made. The proposed rule would further provide for reciprocity agreements with any other states having similar registration requirements; for the payment of a registration fee; the issuance of a registration certificate; certification of standards and testing equipment used by registrants; and publication of an official list of registered service persons.

25. PSC 128, also known as the "Placing-in-service rule", is the result of two studies conducted in 1975 by the Department of Administration. These studies indicated that there were numerous problems existing in the Weights and Measures Division, including the inability to meet the statutory mandate for regular annual inspections. In March, 1976, another full-scale management study of the Weights and Measures Division resulted in a recommendation for the strengthening of the placing-in-service program and the proposal of the present rule. The placing-in-service program has been administered by the Weights and Measures Division for approximately 40 years, but it has never been established by rule. The Division performs two kinds of inspections: regular and special. Regular inspections are mandated by statute, performed free of charge and have been conducted at the convenience

of the inspector. His primary purpose is the regulation of all commercial weighing and measuring devices in Minnesota, an estimated number of 60,000. Special inspections are characterized by the fact that a fee is assessed for the services performed. They are generally performed at the request of some one outside of the Division, and the device owner has advance notice of the proposed inspection.

26. The two types of special inspections that have the most relevance to the placing-in-service authority are the reinspection of grain and measuring devices subsequent to repair, and the adjustments made by inspectors on inaccurate devices. One of the primary reasons for a regulatory lag within the Division was the amount of time spent on special inspections. The proposed rule enables a repair-person to service a commercial weighing or measuring device that has been rejected as inaccurate by an inspector of the Division and place it back in service. Repair-persons are granted this authority from the Division's metrologist, after submitting an application which includes a recommendation from someone known by the Division. Each repair-person must have his weights calibrated by the Division annually, after which his authority for placing in service is renewed. This procedure enables the devices to be placed back in service as soon as a repairman can be contacted. The new rule will enable the Division to discontinue its policy of reinspection of devices after servicing by the repair-person holding placing-in-service authority. Inspectors can then concentrate on regular inspection cycles.

27. PSC 128A provides for voluntary registration of service persons to provide a means whereby qualified service persons can install, service, repair or calibrate a commercial weighing or measuring device under supervision of the Division. This system is necessary because it establishes a system that provides a means to allow for persons other than state inspectors to keep these devices in operation without waiting for an official calibration test by the Division. Under this system, commercial devices will not be put into commercial service unless the repair-person is a registered service person or a weights and measures inspector.

28. PSC 128(B) is a definition section and is needed to clarify the scope and application of the rule.

29. PSC 128(B)(4) provides a reciprocity with other states' weights and measures divisions as necessary and desirable because there may be repair-persons who work in several states. Without that reciprocity, it would be necessary for them to have their testing equipment calibrated in all state jurisdictions in which they are registered.

30. PSC 128(B)(5) insures that all prospective applicants be fully qualified to install, service, repair or recondition whatever devices for the service of which competence is being registered; that the Applicant have in his possession or available all necessary testing equipment and standards; and that the Applicant have full knowledge of all appropriate weights and measures law, orders, rules and regulations.

31. PSC 128(B)(6) provides for a registration fee to cover the cost of administering the issuance of a permit in calibrating the Applicant's equipment to be used. Where calibration of equipment is accepted by the Division without testing, pursuant to a reciprocal agreement, the annual registration fee is still required.

32. PSC 128(B)(7) provides for a practical or written test of the abilities of Applicants prior to issuance of a registration number.

33. PSC 128(B)(8) explains the privileges of a voluntary registrant, including placing a commercial device in service until such time that an official examination can be made by a weights and measures official.

34. PSC 128(B)(9) cites the code and test procedures that the voluntary registrant must follow.

35. PSC 128(B)(10) cites the service person's responsibility to make a "placing-in-service report".

36. PSC 128(B)(11) is designed to insure that the testing standards used by the repair-persons are initially accurate and are kept accurate.

37. PSC 128(B)(12) gives the Director of Weights and Measures the responsibility of determining the amount and size of

test equipment needed to repair and calibrate various devices.

38. PSC 128(B)(13) is necessary to enable the Director to revoke certification of any repair-person deemed incompetent or who used the authority to perpetrate an illegality or fraud, who has otherwise performed in an unsatisfactory manner.

39. PSC 128(B)(14) is necessary to provide users of repair services with a listing of repair service persons registered with the Commission.

40. PSC 128(B)(15) indicates the effective date of the regulation.

41. The Scale Manufacturers Association contends that PSC 128 follows National Conference on Weights and Measures models very closely and represents a significant step forward in the regulation of servicemen and service agencies. The Toledo Scale Company also fully supports the adoption of PSC 128 as necessary and reasonable.

42. The proposed PSC 128 is necessary and reasonable. However, the Examiner does note that the rules, as proposed, contain incorrect numbering. Rule (B) (Definitions) should be limited to subsections 1, 2 and 3. Subsequent rules B4, B5, B6, B7, B8, B9, B10, B11, B12, B13, and B14 should be re-numbered as follows:

C., reciprocity; D., voluntary registration; E., registration fee; F., certificate of registration; G., privileges of a voluntary registration; H., responsibilities of a voluntary registrant; I., placed in service report; J., standards and testing equipment; K., publication of lists of approved standards and testing equipment; L., revocation of certificate of registration; M., publication of lists of registered service persons; N., effective date.

The final draft of these Rules by the Commission should contain this re-numbering manner.

Based upon the foregoing Findings of Fact, the Hearing Examiner makes the following:

CONCLUSIONS

1. That the Commission gave due, timely and proper notice of the hearing herein. All other substantive and procedural

requirements of the statute and applicable rules have been fulfilled.

2. The Public Service Commission has statutory authority to adopt the proposed rules.

3. With the exceptions noted in the Findings, the Commission has demonstrated the need for and the reasonableness of the proposed rules.

Based upon the foregoing Conclusions, the Hearing Examiner makes the following

RECOMMENDATIONS

1. That the proposed rules be modified as suggested in the Findings and that, so modified, they be adopted.

Dated this 16th day of May, 1977.

BERNARD SINGER
Hearing Examiner

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Bernard Singer, being first duly sworn, hereby deposes and says:

That at the City of St. Paul, county and state aforementioned, on the 16th day of May, 1977, he did serve the Report of Hearing Examiner, PSC-77-011-BS A-8117-16

upon the individuals listed in the attached paper by personally handing to and leaving with Sharon Schmidt, an employee of the Public Service Commission, said Report of Hearing Examiner.

Bernard Singer

Subscribed and sworn to before me this 16th day of May, 1977.

Eileen A. Gaiovnik

EILEEN A. GAIOVNIK
Notary Public, Ramsey Co. Mn.
MY COMMISION EXPIRES
December 14, 1980

Mr. Leo J. Ambrose, Director
Commission Support Division
Department of Public Service
7th Floor, American Center Building
160 E. Kellogg Boulevard
St. Paul, Minnesota - 55101

Mr. Robert Carlson, Director
Utilities Division
Public Service Commission
7th Floor, American Center Building
160 E. Kellogg Boulevard
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Mr. Jerome Getz
Special Assistant Attorney General
Public Service Commission
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Mr. Carl Warren
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Mr. Warren Czaia, Director
Weights and Measures Division
Public Service Commission
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Mr. William Deppe, Chief
Financial Evaluation Section
Public Service Commission
7th Floor, American Center Building
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Mr. Richard McMillen, Director
Utility Rates Division
Public Service Commission
7th Floor, American Center Building
160 E. Kellogg Boulevard
St. Paul, Minnesota - 55101

PSC Exhibit No. 4
File No. PSC-77-011
Date 2/8/77

RECEIVED
JAN 14 1977
OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

AFFIDAVIT OF MAILING

RULES HEARING

Audrey Gustafson, being first duly sworn, deposes and says;

That on the 30th day of December, 1976, at the City of St. Paul, County of Ramsey, State of Minnesota, s(he) served the attached Notice of hearing

Docket No. A-8117-16 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 at the addresses shown on the attached mailing list.

Audrey Gustafson
Audrey Gustafson

Subscribed and sworn to before me
this 30th day of December,
1976.

Muriel J. Volpe
Notary Public

MURIEL J. VOLPE
Notary Public, Ramsey County, Minn.
My Commission Expires, Jan. 26, 1978

PSC Exhibit No. 5
File No. PSC-77-01
Date 2/8/77

RECEIVED
JAN 14 1977
OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

CERTIFICATION

In the Matter of the Proposed Amendment of Certain Existing Rules and the Proposed Adoption of New Rules Relating to Weights and Measures, Electric Utilities, Gas Utilities, Telephone Utilities, and Motor Vehicle Transportation.

Docket No. A-8117-16

H.E. No. PSC-77-011

I hereby certify that the attached 503 labels & one sheet constitute the complete list of persons, associations, and other interested groups who as of 7:45 o'clock, a.m. this 28th day of December, 1976, have requested pursuant to M.S. 1971, Section 15.0412, 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 A. GROWE
SECRETARY OF STATE

By: Ceil Dion

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

A F F I D A V I T

Sharon A. Schmidt, being first duly sworn, upon oath deposes and says:

1) That she is an employee of the Minnesota Public Service Commission of the State of Minnesota.

2) That on the 28th day of December, 1976, she 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 have 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 Minn. Stat. 1971, Section 15.0412.

3) That on the 28th day of December, 1976, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached to the Certificate of the Secretary of State and incorporated herein by reference.

4) That on the 5th day of January, 1977, the State Register published a copy of the notice of hearing and proposed rules in Volume 1 pursuant to Minn. Stat. 1971, Section 15.0412.

Further affiant sayeth not.

Sharon A. Schmidt

Subscribed and sworn to before me
a notary public this 14th day of
January, 1977.

Mary E. Swanson

MARY E. SWANSON
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY

KEY: New rules and material proposed to be added to an existing rule are underlined. Material proposed to be deleted from existing rule is printed in [single brackets]. Red underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

PROPOSED AMENDMENTS TO THE
MINNESOTA RULES RELATING TO THE
PUBLIC SERVICE COMMISSION

CHAPTER THREE - PSC 106
WEIGHTS AND MEASURES DIVISION

[PSC 106 Pertaining to Railroad Freight Cars Coupled in Motion Weighing Systems.

(a) Coupled in Motion Weighing Systems. Upon application to the Commission, the use of coupled in motion weighing systems may be authorized, for tariff purposes only, for railroad freight cars at designated installations in such form and manner as shall establish true and correct weights subject to tolerances herein listed for coupled in motion weighing systems. The application for installation of coupled in motion weighing systems shall include a description of the type of scale or system and manner or method of weighing.

(b) Scale Tolerance. The permitted tolerance for coupled in motion weighing systems used in tariff weighing shall be as follows:

(1) Train Load Accuracy

(aa) 0.1% for the total weight of 100 car weights (i.e., 10 car cut weighed 10 times).

(bb) 0.2% for the total weight of 10 car weights.

(2) Individual Car Accuracy. Maximum single car error occurring on 95% of the cars shall not exceed 0.5%.

(3) Static Accuracy Test. The basic maintenance tolerance shall be 2 pounds per 1,000 pounds of test load (0.2 per cent). The acceptance tolerance shall be one-half of the basic maintenance tolerance.

(c) Value of the Minimum Graduated Interval. The value of the minimum graduated interval may be 100 pounds. For test purposes, the minimum graduation shall be no larger than 20 pounds.]

Rev'd 12/1/76

PROPOSED AMENDMENTS TO THE
MINNESOTA RULES RELATING TO THE
PUBLIC SERVICE COMMISSION

CHAPTER FOUR - PSC 120, 122-124 & 128
WEIGHTS AND MEASURES DIVISION

PSC 120 Promulgation of Existing Code by Reference. The specifications, tolerances and other technical standards for commercial weighing and measuring devices as prescribed by the National Conference on Weights and Measures and published in the National Bureau of Standards Handbook 44-[3d Edition, 1965] 4th Edition, 1976, are hereby adopted by reference as the standards of the State of Minnesota for such devices. Provided, however, that should the aforesaid Handbook 44 contain any provisions contrary to the laws of Minnesota or the rules of the Minnesota Public Service Commission, Minnesota law or Public Service Commission rule shall govern.

PSC 122 Scales and Weighing Devices. General Specifications.

(a) Pivots.

(1) Positioning. All pivots or knife-edges shall be firmly secured in or to the levers.

(2) Material. The material used for pivots shall be either:

(aa) Special alloy pivot steel (SAE 6195 or 52100) hardened to Rockwell C scale not less than 58, or

(bb) Carbon steel hardened to Rockwell C scale not less than 60.

(cc) Agate may be used for prescription scales and balances.

(3) Design. All pivots shall be sharp and bear throughout the entire length of the parts designed to be in contact.

(b) Bearings.

(1) Finish of Bearing Steels. The bearing surfaces shall be brought to a smooth, true and accurate finish to insure continuity of contact with opposing pivots. (The term "bearing" used in these spcifications refers to the entire surface which is designed to be in contact with the edge of a knife-edge or pivot.)

(2) Material. The requirements shall be the same as those set forth in section (a),(2),(aa) and (bb).

(c) Approaches. A vehicle scale shall have at least twelve feet or a distance equal to one-third of the deck length, whichever is greater, of straight hard surface driveway on either end of the scale not over one-third inch per foot out of level of platform. The first 6 feet on both ends shall be constructed of reinforced concrete.

(d) Proper Position of Weighing and Measuring Devices Used in Trade for Vending. The position or location of all weighing and measuring devices shall be determined by the Weights and Measures Division, but

in no case shall the device be placed for use in such a position or location that the indications cannot be easily read by all parties interested. (The permissible distance between the device and a reasonable customer position will depend upon the size and character of the indicating elements of the device.)

(e) Submission of Plans. The manufacturer shall furnish to the purchaser plans of design showing detailed dimensions for all scale parts and the material of which they are to be fabricated; also assembly plans showing location of all field connections and all information necessary for the purchaser to erect the scale. If it is so deemed necessary by the Weights and Measures Division the purchaser may be required to submit to said department for approval the foregoing plans, together with his detailed plans for the construction and location of the scale to be installed, including the foundation thereof.

(f) Livestock Scales. Livestock scales in sales pavilions, buying stations, stockyards and packing plants shall be equipped with full capacity type registering weighbeams or automatic weight recorders.

(g) Scale Pits. The scale pits on all motor vehicle and livestock scales shall have 48 inch minimum distance between the weighbridge I-beam and the floor of the pit.

(h) Pitless-type Scales. A self-contained or pitless-type motor vehicle or livestock scale shall not be used in any one location for any time period longer than 130 calendar days. If the self-contained or pitless motor vehicle or livestock scale remains in the same location for more than 130 calendar days, a pit shall be constructed in conformance to existing Minnesota regulations.

[PSC 123 Vehicle Tanks. In determining the capacity of a vehicle-tank compartment, water is recommended as the testing medium.

(a) Definition. A vehicle tank is an assembly used for the delivery of liquids, comprising a tank, which may or may not be subdivided into two or more compartments, mounted upon a wagon, automobile truck, or trailer, together with its accessory piping, valves and meters. The term "compartment" shall be construed to mean the entire tank whenever this is not subdivided; otherwise it shall mean any one of those subdivided portions of the tank which is designed to hold liquid.

(b) Specifications

(1) Permanence. A vehicle tank shall be so designed and shall be of sufficiently substantial construction that it may reasonably be expected to withstand ordinary usage without impairment of the accuracy of the deliveries made therefrom; the shell and the bulkheads shall be of such construction that they will not become distorted under any condition of liquid lading.

(2) Venting Means. Each compartment shall be provided with suitable venting means to prevent the formation of air pockets by permitting the escape of air from all parts of the compartment designed to be filled with liquid and to permit the influx of air to the compartment during the process of delivery.

(3) Marking. All lettering and figures required under these specifications shall be of such size, design, material, and location, and shall be so applied or affixed, that they will not tend easily to become obliterated or illegible.

(4) Fraudulent Construction. All vehicle tanks and all devices designed to be attached thereto and used in connection therewith shall be of such design and construction that they do not facilitate the perpetration of fraud.

(5) Fill Openings and Indicators

(aa) The fill opening shall be of such size that it can readily be determined whether or not the compartment has been properly filled or completely emptied, as the case may be, and that the attachment of the seal can be readily accomplished when such sealing is required by the terms of this specification; however, if the fill opening is circular its effective diameter shall in no case be less than 7 5/8 inches, or if other than circular, it shall have an effective area of not less than 45 square inches. An indicator shall be provided within the fill opening of each compartment and shall be permanently attached and located on a line marking the centerlength of the compartment, midway between the ends of the compartment. The indicator shall be so designed that it will clearly, distinctly, and unmistakably define the height to which the compartment must be filled in order to contain its marked capacity, and the change in height of the liquid surface at the index of the indicator equivalent to the volume representing the tolerance on the compartment capacity, shall in no case be less than 0.04 inch.

(bb) Highway Load Limit. In order that a transport truck tank carrier of petroleum products may haul the legal maximum weight-load at all times, multiple indicators, not to exceed five, at levels permitting the maximum gallonage for the lightest and heaviest fluids hauled may be installed to allow for volumetric weight discrepancies caused by temperature variations. This specification shall apply only to

vehicle tanks having a total gallonage that may exceed the maximum weight-limit restrictions of the Minnesota Highway Department.

(6) Expansion Space. The indicators shall be so positioned that when a compartment is filled to the indicators the expansion space shall not be less than one per cent of the capacity of the compartment.

(7) Provision for Complete Delivery. The tank and the delivery piping shall be so designed and constructed and shall be so mounted upon the vehicle that when standing upon a level surface complete delivery may be made from any compartment through the delivery faucets or valves whether other compartments are full or empty.

(8) Discharge Through Manifold. When two or more compartments discharge through a manifold, effective and automatic means shall be provided to prevent the passage of liquid from the manifold into the discharge line from any compartment. This does not apply to a tank that is equipped to be bottom-loaded through the manifold.

(9) Piping. Vehicle tanks, equipped with control or emergency valves, shall have such valves at the lowest point of outlet from each compartment, and the capacities of such compartment shall be construed as not including the capacity of the piping leading therefrom. However, the capacity of the piping leading from such a compartment shall be separately determined and reported, and may be separately determined and reported, and may be separately marked.

(10) Marking of Capacity. Each compartment of a tank shall be plainly and conspicuously marked with a designating letter or figure and each delivery faucet or valve shall be correspondingly marked to

indicate the compartment of which it is the outlet. In addition, the tank shall be plainly and conspicuously marked to show the capacity, to the nearest half gallon, of each compartment; and such marking shall indicate that the capacities given are measured to the indicators provided. This latter marking shall be placed adjacent to the faucets or valves.

(11) Vehicle Tank Used As a Measure. When a vehicle tank is used as a measure, the vehicle shall stand upon a level surface during the filling of the compartment; during a delivery, the vehicle shall be so positioned as to insure complete delivery whenever the delivery is such that a compartment should be completely emptied.

(12) Damaged Tank. If a vehicle tank be damaged, repaired, or modified in any way which might affect the accuracy of measurement of its deliveries, it shall not again be used for measurement until inspected and, if deemed necessary, tested, by the Weights and Measures Division.

(13) Location of Fill Openings. The fill openings shall not be positioned from the center of a compartment by an amount greater than its diameter.

(14) Metal Identification Plate. There shall be on every compartment a metal plate located on right side near fill opening, in a place readily accessible for inspection. This plate shall be permanently affixed to the tank by means of soldering, brazing, welding or other equally suitable means, and upon it shall be marked Minnesota Weights and Measures Division calibration number, manufacturer's number, date of calibration, and the gallonage of the compartment.

(c) Tolerances for Vehicle Tanks Used As Measures. The tolerances to be allowed in excess or deficiency on all vehicle-tank compartments which are being tested by the Weights and Measures Division for the first time, to verify the accuracy of a capacity marked by a manufacturer or user, shall be the values shown in the column headed, "On first test" in the following table. The tolerances to be allowed in excess or deficiency on all subsequent tests to verify the accuracy of a marked capacity, shall be the values shown in the column headed "On subsequent test." These tolerances are to be applied to the difference between the actual result of the calibration and the marked capacity of the compartment. Whenever the result of a calibration indicates that the marked capacity of a compartment is not accurate within the tolerance to be applied, if the capacity of the compartment is adjustable, then the marking shall be changed in accordance with the provisions of specification No. 10, or the result of the calibration shall be taken as the basis of an adjustment and the adjustment shall be so made that the capacity of the compartment agrees as nearly as may be with such marked capacity; if the capacity of the compartment cannot be adjusted to agree with the marked capacity, then the marking shall be changed in acoordance with the provisions of specification No. (10).

Compartment capacity Gallons	Tolerance On first test Pints	Tolerance On subsequent tests Quarts
200 or less	4	2
201 to 400, incl.	4	3
401 to 600, incl.	5	4
601 to 800, incl.	6	5
801 to 1,000, incl.	7	6
Over 1,000	Add 1 pint per 200 gallons or fraction thereof.	Add 1 quart per 200 gallons or fraction thereof.]

[PSC 124 Liquid-Measuring Devices. Provision for Sealing. Any device adapted for adjusting or correcting the delivery of a liquid-measuring device, or for changing the maximum delivery rate of a meter when this change tends to affect the accuracy of the deliveries, shall be of such construction that it may be sealed, either separately or together, in such a manner that the position of neither can be changed without destroying the seal or seals.]

PSC 128 For The Voluntary Registration Of Service Persons For Commercial Weighing And Measuring Devices. These rules and regulations on the voluntary registration of service persons for commercial weighing and measuring devices are promulgated under authority conferred upon the Department of Public Service to promulgate regulations for registration of weighing and measuring device repair persons.

A. It shall be the policy of the Director of Weights and Measures to accept voluntary registration of individuals who provide acceptable evidence that they are fully qualified to install, service, repair, or recondition a commercial weighing or measuring device, have a thorough working knowledge of all appropriate weights and measures laws, orders, rules, and regulations and have possession of, or available for use, weights and measures standards and testing equipment appropriate in design and adequate in amount.

This policy shall in no way preclude or limit the right and privilege of any qualified individual not registered with the Director to install, service, repair, or recondition a commercial weighing or measuring device.

B. Definitions

1. Director shall mean the Director of the Department of Public Service or his delegate.
2. Registered service persons shall mean any individual who for hire, award, commission, or any other payment of any kind, installs, services, repairs, or reconditions a commercial weighing or measuring device and who voluntarily registers himself as such with the Director.
3. The term commercial weighing and measuring device shall be construed to include any weight or measure or weighing or measuring device commerically used or employed in establishing the size,

quantity, extent, area, or measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire, or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure, and shall also include any accessory attached to or used in connection with a commercial weighing or measuring device when such accessory is so designed or installed that its operation affects, or may affect, the accuracy of the device.

4. Reciprocity. The Director may enter into an informal reciprocal agreement with any other State or States that has or have similar voluntary registration policies. Under such agreement, the registered service person of the State party to the reciprocal agreement is granted full reciprocal authority, including reciprocal recognition of certification of standards and testing equipment, in all States party to such agreement.

5. Voluntary Registration. A service person may apply for voluntary registration to service weighing devices or measuring devices on an application form supplied by the Director. Said form, duly signed and verfied, shall include certification by the applicant that: a. The service person is fully qualified to install, service, repair, or recondition whatever devices for the service of which competence is being registered, b. The service person has in possession, or available for use, all necessary testing equipment and standards, and c. The service person has full knowledge of all appropriate weights and measures laws, orders, rules, and regulations. An applicant also shall submit appropriate evidence or reference as to qualifications.

6. Registration Fee. The minimum charge for the calibration of testing equipment for issuance of Placing-in-Service permits shall be $10.00.

7. Certificate of Registration. Upon receipt and acceptance of a properly executed application form, initial examination and certification of standards and testing equipment to be used, and any other proof of competence the Director shall deem necessary, the Director shall, after having received the applicant's annual registration fee, issue to the applicant a Certificate of Registration, including an assigned registration number, which shall remain effective until either returned by the applicant or withdrawn by the Director.

8. Privileges Of A Voluntary Registrant. A bearer of a Certificate of Registration shall have the authority to remove an official rejection tag or mark placed on a weighing or measuring device by the authority of the Director; place in service, until such time as an official examination can be made, a weighing or measuring device that has been officially rejected; and place in service, until such time as an official examination can be made, a new or used weighing or measuring device. All work on weighing and measuring devices restored to service or placed in service shall be performed by or under the direct supervision of a bearer of a certificate of registration.

9. Responsibilities Of A Voluntary Registrant. It shall be the responsibility of a bearer of a Certificate of Registration to comply with the provisions of National Bureau of Standards Handbook 44, and the Examination Procedure Outlines (E.P.O.'s) published by the National Bureau of Standards.

10. Placed-In-Service Report. The Director shall furnish each registered service person with a supply of report forms to be known as Placed-In-Service Reports. Such a form shall be executed in triplicate, shall include the assigned registration number, and shall be signed by a registered service person for each rejected device restored to service

and for each newly installed device placed in service. Within 24 hours after a device is restored to service, or placed in service, the original of the properly executed Placed-in-Service Report, together with any official rejection tag removed from the device, shall be mailed to the Division of Weights and Measures, 1015 Currie Avenue, Minneapolis, Minnesota 55403. The duplicate copy of the report shall be handed to the owner or operator of the device, and the triplicate copy of the report shall be retained by the registered service person.

11. Standards And Testing Equipment. A registered service person shall submit to the Weights and Measures Laboratory, upon initial application for voluntary registration and at least annually thereafter, for its examination and certification, any standards and testing equipment that are used, or are to be used, in the performance of the service and testing functions with respect to weighing and measuring devices for which competence is registered. The cost of such inspection and certification shall be paid by the registrant in an amount based upon the Standards Laboratory Fee Schedule. A registered service person shall not use, in servicing commercial weighing or measuring devices, any standards or testing equipment that have not been certified by the Director.

12. Publication Of Lists Of Approved Standards And Testing Equipment. The Director shall publish from time to time as he deems appropriate, and may supply upon request, information concerning standards and testing equipment acceptable for use by registered service persons.

13. Revocation Of Certificate Of Registration. The Director may inspect the work of repairman at any time and may, for good cause, after careful investigation and consideration, suspend or revoke a Certificate of Registration.

14. Publication Of Lists Of Registered Service Persons. The Director may publish, from time to time as he deems appropriate, and may supply upon request, lists of registered service persons.

15. Effective Date. This regulation shall become effective on _____.

CERTIFICATE OF COMMISSION'S AUTHORIZING RESOLUTION

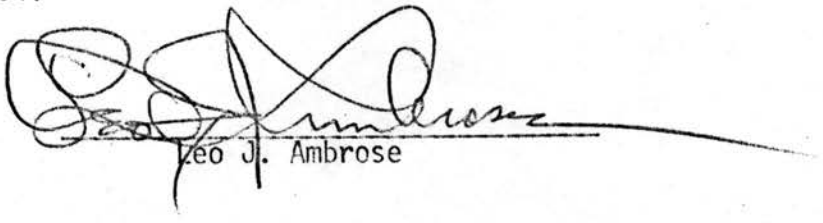
I, Leo J. Ambrose, do hereby certify that I am secretary of the Public Service Commission, a Commission duly authorized under the laws of the State of Minnesota, and that the following is a true, complete and correct copy of the resolutions adopted at a meeting of the Public Service Commission duly and properly called and held on the 8th day of December, 1976 and amended at a meeting of the Public Service Commission duly and properly called and held on the 13th day of December, 1976; that a quorum was present at both meetings; that a majority of those present voted for the resolutions and the amendment thereto; that the resolutions as amended have not been rescinded or modified:

1600. A-8117-16 It was voted to authorize and direct Commission Secretary Lawrence J. Anderson to sign the documents required for the convening of a Rules Hearing on February 8, 1977.

1601. A-8117-16 It was voted to approve an Order for Hearing in the matter of the proposed amendment of certain existing rules and the proposed adoption of new rules relating to Weights and Measures, Electric Utilities, Gas Utilities, Telephone Utilities and Motor Bus and Truck Transportation. A division was called on proposed Rule 504. The vote was AYE: Anderson, Parish; NAY: Erdahl

1602. A-8117-16 It was voted to approve a Notice of Hearing setting the dates of February 8, 1977 through February 11, 1977 as the time for a hearing on the proposed amendment of rules to which reference was made in Items 1600 and 1601.

1604. A-8117-16 It was voted to amend the minutes of December 8, Item 1601, to delete reference to Rule 504.



Leo J. Ambrose

COMMISSION
ORIGINAL

RECEIVED
JAN 14 1977
OFFICE OF HEARING EXAMINERS

Approved of record
12/8/1976
Secretary

BEFORE THE MINNESOTA PUBLIC SERVICE COMMISSION

Karl F. Rolvaag	Chairman
Ronald L. Anderson	Commissioner
Arlen I. Erdahl	Commissioner
Richard J. Parish	Commissioner
Katherine E. Sasseville	Commissioner

In the Matter of the Proposed Amendment of Certain Existing Rules and the Proposed Adoption of New Rules Relating to Weights and Measures, Electric Utilities, Gas Utilities, Telephone Utilities, Motor Vehicle Transportation.

DOCKET NO. A-8117-16

DOCUMENT OF AUTHORITY

WHEREAS, the Minnesota Public Service Commission has pursuant to Minn. Stat. (1974) Section 15.0411, Subd. 3, directed that a rules hearing be held; and

WHEREAS, Minnesota Reg. H.E. 102(b) (3) requires that a person signing such an order must have authorization from the agency ordering the hearing; and

WHEREAS, this Document of Authority must accompany the papers submitted to the Chief Hearings Examiner.

IT IS THEREFORE ORDERED:

ORDER

That, by unanimous vote, the Minnesota Public Service Commission hereby authorizes and directs its Secretary, Lawrence J. Anderson, to sign, on behalf of the Commission, the Order for Hearing and Notice of Hearing required by the above-cited rule.

BY ORDER OF THE COMMISSION

/s/ LAWRENCE J. ANDERSON
Secretary

Dated: DEC 8 1976

(S E A L)

BY _____
DEPUTY SECRETARY

BEFORE THE MINNESOTA PUBLIC SERVICE COMMISSION

Karl F. Rolvaag	Chairman
Ronald L. Anderson	Commissioner
Arlen I. Erdahl	Commissioner
Richard J. Parish	Commissioner
Katherine E. Sasseville	Commissioner

In the Matter of the Proposed Amendment of Certain Existing Rules and the Proposed Adoption of New Rules Relating to Weights and Measures, Electric Utilities, Gas Utilities, Telephone Utilities, and Motor Vehicle Transportation.

DOCKET NO. A-8117-16

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing in the above-captioned matter will be held in the Large Hearing Room, Seventh Floor, American Center Building, 160 East Kellogg Boulevard, St. Paul, Minnesota 55101, on Tuesday, February 8 through Friday, February 11, 1977, commencing at 9:30 a.m. (CST) each day and continuing until all representatives of associations or other interested groups or persons have been given an opportunity to be heard.

The proposed rules will be heard as follows: Gas and Electric proposed rules on February 8; Telephone proposed rules on February 9; Weights and Measures proposed rules on February 10; and Motor Vehicle Transportation rules on February 11.

Any interested person, representative of an interested group or other parties affected may participate in the hearing. Statements, either oral or in writing, may be submitted at the hearing. Statements or briefs may be submitted by parties who do not appear at the hearing. The original of such material must be filed with Examiner Bernard Singer, Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota 55104 (phone: 612/296-8117). In addition, the record of the hearing will remain open for twenty (20) days following adjournment for the filing of such written statements or briefs.

The proposals, if adopted, would:

I.

Revise Minn. Reg. PSC 279-336 (Gas and Electric Utilities Customer Service Rules and Standards) to clarify ambiguous provisions, specify customer complaint procedures, eliminate cold weather disconnection prohibition, substantially change disconnect procedures and penalties, eliminate utility penalty in customer disputes, revise escrow procedures, expand required billing content, revise inaccurate meter and back billing provisions, limit responsibility for over and under-charges, revise deposit requirements.

II.

Adopt a rule to be designated Minn. Reg. PSC 410 to provide for the filing of annual reports by gas and electric utilities. The proposed rule would provide a focal point for collecting financial, customer service and engineering information; furnish a basic source document for use in rate cases and other regulatory proceedings; furnish a basic source document for the preparation of external and internal reports; and furnish a basic source document for the evaluation of correspondence with various gas and electric utility companies.

III.

Adopt a new rule to be designated Minn. Reg. PSC 420 requiring gas and electric utilities to include in the Uniform System of Accounts moneys expended by lobbyists during the course of their activities. This rule would require disclosure and documentation of expended funds so the amount spent by utilities will be available for consideration in rate matters as an expenditure.

IV.

Adopt a new rule to be designated Minn. Reg. PSC 215 relating to depreciation certification for telephone utilities to provide a uniform system of control and review over depreciation practices of telephone companies.

V.

Revise Minn. Reg. PSC - Chapter Seven for the purpose of clarifying existing rules by grouping them according to subject matter and providing telephone customers the same safeguards and protection furnished by gas and electric utility companies and requiring telephone companies to include in the Uniform System of Accounts moneys expended by lobbyists during the course of their activities. Where possible, regulations will be standardized so they apply in a similar manner to telephone, gas and electric utilities. Adoption of all or part of this proposal will necessitate re-numbering of the rules in Chapter Seven.

VI.

Amend Minn. Reg. PSC 120 to adopt by reference National Bureau of Standards Handbook 44 - 4th Edition, 1976. The following sections of Handbook 44 will be affected by adoption of this proposal:

(Note: NEW means "Changed," "Renumbered" or "In Addition To" the present Code H-44, 3rd edition.)

NEW GENERAL CODE

G-A.2.
G-S.1.
G-S.2.
G-S.3.
G-S.5.2.2.
G-S.5.2.3.
G-S.5.3.1.
G-S.5.5.
G-S.5.6.
G-S.6.
G-S.7.
G-N.2.
G-UR.1.1.
G-UR.1.2.
G-UR.3.2.
G-UR.3.3.
G-UR.3.4.
G-UR.4.1.
G-UR.4.2.
G-UR.4.3.
G-UR.4.4.
G-UR.4.5.

NEW SCALE CODE

A.1.
S.1.1.
S.1.4.
S.1.4.1.
S.1.5.
S.1.6.
S.1.6.1.
S.1.6.2.
S.1.6.3.
S.1.6.4.
S.1.7.
S.1.7.1.
S.1.7.2.
S.2.
S.2.1.2.
S.2.1.3.
S.2.1.4.
S.2.1.5.
S.2.3.
S.2.4.
S.2.4.1.
S.2.5.
S.2.5.1.
S.2.6.
S.2.6.1.
S.2.10.
S.4.2.
S.4.3.
S.6.3.
S.6.4.
N.1.3.4.
N.1.3.5.
N.1.3.6.
N.3.
SR.3.
SR.4.
SR.4.1.
SR.4.2.
SR.5.
SR.6.
SR.7.
SR.7.1.
SR.7.2.
SR.8.
T.1.
T.1.1.
T.1.2.
T.1.3.
T.1.4.
T.1.5.
T.1.6.
T.1.7.
T.2.1.
T.2.2.
T.2.3.
T.2.3.1.
T.2.3.2.
T.2.5.
T.2.6.
T.2.7.
T.2.8.
T.2.9.
T.3.1.
T.3.2.
T.3.3.
T.3.4.
T.3.5.
T.3.6.
T.3.6.1.
T.3.6.2.
T.3.6.3.
T.3.8.
T.3.8.1.
T.3.8.2.
UR.1.1.
UR.1.1.4.
UR.1.1.5.
UR.1.1.6.
UR.1.1.7.
UR.1.1.8.
UR.2.3.
UR.2.4.
UR.2.5.
UR.2.6.
UR.2.6.1.
UR.2.6.2.
UR.3.1.
UR.3.2.1.
UR.3.5.1.
UR.3.5.2.
UR.4.1.
UR.4.3.
UR.4.4.

Entire Code on BELT-CONVEYOR SCALES.

NEW CODE ON WEIGHTS

A.1.
A.2.
A.3.

NEW CODE for LIQUID MEASURING DEVICES

A.1.
A.2.
A.3.
S.1.4.2.
S.1.4.4.
S.1.4.5.
S.1.4.6.
S.1.5.2.
S.2.1.
S.2.5.1.
S.2.6.
S.2.6.1.
S.2.6.2.
S.2.6.3.
S.2.6.4.
S.2.7.
S.2.7.1.
S.4.3.2.
N.1.
N.4.1.
N.4.2.2.
N.5.
T.1.1.
Table #1
UR.1.1.
UR.1.1.1.
UR.2.4.
UR.2.5.
UR.3.2.
UR.3.3.
UR.3.4.
UR.3.5.
UR.3.5.1.
UR.3.5.2.
UR.3.5.3.

NEW CODE for VEHICLE TANK METERS

A.1.
A.2.
A.3.
S.2.2.1.
S.3.
S.4.
S.4.1.
S.4.2.
S.5.
S.5.1.
S.5.2.
S.5.3.
S.5.4.
N.1.
N.4.1.1.
N.4.2.
N.4.3.
N.4.4.
Table #2
UR.1.3.
UR.2.2.
UR.2.3.

NEW CODE for LIQUEFIED PETROLEUM GAS/LIQUID MEASURING DEVICES

A.1.
A.2.
A.3.
S.1.1.5.
S.1.4.4.
(delete S.1.4.4.
from old book)
S.2.6.1.
S.2.7.
S.3.1.
N.4.2.2.
UR.2.4.
UR.2.4.1.
UR.2.4.2.
UR.2.5.
UR.2.6.

NEW CODE for LIQUEFIED PETROLEUM GAS/VAPOR MEASURING DEVICES

Entire Code.

NEW CODE on CRYOGENIC LIQUID-MEASURING DEVICES

Entire Code.

LIQUID MEASURES

A.1.
A.2.
A.3.

NEW CODE for VEHICLE TANKS USED AS MEASURES

Entire Code.

NEW CODE for FARM MILK TANKS

A.1.
A.2.
A.3.
S.2.2.
S.2.2.1.
S.2.2.2.
S.2.3.
S.3.5.3.
N.5.
T.2.
T.3.
T.4.
(delete UR.3. in old book)

NEW CODE for MEASURE CONTAINERS

A.1.
A.2. (delete S.4.2.1. in old book)
A.3. (delete S.4.2.2. in old book)
S.2.

NEW CODE for MILK BOTTLES

A.1. Change Table #1
A.2. T.2.
A.3. New Table #2
S.4.1.
S.4.2.

NEW CODE for LUBRICATING OIL BOTTLES

A.2.
UR.1.

GRADUATES

A.2.
S.3.
Table #3 changed

LINEAR MEASURES

A.2.
T.2.

NEW CODE for ODOMETERS

A.1.
A.3.
N.1.1.
N.1.2.
N.1.3.1.
N.1.3.2.
N.1.3.3.
UR.1.

NEW CODE for TIMING DEVICES

Entire Code.

FABRIC MEASURING DEVICES

A.1.
A.2.
A.3.
S.2.1.3.

NEW CODE for WIRE & CORDAGE MEASURING DEVICES

A.2.
S.1.
S.2.3.
S.3.3.
N.1.
N.2.
UR.1.1.
UR.2. (table #1 changed)
UR.2.2.
UR.2.3.
UR.2.4.

TAXIMETERS

A.3.
N.1.3.1.
UR.2.

NEW CODE for DRY MEASURES

A.1.
A.2.
A.3.
A.4.

NEW CODE for BERRY BASKETS and BOXES

A.2.

VII.

To eliminate in their entirety, Minn. Reg. PSC 106 pertaining to Coupled-in-Motion Weighing Systems of railroad freight cars, Minn. Reg. PSC 123 relating to Vehicle Tanks, and Minn. Reg. PSC 124 relating to provisions for sealing Liquid-Measuring Devices.

VIII.

Amend Minn. Reg. PSC 122 to provide a requirement that straight approaches to motor truck scales be hard surfaced in both ends of the scale.

IX.

Adopt a new rule to be designated Minn. Reg. PSC 128 providing for a voluntary registration of persons authorized to service commercial weighing and measuring devices. Such registrants would be authorized, after making necessary repairs, to remove official rejection tags or marks placed on a weighing or measuring device and allow such device to be placed in service until such time as an official inspection or test can be made. This proposed rule would further provide for reciprocity agreements with any other state or states having similar registration requirements; for the payment of a registration fee; the issuance of a registration certificate; certification of standards and testing equipment used by registrants; and publication of an official list of registered service persons.

X.

Amend Minn. Reg. PSC 2(m) to allow permit contract and irregular route common carriers to commingle cargo provided the carrier holds both types of authority.

XI.

Amend Minn. Reg. PSC 2(o) to eliminate the requirement for a hearing when a petroleum carrier or permit carrier of petroleum products is ordered to install a recording device following a violation of law or rule.

XII.

Amend Minn. Reg. PSC 2(s)(3)(aa) by deleting paragraph (aa-1). This amendment will apply the provisions of paragraph (aa) to carriers holding an authority as Irregular Route Common Carrier, Petroleum Carrier, Regular Route Common Carrier, Interstate Carrier, Charter Carrier and Livestock Carrier.

XIII.

Revise a portion of Minn. Reg. PSC 5 (Safety: General Application - Safety Regulations) to incorporate changes in the Code of Federal Regulations, Title 49, dated October 1, 1975. This proposed rule will also correct the mailing address of the Public Service Commission.

Upon written request, you will be furnished with one free copy of that portion of the proposed rules (with existing language bracketed and new language in boldface) in which you have an interest. Your request stating specifically those proposed rules desired should be mailed to the Department of Public Service at the address given in this order. The agency's authority to promulgate the proposed rules is contained in Minn. Stat. (1974) Section 216A.05.

A Statement of Need and a Statement of Evidence are available for review at the office of the Secretary of the Public Service Commission on the Seventh Floor of the American Center Building, 160 East Kellogg Boulevard, St. Paul, Minnesota. The Statement of Need explains the need for and the justification of the proposed amendments. The Statement of Evidence (as required by Minn. Reg. HE 103(i)) summarizes the evidence which will be presented by the Department in support of the proposals. A copy of these statements will be furnished upon written request to the Commission Secretary. A copy of Handbook 44 is available for reference at the same location. Additional copies can be secured only from

the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

Pursuant to Minn. Stat. (1974) Section 10A.03, any individual who engages for pay or other consideration in representing persons or associations attempting to influence administrative action such as the promulgation of these rules, must register with the State Ethics Commission as a lobbyist within five days of the commencement by such individual of the activity.

BY ORDER OF THE COMMISSION

/s/ LAWRENCE J. ANDERSON
Secretary

DATED: December 30, 1976

(S E A L)

BEFORE THE MINNESOTA PUBLIC SERVICE COMMISSION

Karl F. Rolvaag	Chairman
Ronald L. Anderson	Commissioner
Arlen I. Erdahl	Commissioner
Richard J. Parish	Commissioner
Katherine E. Sasseville	Commissioner

In the Matter of the Proposed Amendment of Certain Existing Rules and the Proposed Adoption of New Rules Relating to Weights and Measures, Electric Utilities, Gas Utilities, Telephone Utilities, Motor Vehicle Transportation and Rules of Practice.	DOCKET NO. A-8117-16 STATEMENT OF NEED FOR RULES OF DIVISION OF WEIGHTS AND MEASURES AMENDING MINN. RULES PSC 120 AND 122, DELETING MINN. RULES PSC 106, 123 and 124, AND PROPOSING MINN. RULE PSC 128 [NEW].

The Department of Public Service, through its Division of Weights and Measures, proposes the following new rules, deletions, and amendments to existing rule, Minn. Rules PSC 65-149:

A. Amend PSC 120 which is the rule authorizing the use of Handbook 44 (H-44) as the official specifications and tolerances for weighing and measuring devices. This rule is necessary to incorporate all the revisions that have taken place to the H-44 code since 1967. This updating of the basic code will make state law more uniform with the rest of the country. It will also make the state better able to cope with modern weighing and measuring devices and merchandizing practices.

B. Some of the changes are of a minor nature such as re-numbering a paragraph which does not alter the meaning of the regulation in any way. There are a number of major changes, however, such as the Code for Scales that would require unit price displays visible to the customer to be in terms of the price per pound.

C. We propose to eliminate PSC 106, PSC 123 and PSC 124 in their entirety. All three of these regulations are covered in H-44 if the amended PSC 120 is accepted as a new rule.

D. The elimination of PSC 106 "Pertaining to Railroad Freight Cars Couples in Motion Weighing Systems" would put railroad track scales used for motion weighing under the H-44 code provided that the scales did not come under the existing PSC rules and regulations pertinent to railroad track scales.

E. The elimination of PSC 123 "Vehicle Tanks" is in line with getting rid of unnecessary regulations. H-44 handbook has a code covering vehicle tanks which is almost identical to PSC 123. This is also true of PSC 124; it is no longer necessary.

F. The amendment of PSC 122, item (c) Approaches, in which words "hard surface" are added after the word "straight" and before the word "driveway" (thus making it read "straight hard surface driveway"), would help clarify this regulation as to what type of material is needed to maintain the 1/3 inch per foot level condition required in the regulation.

G. PSC 128, a new regulation, would provide for the voluntary registration of persons authorized to service commercial weighing and measuring devices. Such registrants would be authorized, after making necessary repairs, to remove official rejection tags or marks placed on a weighing or measuring device and allow such device to be placed in service until such time as an official inspection or test can be made. This proposed rule would further provide for reciprocity agreements with any other state or states having similar registration requirements; for the payment of a registration fee; the issuance of a

registration certificate; certification of standards and testing equipment used by registrants; and publication of an official list of registered service persons.

Attached as an Appendix to this Statement is an item by item description of the revisions to the H-44, Third Edition which have been incorporated into the Fourth Edition. Many of the changes are organizational or stylistic, and not substantive.

Minn. Rule PSC 120 (amended):

The Weights and Measures Division, Department of Public Service, proposed to adopt the specifications, tolerances and other technical standards for weighing and measuring devices as prescribed by the National Conference on Weights and Measures and published in the National Bureau of Standards H-44, 4th edition, 1976.

Handbook 44, 3rd edition, 1965 was adopted ~~in~~ September 1970 by the Public Service Commission as the standard for the State of Minnesota for such services. The need to adopt Handbook 44, 4th edition, 1976 is to update the specifications, tolerances and other technical standards for weighing and measuring devices. All the specifications, tolerances, and other technical standards given herein are recommended by the National Conference on Weights and Measures for official promulgation in and used by the States in exercising their control of weighing and measuring devices.

The National Conference on Weights and Measures is a body made up of state and local weights and measures officials from all parts of the United States. Normally, it meets annually under the sponsorship of the National Bureau of Standards. The latter organization was created by federal law and given the statutory responsibility for cooperation with the states in securing uniformity of weights and measures laws and methods of inspection. Publication of Handbook 44 and recommendation of it to the states is a partial fulfillment of that responsibility.

Handbook 44 was first published in 1949, having been preceded by similar handbooks of various designations and forms dating back to 1918. The fourth edition was developed by the Committee on Specifications and Tolerances of the National Conference on Weights and Measures, with the assistance of the Office of Weights and Measures of the National Bureau of Standards. It includes the amendments to the Third Edition which have been issued individually as replacement sections since 1967. The fourth edition also incorporates some stylistic and organizational changes to facilitate use of the Handbook.

The purpose of incorporation of Handbook 44 into State law is to eliminate from use in commerce weights and measures, and weighing and measuring devices that are inaccurate or false, and to do so in a way that minimizes burden on interstate and international commerce. At the present time approximately 38 states follow the policy of adoption of the current Handbook 44. The remainder use the Handbook with some modifications. Adoption in this rule of the current edition of the Handbook will continue Minnesota's policy of uniformity with other states that was officially

recognized in 1970 when the existing Minn. Rules PSC 120 incorporated the third edition of Handbook 44.

State and local officials participate in the formulation of these technical requirements through the National Conference on Weights and Measures. In particular, in Minnesota, Warren Czaia, Director of the Division of Weights and Measures in the Department, has served on the Committee on Specifications and Tolerances for a number of years and is currently the Chairman of that 5-member Committee.

All of the Articles and Sections proposed for change are specifically addressed in the attachment to this Statement. For any Article or Section not specifically mentioned in the statement, no change is proposed.

In the event that the technical specifications of Handbook 44 conflict with provisions of Minnesota Statutes or any existing rules of this Department not specifically repealed herein, the applicable statute or rule should be considered to govern over the conflicting provision of H-44.

Minn. Rule PSC 106 (deleted):

This rule is to be deleted from existing rules. The adoption of the current edition of Handbook 44 necessitates deletion of the rule in this form. The same subject matter is treated in the Handbook, "SCALES - Weighing Coupled in Motion," T.3.6.3.

Minn. Rule PSC 123 (deleted):

This rule is to be deleted from existing rules. The adoption of the current edition of Handbook 44 necessitates deletion of this rule. The new requirements on this subject can be found in the chapter of Handbook 44 entitled "VEHICLE TANKS USED AS MEASURES."

Minn. Rule PSC 124 (deleted):

This rule is to be deleted from existing rules. The adoption of the current edition of Handbook 44 necessitates deletion of this rule. The new requirements can be found in the following sections of Handbook 44: "LIQUID-MEASURING DEVICES - Provision for Sealing," 5.2.2; "VEHICLE TANK METERS - Provision for Sealing," 5.2.2; "LPG LIQUID-MEASURING DEVICES, Provision for Sealing," 5.2.2; "LPG VAPOR-MEASURING DEVICES, Provision for Sealing," 5.2.2.

Minn. Rule PSC 122 (amended).

The only amendment to this rule is the insertion of the words "hard surface" to modify "driveway" in subdivision (c).

This amendment is necessary to allow maintenance of approaches at the grade indicated in the subdivision. It is Department's experience under this rule that some approaches are loose gravel which ruts and washes out and loses maintenance of level. At present the Department recommends to scale operators and contractors who inquire that gravel is unacceptable but cannot require construction of scale approaches in a manner conducive to maintenance of level. By requiring approaches to be hard surfaced, acceptable scale approach construction can be required.

While no specific hard surface is required by this rule, the Department anticipates that either concrete or black top will be used, but any other hard surface material with similar usage characteristics should be considered allowable under this rule.

Minn. Rule PSC 128 [New].

A management study was conducted in the Weights and Measures Division of the Department of Public Service in the spring of 1976. The division was found to be lagging seriously behind in its statutory mandate of annual inspections on all weighing and measuring devices in the state. One of the primary reasons for this regulatory lag was the amount of time spent on "special" inspections. In the past, division inspectors have made adjustments on inaccurate devices and have reinspected all rejected devices after they have been repaired by a service person with placing-in-service authority from the division. This authority enables a repair person to service a commercial weighing or measuring device that has been rejected as inaccurate by an inspector of the division and place it back in service. Repair persons are granted this authority from the division's metrologist, after submitting an application which includes a recommendation from someone known by the division. Each repair person must have his weights calibrated by the division annually, after which his authority for placing-in-service is renewed. This program benefits owners/operators of devices in that their device can be placed back in service as soon as a repair person can be contacted.

The Governor recommended in the last biennial budget that the Division staff be reduced by ten positions through attrition. At this date, the Division has lost seven positions. Because of these limitations, the study team recommended that the division discontinue its policy of re-inspection of devices after servicing by a repair person holding placing-in-service authority. Inspectors will now be concentrating on regular inspection cycles, 18-month for light-duty devices and 12-month for heavy-

duty devices. Consequently, the entire placing-in-service program needs to be strengthened so that only competent repair persons are authorized by the division to place devices back in service. The division has operated a placing-in-service program for 40 years, but the description and requirements of the program have never been officially promulgated through the rule-making process.

The division will be moving to a more regulatory stance, which will require high quality maintenance on the part of owners/operators and repairmen to avoid having the device taken out of service by the inspector. Because of this new direction, greater emphasis must be placed on the placing-in-service program and its administration. The adoption of these rules will give the division a strong basis from which to function as regulators in the weighing and measuring field.

Minn. Rule PSC 128(A)

The regulations for voluntary registration of service persons are necessary to provide a means whereby qualified service persons can install, service, repair or calibrate a commercial weighing or measuring device under the supervision of the Minnesota Weights and Measures Division, Department of Public Service. This system is necessary because it establishes a system that provides a means to allow for persons other than State Weights and Measures Inspectors to keep these weighing and measuring devices in operation without waiting for an official calibration test by the State Weights and Measures Division.

This system does not preclude anyone from repairing their own device or hiring anyone they wish to repair their devices. Under this system commercial devices will not be put into commercial service unless the repair person is a registered service person or a Weights and Measures Inspector.

Minn. Rule PSC 128(B)

The definitional section is self-explanatory and is needed to clarify the scope and application of the rule. It should be noted that, at the present time, there are 277 such "registered service persons".

Minn. Rule PSC 128(B)(4)

Reciprocity with other state weights and measures divisions is necessary and desirable because there may be repair persons who work in several states. Without reciprocity it would be necessary for them to have their testing equipment calibrated in all state jurisdictions in which they are registered.

Minn. Rule PSC 128(B)(5)

This regulation is designed to ensure that the voluntary registrant is a qualified repair person who is equipped with the necessary and proper test equipment and is aware of all appropriate laws, rules and regulations on weights and measures. Upon request of a prospective applicant, the division will make available copies of all relevant laws, orders, rules, and/or policies.

Minn. Rule PSC 128(B)(6)

The registration fee is designed to cover the cost of administering the issuance of the permits and calibrating the equipment to be used. Where the calibration of equipment is accepted by the Division without testing, pursuant to a reciprocal agreement, the annual registration fee will still be required.

Minn. Rule PSC 128(B)(7)

The Division will examine, either through written or practical test, the abilities of applications prior to issuing a registration number. The exact nature of the examination will depend upon the prior experience and qualifications of the applicant. However, the applicant will be informed, prior to examination, of the kind of examination to be administered to him.

Minn. Rule PSC 128(B)(8)

This article explains the privileges of the voluntary registrant, including placing a commercial device in service until such time that an official examination by a weights and measures official may be made.

The division may issue a standard seal to be placed on repaired devices by authorized repair persons. This will provide immediate identification of authorized repairs, servicing, installation, or calibration to inspectors and consumers. People are accustomed to seeing the official weights and measures seal used by inspectors, and a substitute seal for repair persons would provide evidence to the fact that the repair person is authorized by the State of Minnesota.

Minn. Rule PSC 128(B)(9)

This article cites the code and the test procedure that the voluntary registrant must follow.

Minn. Rule PSC 128(B)(10)

This article cites the service persons responsibility to make out a "Placing-in-Service Report" and the number of copies and to whom they are distributed to. It also cites how soon the reports are to be turned in and where the report forms can be obtained.

Receipt of the "Placing-in-Service Report" will allow the division to monitor the work of registered service persons.

Minn. Rule PSC 128(B)(11)

This section is designed to ensure that the testing standards used by the repair persons are initially accurate and are kept accurate.

Minn. Rule PSC 128(B)(12)

The amount of standards used by the repair persons as well as the size of the standards relative to the device being repaired or tested is important in securing an accurate calibration. This article gives the Director of Weights and Measures the responsibility of determining the amount and size of test equipment needed to repair and calibrate various devices.

Minn. Rule PSC 128(B)(13)

This article is necessary to enable the director to revoke the certification of any repair person deemed incompetent, or who used the authority to perpetrate illegality or fraud, or who has otherwise performed in an unsatisfactory matter.

Minn. Rule PSC 128(B)(14)

This article is designed to provide people in need of repair services a listing of repair service persons registered with the Department.

Minn. Rule PSC 128(B)(15)

The rules are intended to become effective by operation of law following publication in the State Register.

(Note: The rules as proposed contain incorrect numbering beginning with "B.) (4.) Reciprocity." If this rule is adopted, the stylistic changes will be made in a manner that does not affect in any way the substance or meaning of the rule. This statement of need follows the original numbering of subsections.)

Fundamental Considerations

1. Uniformity of requirements

1.2. Form of promulgation.

Addition of clarifying language in paragraph two. The concept of this section remains the same. The adoption by reference format in paragraph two is superceded by PSC regulations.

2. Tolerances for Commercial Equipment

No proposed change in language.

3. Testing Apparatus

3.3. Accuracy of Standards

The first two sentences of paragraph two are deleted for brevity only. The concept and meaning of this section remains the same.

4. Inspection of Commercial Equipment

4.1. Footnote deleted. Footnote referred to the availability of NBS Handbooks 94, 98 and 99.

4.3 Sentence structure has been altered for grammatical purposes in paragraph one. For clarification, the word "Handbook" has been substituted for "book."

4.4. This entire section has been rewritten for clarity and brevity. The concept of this section remains the same.

5. Correction of Commercial Equipment

5.1. Minor grammatical changes have been made in this section the concept is unchanged.

5.2. This entire section has been condensed to eliminate redundancy. The concept remains the same.

5.3. Minor grammatical changes - no change in meaning.

6. Rejection of Commercial Equipment

6.1. This entire section has been condensed for clarity. The concept of this section is unchanged

7. Tagging of Equipment

7.1. There are minor grammatical changes proposed for this section. None of them affect the meaning of the section.

7.2. This section has been condensed for clarity of definition, the concept remains the same.

8. Records of Equipment

8.1. There is a minor grammatical change in the first sentence of this paragraph, no change in meaning.

9. Sealing of Equipment

9.1. Entire section rewritten for clarity only, the concept remains the same.

9.2. Minor grammatical changes have been made to improve readability, the concept remains the same.

10. Rounding off Numerical Values

10.1 This section has been rewritten for simplification, the meaning is unchanged.

10.2 Section has been rewritten for simplification, the meaning is unchanged.

10.3 The title of this section has been simplified. An added explanatory sentence at the end of paragraph two provides clarification, the concept remains the same.

10.4. The title has been simplified.

Specifications, Tolerances and Other Technical Requirements

General Code

G-A.2. Code Application

The language in this section has been clarified, but the concept remains the same.
The new ammendment date has been cited.

G-A.6. Nonretroactive Requirements

A parenthetical note has been deleted. It referred to nonretroactive requirements previous to 1956. The reference was unnecessary because proposed changes supersede all previous requirements.

G-A.7. Effective Enforcement Dates of Code Requirements.

This new section applies only to States in which Handbook 44 is adopted by reference. This is superseded by PSC regulations.

G-S.1., G-S.2., G-S.3. Deletion of "commercial" in these sections constitutes an expansion of authority to all weighing and measuring devices. This broader authority would allow for more effective enforcement and protection.

G-S.1. Identification

The additional language, "a surface visible after installation," will provide for more efficient inspection of weighing and measuring devices.
The addition of parenthetical notes gives the nonretroactive enforcement dates of various parts of this section.

G-S.5. Indicating and Recording Elements

The proposed changes in this entire section are designed to modernize the language of the regulations so that it is compatible with the nomenclature involved with new types of equipment. These changes will provide for more efficient and uniform enforcement where modern digital equipment is involved.

G-S.5.3.1. Dual Indications

This new section provides for comparability of units in any device that indicates in U.S. Customary and metric units. This requirement will provide guidelines for efficient and uniform transition to the metric system.

G-S.5.5. Money Values, Mathematical Agreement

The additional language in this section provides an exemption for secondary indicators when the sole purpose of such an indicator is as an aid to the owner operator.

G-S.5.6. Recorded Representations

The additional language in this section provides for uniform and suitable printers of recorders.

G-S.6. Marking, Operational Controls, Indications, and Features

This new section provides an aid to both operator and customer in requiring clearly marked controls for proper methods of operation.

G-S.7. Lettering

Formerly G-S.6. Renumbered only.

G-N.2. Testing with Nonassociated Equipment

This new section provides guidelines for environmental testing of electronic equipment.

G-UR.1. Selection Requirements

The new language in this section provides for suitability of equipment which is capable of computing a price or other value.

G-UR.1.2. Environment

This section has been added to strengthen enforcement of suitability of equipment requirements in terms of how environment affects operation.

G-UR.2.2. Installation of Indicating or Recording Elements

New language assures permanence of communications where a remote indicator is involved.

G-UR.3.2. This new section provides for protection of devices from interference by other equipment.

G-UR.3.3. Position of Equipment
Formerly G-UR.3.2.
This section has been reworded for clarification and simplification, the meaning is unchanged.

G-UR.3.4. Resposibility - Money Operated Devices
Formerly G-UR.3.3.
This new section provides for customer protection in the expanding field of money operated devises.

G-Ur.4.1. Maintainance of Equipment

Deletion of "commercial" expands testing authority to all devices. Additional language is designed to prohibit the use of tolerances to the advantage of the operator.

G-UR.4.2. Abnormal Performance

This section is designed to cover a broad range of problems associated with new types of equipment, and to provide a vehicle for the correction of such problems.

G-UR.4.3. Use of Adjustments

Formerly G-UR.4.2.

G-UR.4.4. Assistance in Testing Operations

Formerly G-UR.4.3.

G-UR.4.5. Security Seal

Formerly G-UR.4.5.
Retitled and rewritten for clarity, the concept remains the same.

Definitions of Terms

Additions and Changes are listed
Increment
Manufactured Device
Money-operated type
Performance Requirements
RFI
Usual and Customary

A. Application

A.1. General

This section has been rewritten to exclude belt conveyor scales, which are dealt with later.
A generality referring to cases of conflict has been deleted.

A.3. This new section refers the reader to the General Code.

B. Specifications

S.1.1. Zero Indication

Sentence added to provide clarity where digital indication is involved.

S.1.4. Digital Indications

Added to provide more specific regulation of digital equipment.

S.1.5. Weight Ranges and Unit Weights

Formerly S.1.5.

S.1.6. For computing Scales Only

Formerly S.1.5.

S.1.6.1. Money Value Graduations

Formerly S.1.5.1.
Simplified Title
Additions have been made to this section to provide extended price computation regulations due to higher prices.

S.1.6.2. Money-Value computation

This section is necessitated by the introduction of new types of retail weighing devices.

S.1.6.3. Customers Indications

Formerly S.1.5.2.
The second sentence of this section provides a requirement for dual digital indications as a benefit to, and as a protection for, the customer in retail transactions.
The third sentence of this section requires the exclusion of fractional and multiple pound pricing in a retail device. The intent is to eliminate the possibility of fraud and to provide clear understanding to all parties involved in the transaction.

S.1.6.3. Customers Indications (Continued)

This further customer protection has been deemed necessary because of the complaints and confusion generated by the fractional/multiple method of pricing.

S.1.6.4. Recorded Representation, Point of Sale Systems

The introduction of direct sale methods in conjunction with automated check-out systems necessitates more specific regulations for this mode of retail sales. The purpose of this section is to allow progress toward more efficient retail operations while providing safeguards to purchasers who are unfamiliar with this type of automated system.

S.1.7.1. Value of Graduated interval

Formerly S.1.6.1.

S.1.7.2. Label printer

Formerly S.1.6.2.

S.2. Design of Balance, Tare, Level, Damping, and Arresting Mechanisms.

Title clarification only.

S.2.1.2. On Scales Used in Direct Sales

This section has been revised for clarity and ammended to provide regulations for digital and electronic devices not previously included.
The revisions and ammendments to this section provide protection against misuse of balance adjustments.

S.2.1.3. For Scales Designed with Authomatic Means to Maintain a Digital Zero Balance Indication.

This new section allows the inclusion of automatic-tracking-zero devices and it prescribes tolerances for them.

S.2.1.4. For Monorail Scales

Additional section provides regulation for balance and tare capability in new types of automated weighing systems. This new section recognizes the special needs of this unique equipment.

S.2.1.5. Tare Mechanisms

New section proposed to prohibit fraudulent operation of tare mechanisms.

S.2.4.1. Electronic Elements

This proposed section is included to eliminate the effects of motion on electronic devices. It also provides tolerances for such damping devices. This is comparable to mechanical damping means required for a mechanical scale.

S.2.5. For Cream-Test, Jewelers, Moisture-Test and Prescription Scales only.

S.2.5.1. Balance Indicator

Formerly S.2.6.1.

S.2.6. For Jewelers and Prescription Scales Only

Formerly S.2.7.

S.2.6.1. Arresting Means

Formerly S.2.7.1.

S.4.2. Adjustable Components

The title has been simplified.
This section has been updated to include adjustable components in electronic equipment.
This includes a revision of adjustable component marking requirements.

S.4.2. Adjustable Components

Title Simplified.
This section has been updated to include adjustable components in electronic equipment. It also includes a revision of adjustable component marking requirements.

S.6.2. For Prepackaging Scales Only

An added parenthetical expression refers to a footnote following User Requirements.

S.6.4. Marking Requirements - Weighing Elements

This proposed section is designed to prevent the interchange of parts from two or more scales if this interchange would affect the future performance or accuracy of the device or would conflict with manufacturers design limits.

N. Notes

N.1.3.4. On Vehicle Scales

Railway track scale tests have been separated from this section.

N.1.3.5. On Railway Track Scales Weighing Individual Cars in Single Drafts.

This section has been added to provide specific test information for railway track scales.

N.1.3.6. (formerly N.1.3.5.)

N.3. Nominal Capacity of Prescription Scales

"Class A" has been deleted to extend this requirement to all prescription scales.

SR. Sensitivity Requirements

SR.1. Application

This definition has been clarified, the concept remains unchanged.

SR.3. For Prescription Scales

"Class A" has been deleted.
Reference to jewelers scales has been separated from this section.

SR.4. For Jewelers Scales

This new section has been separated from SR.3.

SR.4.2. With a Capacity of More Than One-Half Ounce

A sensitivity requirement has been established for larger capacity jewelers scales.

SR.5. For Cream Test Scales

Formerly SR.4.

SR.6. For Moisture Test Scales

Formerly SR.5.

SR.7. For Animal, Livestock, Axle Load, and Vehicle Scales

Formerly SR.6.

SR.7.1. Not Equipped with Balance Indicators

Formerly SR.6.1.

SR.7.2. Equipped with Balance Indicators

Formerly SR.6.2.

SR.8. For Railway Track Scales

Formerly SR.7.
The sensitivity requirements for this type of scale have been redefined to meet the special design characteristics required elsewhere.

T. Tolerances

T.1.1. To Errors Of Underregistration and Overregistration

Reference to multiple indicators has been separated from this section.

T.1.2. To Scales With Multiple Indicators

Separated from T.1.1.
New section provides descriptive language and tolerances for devices with multiple elements.

T.1.3. To Tests Involving Digital Indications or Representations

Formerly T.1.2.

T.1.4. To Shift Tests

Formerly T.1.3.

T.1.5. To Increasing Load Tests

Formerly T.1.4.

T.1.6. To Decreasing Load Tests on Automatic Indication Scales

Formerly T.1.5.

T.1.7. To Ratio Tests

Formerly T.1.6.

T.2.1. General

"Construction on Material Hopper" has been added to the list of exemptions in this section.

T.2.2. For Prescription Scales

"Class A" has been deleted from this section. The effect being an extension of authority to all prescription scales.

T.2.3. For Jewelers Scales

New language added - T.2.3.1. and T.2.3.2.

T.2.3.1. With a Capacity of One-Half Ounce or Less

There is no change in tolerance proposed for these small capacity scales.

T.2.3.2. With a Capacity of More Than One-Half Ounce

Because of the increasing use of larger capacity jewelers scales, the establishment of a new tolerance is essential.

T.2.5. For Grain Moisture-Test Scales

This proposal extends testing authority and establishes tolerances for this type of device.

T.2.6. For Animal Scales

Formerly T.2.5.

T.2.7. For Livestock Scales

Formerly T.2.6.

T.2.8. For Crane and Construction Material Hopper Scales

(Crane scales, formerly T.2.7.)
The section effectively extends testing authority to construction material hopper scales and establishes a new tolerance.

T.2.9. For Railway Track Scales

Formerly T.2.8.

T.2.10. For Scales Indicating in Metric Units

This new section provides for the establishment of a tolerance and a description of the use of the tolerance for metric devices, thereby assuring a smooth transition to the metric system.

T.3.1. Application

This section deleted

T.3.1. General

Formerly T.3.2.
This section has been revised to include hopper scales other than grain hopper scales. Parenthetical note added, refers reader to minimum tolerance values.

T.3.2. For Prescription Scales

Formerly T.3.3.
Deletion of "Class A" from this section extends testing authority to all prescription scales, and provides tolerances for all devices in this class.

T.3.3. For Jewelers Scales

Formerly T.3.4.
This section provides a decrease in tolerance (from0.1 to 0.05). This decrease is necessary because of the increased use of these scales in transaction involving precious metals.

T.3.4. For Cream-Test and Moisture-Test Scales

Formerly T.3.5.

T.3.5. For Animal, Livestock, Crane Axle-load, Hopper (other than Grain Hopper) and Vehicle Scales.

Formerly T.3.6.
This section has been revised to include hopper scales other than grain hopper scales. Tolerances for railway track scales have been separated from this section.

T.3.6. For Railway Track Scales

New section, separated from T.3.6. in old version.

T.3.6.1. Weighing Statically

This added section provides more specific information on tolerances for railway track scales.

T.3.6.2. Weighing Uncoupled-In-Motion Cars

This new section provides more specific tolerance information. It is necessary because this type of weighing is a recent development in automated weighing technology.

T.3.6.3. Weighing Coupled-In-Motion

This additional section provides recognition of commercial coupled-in-motion weighing previously restricted to

T.3.6.3. Weighing Coupled-In-Motion (Continued)

tariff proposed only by PSC 106. This section also prescribes tolerances to be applied to this mode of weighing.

T.3.8. For Monorail Scales

This new section is designed to expand testing authority to this type of equipment.

T.3.8.1. Weighing Statically

This section provides a basic tolerance to be applied to this mode of weighing.

T.3.8.2. Weighing In Motion

Provides a tolerance to be applied to this new automated method of weighing.

UR. User Requirements

UR.1. Selection Requirements

UR.1.1. Value of The Smallest Unit of Primary Indicating and Recording Elements

The Title has been revised to include new types of equipment.

UR.1.1.1. For Retail Food Scales Only

Revised language modernizes this section and provides compatibility with the nomenclature involved in new types of equipment.

UR.1.1.4. For Grain Hopper Scales Only

This revised section takes into consideration the need for modernization in the grain industry and provides for minimum allowable graduations in modern grain weighing systems.

UR.1.1.6. For Vehicle Scales and Axle-Load Scales Used in Combination

Title Changed.
Wheel-load weighers have been removed from this section, they are covered separately in other sections. This section provides a minimum graduated interval for vehicle and axle-load scales used in combination.

UR.1.1.7. For Railway Track Scales Only

This section constitutes a major revision in the regulations concerning minimum graduated interval for railway track scales. This section is superseded by PSC 77 (D).

UR.1.1.8. For Scales With Nominal Capacities of 500 pounds or More, Other than Animal, Livestock, Grain Hopper, Crane, Vehicle, and Railway Track Scales

Title change. The words "hand-operated" have been removed to modernize the reference to grain hopper scales.
Axle-load and wheel load weighers have been removed from this section because they are covered in other sections.

UR.2.3. Protection From Environmental Factors

Title changed.
This section has been revised to include terminology concerning environmental factors involved in new types of equipment. This does not represent a change of concept.

UR.2.4. Foundation, Supports and Clearance

The added language is designed to improve the operation and ease of maintainance for motor truck and livestock scales.

UR.2.6. Approaches

Title change only.

UR.2.6.1. To Vehicle Scales

This entire section is superseded by PSC 122.

UR.2.6.2. To Axle Load Scales

Title changed for simplification.
This section has been revised to require properly paved approaches which will assure permanence and ease of operation for axle load scales.

UR.2.8. Hoists

This new section has been proposed because of a serious deficiency in previous motor truck scale regulations.

UR.3.1. Prepackaging Scale

This section has been revised for clarity, there is no change in meaning.

UR.3.2.1. Used For Livestock Weighing

This new section is necessitated by the increasing number of motor vehicle scales being converted to the weighing of livestock. A minimum graduated interval is required for such scales.

Definitions of Terms

New definitions have been added to this section, they are listed below.

Balance Mechanism
Construction Material Hopper Scale
Direct Sale
Grain Hopper Scale
Grain Moisture-Test Scale
Hopper Scale
Load Receiving Element
Minimum Tolerance
Scale Divisions Number
Scale Divisions
Tare Mechanisms
Zone of Uncertainty

Belt-Conveyor Scales

A. Application

A.1., A.2. (Formerly A.1.)

A.3. Refers reader to General Code Requirements.

S. Specifications

S.1.4. Value of the Smaller Unit

This section has been revised to facilitate compliance inspection.

N.3.1. Zero Load Test

This section has been rewritten for clarity, the concept remains the same.

Definitions of Terms

A definition of "Rated Capacity" has been added to the previous list of definitions.

Weights

A. Application

A.1.,A.2. (Formerly A.1.)

A.3. Refers reader to General Code Requirements.

T. Tolerances

Table 3 Maintainance Tolerances For Apothecaries and Troy Weights

This table has been extended to include tolerances for weights up to 1000 ounces.

Liquid-Measuring Devices

A. Application

A.1.,A.2. (Formerly A.1.)

A.3. Refers reader to General Code Requirements

S. Specifications

S.1.4.2. Return to Zero

Additional language is intended to broaden the scope of this section to include types of equipment introduced since the last adoption of regulations.

S.1.4.4. Money-Value Computations

Formerly S.1.4.5.

S.1.4.5. Travel of Indicator on Lubricant Devices

Formerly S.1.4.6.

S.1.5.2. Money Values - Mathematical Agreement

This new section provides for money-value enforcement capability on this type of device.

S.2.1. Vapor Elimination

Additional language in this section is proposed to require more effective means of vapor elimination and to assure permanence of operation of such devices.

S.2.6.2. Provision For Deactivating

Title Changed
This section has been rewritten for clarity, the concept remains unchanged.

S.3.1. Diversion of Measured Liquid

The additional sentence in this section would provide safeguards for high speed delivery systems which are being introduced in truck fueling operations.

N. Notes

N.1. Test Liquid

New language in this section proposes that a seal be attached to a device to identify the type of liquid it is calibrated to measure. This aids in preventing misuse of such equipment and would benefit both operator and customer.

N.4.2.2. For Retail Motor-Fuel Devices

The addition of subsection (c) proposes a more rigorous test for this type of device. These proposed test conditions most nearly duplicate actual operating conditions.

N.4.3.2. Temperature Adjustment

The specification of temperature/volume correction factors has been deleted in favor of a reference to standard petroleum measurement tables. This provides for more accurate and uniform adjustment.

N.5. Temperature Correction on Wholesale Devices

Title changed. Reference to temperature compensation has been deleted. This extends the application of this regulation to all wholesale devices.

The additional language in this section provides for the use of standard petroleum measurement tables which allow more accurate and uniform adjustment.

T. Tolerances

Table 1. Tolerances for Retail Devices Except Slow-Flow Meters and Except on Elapsed Time Tests.

This table has been extended to give tolerance values in the metric system.

UR. User Requirements

UR.1.1. Length of Discharge Hose.

This section has been revised to allow a longer discharge hose on a retail motor-fuel dispenser. This revision is for efficiency and practicality in truck fueling operations.

UR.1.1.1. For Marinas and Airports

This new section recognizes the special needs of marinas and airports. In many of these installations, a short discharge hose can result in impractical or even impossible fueling situations. This new requirement also provides a margin of safety in such installations.

UR.2.4. Diversion of Liquid Flow

This new section requires that a diversion of flow must be readily apparent on a duel outlet fuel dispenser. This assures efficient and safe operation, and better understanding of the transaction by both parties.

UR.2.5. Product Storage Identification

This new requirement for plain and visible labeling of fill connections would facilitate pump testing where the product must be returned to the storage tanks.
This proposed regulation is in compliance with Federal regulations prohibiting the contamination of unleaded motor-fuels.

UR.3.1. Return of Indicating Element to Zero

This section has been revised to include self operated devices. This type of device has been introduced since the adoption of previous regulations.

UR.3.2. Unit Price and Product Identity

New types of equipment have necessitated a revision of this section. The concept of unit price and product identification remains unchanged.

UR.3.4. Activation of Zero-Set-Back Interlock and Position of Starting Lever and Discharge Nozzle

The title and text of this section have been rewritten for clarification, the intent and concept of this section remain unchanged.

UR.3.5. Temperature Compensation - Wholesale

Title changed for simplification.

UR.3.5.1. Use of Automatic Temperature Compensators

Formerly UR.3.5.

UR.3.5.2. Written Invoices

New section.

The requirement that temperature compensation, when applied, be noted on any written invoice, will simplify such transactions.

UR.3.5.3. Nonautomatic Temperature Compensation

This new section extends regulation to those cases in which temperature compensation is calculated after delivery. This is necessary because petroleum dealers in the State of Minnesota are required to make an annual declaration stating whether they deal in compensated or uncompensated volume. Calculated compensation, therefore, is necessary at terminals where automatic temperature compensating devices are not used.

VEHICLE TANK METERS

A. Application

A.2. Formerly A.1.

A.3. Refers reader to General Code Requirements

S. Specifications

S.1.1.3. Value of Smallest Unit

Reference to milk metering systems has been added to part (a) of this section. Such systems have been introduced since the previous adoption of regulations.

S.1.4.4. Money Values - Mathematical Agreement

This new section has been proposed to require precise mathematical agreement of quantity and money indications. This requirement facilitates uniform application of regulations where computing-type devices are involved.

S.2.1. Vapor Elimination

The additional sentence concerning "vent lines" will assure permanence of operation for vapor elimination devices.

S.2.2. Provision for Sealing

An exemption is provided for milk metering devices because of sanitary considerations.

S.2.2.1. Milk-Metering Systems

This special case has been cited to deal with the special sanitary conditions required for milk metering systems.

S.3. Design of Discharge Lines and Discharge Line Valves -- (Not Applicable to Milk Metering Systems)

Title changed to exclude milk-metering systems which are covered in previously cited special cases.

S.4. Design of Intake Lines (For milk-metering systems)

This new section is proposed to regulate new types of equipment which have been introduced since the last adoption of regulations.

S.4.1. Diversion of Liquid to be Measured

This new section establishes normal metering equipment regulations for milk-metering systems.

S.4.2. Intake Hose

This proposed section establishes definite requirements for the special equipment used in milk metering. This is designed to prevent misuse of equipment due to unfamiliarity.

S.5. Marking Requirements

Formerly S.4.

S.5.1. Limitation of Use

Formerly S.4.1.

S.5.2. Discharge Rates

Formerly S.4.2.

S.5.3. Measuring Components - Milk-metering Systems

This section proposes special regulations for milk-metering systems which must be disassembled for cleaning. This section is intended to prevent the inadvertant interchange of meter system parts.

S.5.4. Flood Volume - Milk-metering Systems

Because a milk-metering system is started dry (not the case with other systems) it is necessary to record the start-up or flood volume of the system. This is unique to milk-metering systems, the regulation is proposed to promote uniformity.

N. Notes

N.1. Test Liquid

New language in this section proposes that a seal be attached to a device to identify ahe type of liquid it is calibrated to measure. This aids in preventing misuse of such equipment and would benefit both the operator and the customer.

N.4.1.1. Milk Meters

Because milk meters have been exempted from other sections of this article, it is necessary to provide this special case to cover air elimination systems in this type of meter.

N.4.2. Special Tests (Except milk-metering systems)

The title has been changed to exempt milk meters which are covered in special articles.

N.4.3. Antidrain Valve Test

This regulation has been proposed to promote uniformity in testing anti-drain valves.

N.4.4. System Capacity

This new section is proposed to require a uniform test procedure for milk-metering systems.

T. Tolerances

Table 2. Tolerances For Milk Meters

This table has been added establishing uniform tolerances for milk-metering systems.

UR. User Requirements

UR.1.3. Intake Hose

This new section cites a special case for milk-metering systems. This is necessary because of the special methods used to maintain sanitary conditions.

UR.2.2. Ticket in Printing Device

This section is revised to eliminate the possibility of inadvertant misprinting and to prevent fraudulent practices in metering operations.

UR.2.3. Credit for Flood Volume

This new regulation requires a record of the flood volume of the system. It is designed to promote uniformity of operation where milk-metering systems are involved.

TENTATIVE CODE

Water Meters

This section has been tentatively proposed to provide specifications, tolerances and user requirements for water meters. The requirements are not intended to be rigidly enforced, they are intended only as a guide for the experimental observation of such devices.

LIQUIFIED PETROLEUM GAS LIQUID-MEASURING DEVICES

A. Application

A.2. Formerly A.1.

A.3. Refers reader to General Code requirements.

S. Specifications

S.1.1.5. Money Values - Mathematical Agreement

This new section has been proposed to require precise mathematical agreement of quantity and money indications. This requirement facilitates uniform application of regulations where computing-type devices are involved.

S.1.4.4. Money-Value Computations

Formerly S.1.4.5.

S.2.6.1. Provision for Deactivating

This section has been rewritten for simplification, there is no change in the concept.

S.2.7. For Retail Motor-Fuel Devices Only

Title changed for specificity only.

S.3.1. Diversion of Measured Liquid

The revisions in this section provide for a dual outlet device to improve the efficiency of operation and service.

N.4.2.2. For Other Retail Devices

This section has been revised to provide a more rigorous test to more nearly simulate actual operating conditions.

UR. User Requirements

UR.2.4.1. Use of Automatic Temperature Compensators

Formerly UR.2.4.1.

UR.2.4.2 Written Invoices

New section.

The requirement that temperature compensation, when applied, be noted on any written invoice, will simplify such transactions.

UR.2.6. Ticket in Printing Device

Language has been added to this section for descriptive purposes only.

LIQUIFIED PETROLEUM GAS VAPOR-MEASURING DEVICES

There are no changes in the text of this entire article. The major change is that the tentative status has been removed in favor of permanent regulatory status. The period of observation, under the tentative status, has provided sufficient data to allow full regulatory status to this article.

Tentative Code

CRYOGENIC LIQUID-MEASURING

This article has been tentatively proposed to provide specifications, tolerances and user requirements for Cryogenic Liquid-Measuring devices. The intent of such a tentative proposal is to allow a period of observation to gather data which will be necessary to make future determinations concerning these devices.

LIQUID MEASURES

A. Application

A.2. Formerly A.1.

A.3. Refers reader to General Code Requirements.

VEHICLE TANKS USED AS MEASURES

This article has been proposed as a replacement for PSC 123. The former Handbook 44 requirements were not considered to be adequate for the State of Minnesota. Updating of the requirements in Handbook 44 to the approximate equivalent of PSC 123 will allow the adoption of H-44. This will also promote uniformity of requirements between states and facilitate interstate truck operations. This article includes Application, Specifications, Notes and Tolerances.

FARM MILK TANKS

A. Application

A.2. Formerly A.1.

A.3. Refers reader to General Code Requirements

N.5. Test Methods

This new section provides test methods for farm milk tanks. The addition of this section is intended to allow uniform application of regulations.

T.2. Minimum Tolerance Values

The revision of this section allows greater tolerances for larger milk tanks which are being introduced to service.

T.3. Basic Tolerance Values

The section proposes a new tolerance for farm milk tanks. The change allows uniform tolerances throughout the range of tank capacities.

T.4. Basic Tolerance Values, Master Meter Method

The addition of this section provides a new method of calibration which will facilitate the inspection of these containers. A new tolerance, applicable to this method of calibration, is also provided.

UR. User Requirements

UR.3. Storage of Gage Rod

This section has been deleted. It was determined to have been unnecessary.

Definitions of Terms

Additions and changes are listed:

Acceptance Test
Master Meter Test
Prover Test Method

MEASURE CONTAINERS

A. Application

A.2. Formerly A.1.

A.3. Refers Reader to General Code Requirements

MILK BOTTLES

A. Application

A.2. Formerly A.1.

A.3. Refers reader to General Code Requirements

LUBRICATING OIL BOTTLES

A. Application

A.2. Refers reader to General Code Requirements

UR. User Requirements

UR.1. Drainage

The word "accurate" has been substituted for "complete" to provide a more clear and unambiguous meaning for this section.

GRADUATES

A. Application

A.2. Refers reader to Gneral Code Requirements.

S. Specifications

S.3. Shape

This article has been reworded for clarity. The concept is unchanged.

T. Tolerances

Table 3. Maintainance and Acceptance Tolerances, in Excess and in Deficiency, For Graduates.

The format of this table has been altered to improve readability. The tolerances remain unchanged.

LINEAR MEASURES

A. Application

A.2. Refers reader to General Code Requirements.

T. Tolerances

T.2. For Metal Tapes

The scope of this section has been extended to include "general use" metal tapes. A test method has been established for these tapes which are not normally used under tension.

FABRIC MEASURING DEVICES

A. Application

A.2. Formerly A.1.

A.3. Refers reader to General Code Requirements.

WIRE AND CORDAGE MEASURING DEVICES

A. Application

A.2. Refers reader to General Code Requirements.

TAXIMETERS

A. Application

A.3. Refers reader to General Code Requirements.

N. Notes

N.1.1. Test Methods

This section has been rewritten to simplify and clarify the description of a test procedure. The intent and concept remain the same.

T.1.3.1. Vehicle Lading

The additional language in this section provides vehicle lading information for a simulated road-test operation.

Definition of Terms

Definitions of "cold tire pressures" and "hired" have been added to the previous list of definitions.

ODOMETERS

A. Application

A.1. Revisions to this section provide for the inclusion of trucks and buses rated under 20,000 lbs. GVW. This change is necessitated by the increasing use of rental trucks.

A.2. The meaning of this section has been clarified in its reference to trucks.

A.3. Refers reader to General Code Requirements.

N. Notes

N.1. Testing Procedures

Title change.

N.1.1. Test Methods

The addition of section (c) recognizes simulated road-test methods.

N.1.2. Test Runs

Reference to "tire stabilization" has been separated from this section.

N.1.3.1. Tire Stabilization

This new section has been separated from N.1.2. to provide continuity of regulations.

N.1.3.2. Tire Pressure

The addition of part (b) gives more specific information concerning truck tire pressures.

N.1.3.3. Vehicle Lading

Formerly N.1.3.1.

Language added to part (a) provides for substitution of test weights in lieu of a second passenger.
The addition of part (b) specifies test methods for trucks, not previously addressed in this article.

UR. User Requirements

UR.1. Inflation of Vehicle Tires

The language of this section has been simplified. The meaning is unchanged.

TIMING DEVICES

This entirely new section is proposed to regulate timing devices used for parking, laundry drying, car washing and other such uses. The inclusion of this article at this time is desired for the facilitation of complaint solving procedure. It is not envisioned that the regular testing of these timing devices would be available. The proposed regulations provide specifications, tolerances and user requirements for this range of devices.

DRY MEASURES

A. Application

A.2. Formerly A.1.

A.3. Specifically exempts berry boxes and baskets and refers to following article.

A.4. Refers reader to General Code Requirements.

BERRY BASKETS AND BOXES

A. Application

A.2. Refers reader to General Code Requirements.