

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

DEPARTMENT: Office of the Attorney General

STATE OF MINNESOTA

OFFICE MEMORANDUM

DATE: June 7, 1991

TO: DAVID SHARPE

FROM: MARY JO MURRAY
Special Assistant Attorney General
525 Park Street, Suite 500 (55103)

PHONE: 296-3258

SUBJECT: In the Matter of the Adopted Rule Relating to Telephone Assistance Plan

The above-referenced rule has been approved as to its legality by the Attorney General on June 5, 1991.

Enclosed is your copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

MJM:sc
Enclosures
cc: Rosellen Condon
William Brown, Chief Judge
MaryAnn Hruby

5-27 MJM

RULE REVIEW CHECKLIST

File No. 1826
DATE RECEIVED 5-24-91
REVIEW DATE 6-3-91
DUE DATE 6-7-91
~~(DIS)~~APPROVED 6-5-91
~~WITHDRAWN~~

Docket No. 05.0009.0729
ADOPTED W/O HEARING
EMERGENCY RULE
TO REVISOR ON 5/29/91
REVISOR (DIS)APPROVED 6-5-91
FILED W/SEC. OF STATE 6-7-91
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)

March 5, 1990 Notice to Solicit Outside Information/Opinion (if applicable)
Date published in State Register
Comments

Petition for Adoption of a Rule

✓ Board's Authorizing Resolution
Feb 13, 1991 Date adopted

✓ Proposed Rule

✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule
237.71, ✓ Statutory Authority
Small Business Statement
undated NA Expenditure of public money statement
Signature but signed

✓ Statement of Need and Reasonableness (if applicable)
Small Business Statement
NA Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
March 12, 1991 Dated (30/25) days before adopted
Notice attached indicates it is attached

✓ Copy of rule or summary attached

✓ Publication in State Register
March 18, 1991 Date (30/25) days before adoption

✓ 180-day deadline from:
NA Effective date of law requiring rule (14.12) (both rules) not new mat amendments don't apply
✓ end of comment period (§ 14.26) (rules without hearing)
effective date of statutory authority (§ 14.29) (emergency rules)

✓ Resolution Adopting
May 16, 1991 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
~~No Date~~ Date - ~~ad~~ May 16, 1991 (Issue Date)

Written Requests, Submissions or Comments

✓ Declaration of Attorney
Roselleen Condon Name of SAAG representing agency

Notice of Submission to Attorney General (if applicable)

Affidavit of Mailing Notice to Attorney General (if applicable)

Rules.ac1

Public Utilities Commission

Adopted Permanent Rules Relating to Telephone Assistance Plan

Rules as Adopted

7817.0100 DEFINITIONS.

[For text of subps 1 to 12, see M.R.]

Subp. 12a. **Service order record change charge.** "Service order record change charge" means the fee that a telephone company charges to a subscriber for making a change in the subscriber's billing record for local service.

[For text of subp 13, see M.R.]

Subp. 13a. **TAP enrollment charge.** "TAP enrollment charge" means the administrative cost to a telephone company of enrolling each new participant in the telephone assistance program as determined under part 7817.0300, subpart 5.

[For text of subps 14 and 14a, see M.R.]

Subp. 15. **Telephone assistance plan or TAP.** "Telephone assistance plan" or "TAP" means the plan required by Minnesota Statutes, sections 237.69 to 237.72, and set out in this chapter.

[For text of subp 16, see M.R.]

7817.0300 FUNDING.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Use of surcharge revenues and fund.** A telephone company shall remit, under Minnesota Statutes, section 403.11, surcharge revenues to the Department of Administration for deposit in the telephone assistance fund. The commission shall use the money in the telephone assistance fund to:

A. reimburse the telephone assistance credits extended by a telephone company within 60 days of the deadline for filing the telephone company's report under part 7817.0900 or the date the report is filed, whichever occurs later;

B. reimburse the administrative expenses of the Department of Human Services not to exceed the amount specified in Minnesota Statutes, section 237.701;

Approved by Revisor Ron Ray

C. reimburse the administrative expenses of the commission not to exceed the amount specified in Minnesota Statutes, section 237.701; and

D. reimburse a telephone company's administrative expenses in accordance with subpart 4.

Subp. 4. **Reimbursing telephone company expenses.** The commission shall reimburse telephone company expenses as provided in items A to E.

A. The commission shall reimburse only with money in the telephone assistance fund.

B. The commission shall not reimburse the expenses of collecting the surcharge.

C. The commission shall not reimburse expenses under this subpart unless the telephone company has filed a report that complies with part 7817.0900. The commission shall reimburse the telephone company within 60 days after the deadline for filing its report under part 7817.0900 or the date the report is filed, whichever occurs later.

D. A telephone company with five or more new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than the number of new participants enrolled during the reporting period times one of the following:

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

E. A telephone company with fewer than five new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than five times one of the following:

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge

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by Revisor _____

determined under subpart 5.

Subp. 5. **TAP enrollment charge.** A telephone company may petition the commission to establish a TAP enrollment charge for the company, which may differ from the company's service order record change charge. The TAP enrollment charge must be determined according to items A and B.

A. A company's petition to establish a TAP enrollment charge must include financial and cost-study information adequate to support the company's proposed TAP enrollment charge. The commission may accept, modify, or reject the company's petition.

B. A TAP enrollment charge must be based exclusively on the cost of one or more of the following company activities directly related to administering TAP:

(1) responding to customer inquiries regarding TAP;

(2) mailing TAP applications to customers;

(3) changing manual or computerized customer records and billing systems to reflect the addition or removal of a customer's TAP credit;

(4) sending annual notice of TAP to all subscribers;

(5) notifying the Department of Human Services of customers added to or removed from TAP;

(6) removing customers from TAP when declared ineligible by the Department of Human Services;

(7) storing TAP applications;

(8) remitting surcharge revenues to the Department of Administration as required by part 7817.0300, subpart 3; and

(9) reporting to the Public Utilities Commission and Department of Public Service under part 7817.0900, subparts 2 to 4.

Subp. 6. **Absence of TAP enrollment service charge.** If a telephone company does not have a tariffed TAP enrollment charge when claiming reimbursement for TAP-related expenses, the

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by Revisor _____

maximum reimbursement allowed must be based on the company's service order record change charge as provided in subpart 4, item D, subitem (1); or item E, subitem (1).

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 7 1991
Secretary of State

Approved
by Revisor _____

APPROVED AS TO FORM AND LEGALITY

June 7 19 91

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY [signature]
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

JUN 7 1991

Joan Anderson Growe
Secretary of State

10:03 AM

Stat. Authority 237.71

The commission shall adopt rules under the administrative procedure act necessary or appropriate to establish the telephone assistance plan in accordance with this chapter . . .

237.711

The commission may adopt emergency and permanent rules to implement Laws 1988, Chapter 621, sections 1 to 16.

237.10

It shall be the duty of the commission to prescribe uniform rules and classifications pertaining to the conduct of intrastate telephone business

end of comment period stated April 17, 1991

STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

In the Matter of the Proposed Amendments to Rules Governing the Telephone Assistance Program, Minn. Rules, parts 7817.0100 to 7817.1000.	ISSUE DATE: May 16, 1991 DOCKET NO. P-999/R-90-86 FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE AMENDMENTS

The above-entitled matter came for decision before the Minnesota Public Utilities Commission on the 14th day of May, 1991. After affording all interested persons the opportunity to present written and oral data, statements and arguments to the Commission, in accordance with statutory requirements regarding the adoption of noncontroversial rules, after considering the Statement of Need and Reasonableness, after considering all of the evidence adduced upon the records, files and proceedings herein, the Commission, being fully advised in the premises, hereby adopts the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

1. Notice of the Commission's intent to adopt the above rule amendments without a public hearing was published in the State Register on March 18, 1991, and was sent by mail to all persons on the list maintained by the Commission pursuant to Minn. Stat. §§ 14.14, subd. 1a and 14.22 (1990) on March 12, 1991.

2. The Statement of Need and Reasonableness was prepared prior to mailing and publication of the notice and was made available to the public.

3. All persons were given the opportunity to submit comments on the proposed rule amendments for 30 days after notice of proposed rulemaking. The 30 day comment period, as set out in the notice, expired on April 17, 1991.

4. No requests for a public hearing were received by the Commission during the public comment period.

5. No requests for notice of submission to the Attorney General were received by the Commission.

6. Only the Department of Public Service (Department) submitted written comments during the public comment period. In its

(6) comments, the Department recommended modifying the proposed definition of "service order record change charge" in subpart 12a. The proposed rule defines service order record change charge as "the fee a telephone company charges to a subscriber for making a change in the subscriber's service." The Department asserts that this definition is too general since the fee or charge may vary with the type of change being made. The Department, therefore, recommends more specific language that identifies the charge as the one applied to a change in the billing record for local service. If the Department's recommendation is adopted, subpart 12a will read as follows:

> Subp. 12a. **Service order record change charge.** "Service order record change charge" means the fee that a telephone company charges a subscriber for making a change in the subscriber's billing record for local service.

7. The Commission finds that the Department's suggested modification of proposed subpart 12a is both necessary and reasonable. The Department's version is more precise than the proposed definition and clarifies the Commission's intent. It is also consistent with the common understanding of the term in the telephone industry. Therefore, the Commission adopts the Department's proposed modification.

8. Any modifications to proposed rules as published in the State Register and mailed to persons on the Commission's rulemaking list must not constitute a "substantial change." Substantial change is defined in Minn. Rules, part 2010.1000 as a change to a proposed rule that:

> (1) affects classes of persons who could not reasonably have been expected to comment on the proposed rules as originally noticed;
>
> (2) introduces significant new subject matter which a reasonable person, on the basis of the proposed rule as originally noticed, would not have anticipated would occur during the rulemaking proceeding; or
>
> (3) makes a major substantive change that was not raised by the proposed rule as originally noticed in such a way as to invite reaction.

Modifying proposed subpart 12a as indicated above in Finding No. 6 will not substantially change the proposed rule. The change merely makes the definition more specific. The modification does not affect classes of persons who were not affected by the rule as proposed, and it does not introduce new subject matter. Moreover, the modification does not constitute a major substantive change that was not raised by the proposed rule in

such a way as to invite reaction. Indeed, the modification is the result of public reaction.

9. The Commission adopts the Statement of Need and Reasonableness, in its entirety, as the factual basis for the proposed rule amendments. The Commission hereby incorporates the Statement of Need and Reasonableness into these findings except as modified in Finding No. 7 above.

10. The above-captioned rule amendments are needed and reasonable. (9)

CONCLUSIONS

1. The Minnesota Public Utilities Commission duly acquired and has jurisdiction over this proceeding pursuant to Minn. Stat. §§ 237.71, 237.711 and 237.10 (1990).

2. The Commission published and served due, timely, and adequate notice of the intent to adopt the rule amendments without a public hearing.

3. The Commission has complied with all relevant legal and procedural requirements of statute and rule.

4. The modification to proposed part 7817.0100, subpart 12a, set forth in Finding No. 6 above, is supported by the record and does not result in a substantial change in the proposed rule.

ORDER

The Commission hereby adopts amendments to Minn. Rules, parts 7817.0100 to 7817.1000, which govern the telephone assistance plan.

BY ORDER OF THE COMMISSION

(9)

Richard R. Lancaster
Executive Secretary

MINNESOTA PUBLIC UTILITIES COMMISSION

May 23, 1991

Ms. Patricia Nolte, Legal Assistant
Office of the Attorney General
404 Capitol Office Building
525 Park Ave.
St. Paul, MN 55155

Re: In the Matter of Proposed Amendments to Rules Governing the Telephone Assistance Plan, Minn. Rules, parts 7817.0100 to 7817.1000, Docket No. P-999/R-90-86.

Dear Ms. Nolte:

On May 14, 1991, the Minnesota Public Utilities Commission adopted the above-captioned amendments to rules governing the telephone assistance plan. Enclosed for your review are the following:

1. Rules as adopted (original and three copies).

2. Findings of Fact, Conclusions, and Order Adopting Rules.

3. Resolution Adopting Rules and Certificate of Resolution Adopting Rules.

4. Notice of Intent to Solicit Outside Opinion (14 S.R. 2167, March 5, 1990).

5. Authorization to Proceed with Adoption of Rules Without Public Hearing and Certificate of Authorizing Resolution.

6. Notice of Intent to Adopt Rules Without a Public Hearing and Notice of Intent to Adopt Rules With a Public Hearing if Twenty-five or More Persons Request a Hearing as published (15 S.R. 2092, March 18, 1991).

7. Comments received during the comment period.

8. Notice of Intent to Adopt Rules Without a Public Hearing and Notice of Intent to Adopt Rules With a Public Hearing if Twenty-five or More Persons Request a Hearing, as mailed.

9. Affidavit of Mailing the Notice of Intent to Adopt Rules Without a public Hearing and Certificate of Mailing List.

AMERICAN CENTER BUILDING • KELLOGG AND ROBERT STS • SAINT PAUL, MN 55101

10. Rules as proposed with the Revisor of Statutes Certificate of Approval for publication.

11. Statement of Need and Reasonableness.

12. Declaration of Counsel.

Please note that the Commission did not receive any comments in response to the Notice of Intent to Solicit Outside Opinion. Also, please note that the Commission did not receive any requests to be notified of submission of the rules to the Attorney General.

Very truly yours,

Dan Lipschultz

Dan Lipschultz
Staff Attorney
(612) 296-9617

CERTIFICATE OF RESOLUTION AMENDING RULES

Docket No. P-999/R-90-86

I, Richard R. Lancaster, do hereby certify that I am the Executive Secretary of the Minnesota Public Utilities Commission (Commission), an agency 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 Commission duly and properly called and held on the 14th day of May, 1991, that a quorum was present at said meeting, that a majority of those present voted of the resolution and that said resolution will be set forth in the minutes of said meeting and has not been rescinded or modified:

> BE IT RESOLVED, that the Minnesota Public Utilities Commission (Commission) hereby approves and adopts the amendments to rules governing the telephone assistance plan pursuant to the authority vested in the Commission by Minn. Stat. §§ 237.71, 237.711 and 237.10 (1990).
>
> BE IT FURTHER RESOLVED, that prior to publishing the rules as adopted in the State Register, the Executive Secretary is authorized to make any form changes in the rules that the Revisor of Statutes requires the Commission to make in order to obtain the Revisor's Certificate as required by Minn. Stat. § 14.28 (1990).
>
> BE IT FURTHER RESOLVED, that the Commission adopts the attached Findings of Fact, Conclusions, and Order Adopting Rule Amendments and that the Executive Secretary is hereby authorized to sign the above-mentioned document on behalf of the Commission and to perform the necessary acts to provide that the rule amendments shall have the force and effect of law.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 16th day of May, 1991.



Richard R. Lancaster
Executive Secretary

RESOLUTION AMENDING RULES

Docket No. P-999/R-90-86

BE IT RESOLVED, that the Minnesota Public Utilities Commission (Commission) hereby approves and adopts the amendments to rules governing the telephone assistance plan pursuant to the authority vested in the Commission by Minn. Stat. §§ 237.71, 237.711 and 237.10 (1990).

BE IT FURTHER RESOLVED, that prior to publishing the rules as adopted in the State Register, the Executive Secretary is authorized to make any form changes in the rules that the Revisor of Statutes requires the Commission to make in order to obtain the Revisor's Certificate as required by Minn. Stat. § 14.28 (1990).

BE IT FURTHER RESOLVED, that the Commission adopts the attached Findings of Fact, Conclusions, and Order Adopting Rule Amendments and that the Executive Secretary is hereby authorized to sign the above-mentioned document on behalf of the Commission and to perform the necessary acts to provide that the rule shall have the force and effect of law.

Darrell L. Peterson
Officer of the Commission

Cynthia A. Kitlinski
Attest by one other Commission member

Department of Human Services

Mental Health Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Case Management Services to Children with Severe Emotional Disturbance

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose rules governing case management services to children with severe emotional disturbance.

The adoption of the rule is authorized by *Minnesota Statutes*, section 245.484 which permits the agency to adopt permanent rules availability of case management services, notification of case management eligibility, qualifications and duties of the case manager, staffing ratios to serve the needs of clients, billings for services, and coordination between the case manager and family community support and other mental health services for the child with severe emotional disturbance.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Eleanor Weber
Rules Division
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816

Oral statements will be received during regular business hours over the telephone at (612) 297-4301 by Eleanor Weber and in person at the above address.

All statements of information and opinions shall be accepted until further notice. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the amendment of the rule is adopted.

Eleanor E. Weber
Assistant Director, Rules Division

Office of the Ombudsman for Mental Health and Mental Retardation

Notice of Meeting

The Ombudsman for Mental Health and Mental Retardation Advisory Committee will hold a general meeting at 9:00 a.m. on Friday, March 9, 1990. The meeting will be held at the Ombudsman Office, Suite 202, Metro Square Building on 7th and Robert Street, St. Paul.

Minnesota Public Utilities Commission

Notice of Intent to Solicit Outside Information or Opinion in Preparing to Amend the Rules Governing the Telephone Assistance Plan, *Minnesota Rules*, Parts 7817.0100 to 7817.1000, Docket No. P-999/R-90-86

NOTICE IS HEREBY GIVEN that the Minnesota Public Utilities Commission (Commission) is seeking information or opinions from sources outside the agency in preparing to propose the amendment of the rules governing the telephone assistance plan, *Minnesota Rules*, parts 7817.0100 to 7817.1000. The adoption of amendments to these rules is authorized by *Minnesota Statute* § 237.71 (1988) which requires the Commission to adopt rules governing the telephone assistance plan. The adoption of these amendments is also authorized by *Minnesota Statutes*, section 237.71 (1988) which permits the Commission to adopt emergency and permanent rules to implement statutory amendments to the telephone assistance plan which were enacted in 1988.

The Commission requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written or oral statements should be directed to:

David Sharpe
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
Telephone: (612) 296-1339

Oral statements will be received during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday, by telephone at (612) 296-1339 and in person at the above address.

All statements of information and opinion will be accepted in response to this notice until the Commission publishes in the *State Register* proposed amendments to the above-entitled rules along with a notice of hearing under *Minnesota Statutes* § 14.14 (1988) or a notice of intent to adopt rules without a public hearing under *Minnesota Statutes* § 14.22 (1988). Any written material received and accepted by the Commission as provided in this notice will become part of the rulemaking record to be submitted to the attorney general under *Minnesota Rules*, part 2010.0300, item L or the administrative law judge under *Minnesota Rules*, part 1400.0600, item F.

Lee Larson
Acting Executive Secretary

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, St. Paul MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. More specific information about these vacancies may be obtained from the agencies listed below. The application deadline is March 27, 1990.

MN SENTENCING GUIDELINES COMMISSION
51 State Office Bldg., St. Paul 55155. 612-296-0144
Minnesota Statutes 244.09

APPOINTING AUTHORITY: Governor. COMPENSATION: $50 per diem plus expenses.
VACANCY: One public member.

The commission will reduce disparity in sentencing practices throughout the state in terms of length of imprisonment as well as imprisonment versus probation and local incarceration. The commission consists of eleven members: one judge of the court of appeals and one district court judge to be appointed by the chief justice of the supreme court; one public defender; one county attorney; one peace officer; one probation officer or parole officer; three public members, one of whom must be a victim of a crime defined as a felony; and the chief justice of the supreme court and the commissioner of corrections or their designees. The term of any member appointed or reappointed by the governor before the first Monday in January 1991 expires on that date. The term of any member appointed or reappointed after that date is coterminous with the governor. Members, other than judges, must file with the Ethical Practices Board.

MN EDUCATIONAL COMPUTING CORPORATION
3490 Lexington Ave. N., Shoreview 55126. 612-481-3510
Minnesota Statutes 119.01

APPOINTING AUTHORITY: Governor. COMPENSATION: None.
VACANCY: One member: knowledgeable about the use of computing in elementary, secondary, and higher education, or the business community.

The corporation provides cost-effective computing and technology related products and services to the educational programs of educational institutions and agencies in Minnesota and elsewhere. The nine member board will be knowledgeable about the use of computing in elementary, secondary, vocational, and public and private higher education or the business community. Terms are for four years and are staggered. Members must file with the Ethical Practices Board.

AUTHORIZATION TO PROCEED WITH THE AMENDMENT
OF RULES WITHOUT A PUBLIC HEARING
Docket No. P-999/R-90-86

BE IT RESOLVED, that the Executive Secretary of the Minnesota Public Utilities Commission (Commission) is hereby granted the authority to sign and to give notice of the Commission's intent to adopt, without a public hearing, the attached amendments to rules governing the telephone assistance plan, Minn. Rules, parts 7817.0100 to 7817.1000, to all persons who have registered their names with the Commission for that purpose and publish the notice and the rule amendments in the State Register, and to perform any acts incidental thereto, including making any form changes in the rule amendments that the Revisor of Statutes requires the Commission to make in order to obtain the Revisor's certification as required by Minn. Stat. § 14.07, subd. 2 (1990).

BE IT FURTHER RESOLVED, that in the event a public hearing becomes necessary, the Executive Secretary is hereby granted the authority and directed to call a hearing for the purpose of promulgating said rule amendments as well as to perform any and all acts incidental thereto, including but not limited to signing an Order for and Notice of Hearing, as well as acting as the Commission's representative at all hearings.

Darrel L. Peterson

Darrel Peterson
Chair

CERTIFICATE OF AUTHORIZING RESOLUTION
Docket No. P-999/R-90-86

I, Richard R. Lancaster, do hereby certify that I am the Executive Secretary of the Minnesota Public Utilities Commission (Commission), an agency 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 Commission duly and properly called and held on the 12th day of February, 1991, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution will be set forth in the minutes of said meeting and has not been rescinded or modified:

> BE IT RESOLVED, that the Executive Secretary of the Minnesota Public Utilities Commission (Commission) is hereby granted the authority to sign and to give notice of the Commission's intent to adopt, without a public hearing, the attached amendments to rules governing the telephone assistance plan, Minn. Rules, parts 7817.0100 to 7817.1000, to all persons who have registered their names with the Commission for that purpose and publish the notice and the rule amendments in the State Register, and to perform any acts incidental thereto, including making any form changes in the rule amendments that the Revisor of Statutes requires the Commission to make in order to obtain the Revisor's certification as required by Minn. Stat. § 14.07, subd. 2 (1990).
>
> BE IT FURTHER RESOLVED, that in the event a public hearing becomes necessary, the Executive Secretary is hereby granted the authority and directed to call a hearing for the purpose of promulgating said rule amendments as well as to perform any and all acts incidental thereto, including but not limited to signing an Order for and Notice of Hearing, as well as acting as the Commission's representative at all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed by name this 13th day of February 1991.

Richard R. Lancaster
Executive Secretary

B. for shipments of a hazardous waste to a designated facility in an authorized state which has not yet obtained authorization to regulate that particular waste as hazardous, the designated facility agrees to sign the manifest and return the manifest to the generator, and that any out-of-state transporter signs and forwards the manifest to the designated facility.

[For text of subp 5, see M.R.]

Public Utilities Commission

Proposed Permanent Rules Relating to Telephone Assistance Plan

Notice of Intent to Adopt Rules Without a Public Hearing and Notice of Intent to Adopt Rules With a Public Hearing if Twenty-five or More Persons Request a Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Public Utilities Commission (Commission) intends to adopt the above-entitled rules without a public hearing following the procedures for adopting rules without a public hearing set forth in the Administrative Procedure Act, *Minnesota Statutes* sections 14.22 to 14.28. The Commission's authority to adopt the rules is set forth in *Minnesota Statutes* sections 237.71, 237.711 and 237.10.

All persons have until 4:30 p.m. on April 17, 1991, to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. PLEASE USE DOCKET NO. P-999/R-90-86 ON ALL CORRESPONDENCE.

Any person may make a written request for a public hearing on the rules within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed.

If a public hearing is required, the Commission will proceed pusuant to *Minnesota Statutes* sections 14.131 to 14.20. **PLEASE NOTE that if twenty-five or more persons submit written requests for a public hearing within the 30-day comment period, a hearing will be held on Wednesday, April 24, 1991, in accordance with the notice of public hearing of these same rules published in this *State Register* and mailed to persons registered with the commission.** To verify whether a hearing will be held, please call the Commission between April 18, 1991, and April 23, 1991 at (612) 296-7124.

Comments or written requests for a public hearing must be submitted to:

Dan Lipschultz
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-9617

The proposed rules may be modified if the modifications are supported by data and views submitted to the Commission and do not result in a substantial change in the proposed rules as noticed.

The proposed rules, if adopted, will establish a uniform time frame for reimbursing company expenses incurred administering the telephone assistance plan and provide a formula to determine the maximum reimbursement a company is entitled to receive. The proposed rules are published below. One free copy of the rules is available upon request from the Commission by contacting the Commission's receptionist, Kris Kline, at the above address or by calling (612) 296-7124.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Commission by contacting the Commission's receptionist, Kris Kline, at the above address or by calling (612) 296-7124.

YOU ARE HEREBY ADVISED, pursuant to *Minnesota Statutes* section 14.115, "small business considerations in rulemaking," that the proposed rules affect small businesses. The rules apply to all phone companies in Minnesota. Therefore, they will have an impact on smaller companies which qualify as "small businesses" under *Minnesota Statutes* section 14.115, subd. 1.

The proposed rules will impact companies that file their required periodic expense reports before the deadline for these filings. Instead of being reimbursed within 60 days of their filings as they are now, they will be reimbursed within 60 days of the date their filings are due. The proposed rules may also reduce the compensation some companies are accustomed to receiving because of the ceiling these rules place on reimbursement. Finally, companies may, under these rules, choose to petition the Commission to establish "TAP enrollment charges" to use in determining the maximum reimbursement they can receive for administrative expenses.

The adoption of these rules by the Commission will not require the expenditure of public money by local public bodies or have a direct impact on agricultural land. Therefore, *Minnesota Statutes* section 14.11 is not applicable to this rulemaking proceeding.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the rules submitted to the Attorney General, must submit a written request to Dan Lipschultz at the above address.

Richard R. Lancaster
Executive Secretary

Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer Than Twenty-Five Persons Request a Hearing In Response to Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Public Utilities Commission (Commission) will hold a public hearing in the above-entitled matter in the Commission's Large Hearing Room, 780 American Center Building, 150 East Kellogg Blvd., St. Paul, Minnesota, commencing at 9:00 a.m. on Wednesday, April 24, 1991, and continuing until all interested or affected persons have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted to the presiding Administrative Law Judge, as hereinafter indicated, without appearing at the hearing.

PLEASE NOTE, however, that the hearing will be cancelled if fewer than twenty-five persons request a hearing in response to the notice of intent to adopt these same rules without a public hearing published in this *State Register* and mailed to persons registered with the commission. To verify whether a hearing will be held, please call the Commission between April 18, 1991 and April 23, 1991 at (612) 296-7124.

The matter will be heard before Administrative Law Judge Bruce D. Campbell, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, (612) 341-7602. The rule hearing procedure is governed by *Minnesota Statutes* sections 14.131 to 14.20 and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge at the address and telephone number stated above.

The subject of the hearing will be the proposed amendments to rules governing the telephone assistance plan, *Minnesota Rules*, parts 7817.0100 to 7817.1000. The proposed rule amendments are authorized by *Minnesota Statutes* sections 237.10, 237.71 and 237.711. The proposed rules are published below. One free copy of the rules is available on request by contacting:

Kris Kline
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-7124

Notice is hereby given that a Statement of Need and Reasonableness is now available for review at the Commission offices and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the Commission anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the Commission offices or at the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Any person may present his or her views on the proposed rules in one or more of the following ways: by submitting written data to the Administrative Law Judge at any time before the close of the hearing; by submitting oral or written data at the hearing; and by submitting written data to the Administrative Law Judge during the comment period following the hearing. The comment period will be not less than five working days after the public hearing ends. The comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. The written material received during the comment period shall be available for review at the Office of Administrative Hearings. Within three business days after the expiration of the comment period, the Commission and interested persons may response in writing to any new information received during the comment period; however, no additional evidence may be submitted during this three-day period. Any written material or responses submitted must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the final day.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

The Commission requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment period also submit a copy of the written data to Dan Lipschultz at the Commission address stated above.

The proposed rules may be modified if the data and views received during the hearing process warrant modification and the modification does not result in a substantial change in the proposed rules.

Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the Commission may not take any final action on the rules for a period of five working days. If you desire to be so notified, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules are adopted and filed with the Secretary of State. The notice must be mailed on the same day that the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the Commission at any time prior to the filing of the rules with the Secretary of State.

YOU ARE HEREBY ADVISED, pursuant to *Minnesota Statutes* section 14.115, "small business considerations in rulemaking," that the proposed rules will affect small businesses. The rules affect all phone companies in Minnesota. Therefore, they will have an impact on smaller companies which qualify as "small businesses" under *Minnesota Statutes* section 14.115, subd. 1.

The proposed rules will impact companies that file their required periodic expense reports before the deadline for these filings. Instead of being reimbursed within 60 days of their filings as they are now, they will be reimbursed within 60 days of the date their filings are due. The proposed rules may also reduce the compensation some companies are accustomed to receiving because of the ceiling these rules place on reimbursement. Finally, companies may, under these rules, choose to petition the Commission to establish "TAP enrollment charges" to use in determining the maximum reimbursement they can receive for administrative expenses.

The adoption of these rule amendments by the Commission will not require expenditure of public monies by local public bodies nor have a direct impact on agricultural land. Therefore, *Minnesota Statutes* section 14.11 is not applicable to this rulemaking proceeding.

Please be advised that *Minnesota Statutes* ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes* section 10A.01, subd. 11, paragraph (a) as any individual:

(1) Engaged for pay or other consideration, or authorized to spend money by another individual, association, political subdivision, or public higher education system, who spends more than five hours in any month or more than $250, not including the individual's own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or urging others to communicate with public or local officials; or

(2) Who spends more than $250, not including the individual's own travel expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or urging others to communicate with public or local officials.

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

Richard R. Lancaster
Executive Secretary

Rules as Proposed

7817.0100 DEFINITIONS.

[For text of subps 1 to 12, see M.R.]

Subp. 12a. **Service order record change charge.** "Service order record change charge" means the fee that a telephone company charges to a subscriber for making a change in the subscriber's service.

[For text of subp 13, see M.R.]

Subp. 13a. **TAP enrollment charge.** "TAP enrollment charge" means the administrative cost to a telephone company of enrolling each new participant in the telephone assistance program as determined under part 7817.0300, subpart 5.

[For text of subps 14 and 14a, see M.R.]

Subp. 15. **Telephone assistance plan or TAP.** "Telephone assistance plan" or "TAP" means the plan required by *Minnesota Statutes*, sections 237.69 to 237.72, and set out in this chapter.

[For text of subp 16, see M.R.]

7817.0300 FUNDING.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Use of surcharge revenues and fund.** A telephone company shall remit, under *Minnesota Statutes*, section 403.11, surcharge revenues to the Department of Administration for deposit in the telephone assistance fund. The commission shall use the money in the telephone assistance fund to:

A. reimburse the telephone assistance credits extended by a telephone company ~~and reimburse a telephone company's expenses, not including expenses of collecting the surcharge,~~ within 60 days of ~~receipt of a~~ the deadline for filing the telephone company's report under part 7817.0900 or the date the report is filed, whichever occurs later;

B. reimburse the administrative expenses of the Department of Human Services ~~from January 1, 1988, to June 30, 1989,~~ not to exceed ~~$90,000~~ the amount specified in *Minnesota Statutes*, section 237.701; ~~and~~

C. reimburse the administrative expenses of the commission not to exceed ~~$25,000 annually~~ the amount specified in *Minnesota Statutes*, section 237.701; and

D. reimburse a telephone company's administrative expenses in accordance with subpart 4.

Subp. 4. **Reimbursing telephone company expenses.** The commission shall reimburse telephone company expenses as provided in items A to E.

A. The commission shall reimburse only with money in the telephone assistance fund.

B. The commission shall not reimburse the expenses of collecting the surcharge.

C. The commission shall not reimburse expenses under this subpart unless the telephone company has filed a report that complies with part 7817.0900. The commission shall reimburse the telephone company within 60 days after the deadline for filing its report under part 7817.0900 or the date the report is filed, whichever occurs later.

D. A telephone company with five or more new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than the number of new participants enrolled during the reporting period times one of the following:

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

E. A telephone company with fewer than five new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than five times one of the following:

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

Subp. 5. **TAP enrollment charge.** A telephone company may petition the commission to establish a TAP enrollment charge for the company, which may differ from the company's service order record change charge. The TAP enrollment charge must be determined according to items A and B.

A. A company's petition to establish a TAP enrollment charge must include financial and cost-study information adequate to support the company's proposed TAP enrollment charge. The commission may accept, modify, or reject the company's petition.

B. A TAP enrollment charge must be based exclusively on the cost of one or more of the following company activities directly related to administering TAP:

(1) responding to customer inquiries regarding TAP;

(2) mailing TAP applications to customers;

(3) changing manual or computerized customer records and billing systems to reflect the addition or removal of a customer's TAP credit;

(4) sending annual notice of TAP to all subscribers;

(5) notifying the Department of Human Services of customers added to or removed from TAP;

(6) removing customers from TAP when declared ineligible by the Department of Human Services;

(7) storing TAP applications;

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

(8) remitting surcharge revenues to the Department of Administration as required by part 7817.0300, subpart 3; and

(9) reporting to the Public Utilities Commission and Department of Public Service under part 7817.0900, subparts 2 to 4.

Subp. 6. **Absence of TAP enrollment service charge.** If a telephone company does not have a tariffed TAP enrollment charge when claiming reimbursement for TAP-related expenses, the maximum reimbursement allowed must be based on the company's service order record change charge as provided in subpart 4, item D, subitem (1); or item E, subitem (1).

Transportation Regulation Board

Proposed Permanent Rules Relating to Practice and Procedure

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Transportation Regulation Board intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* § 174.02.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Mary Swanson
Transportation Regulation Board
254 Livestock Exchange Bldg.
100 Stockyards Road
South St. Paul, MN 55075
(612) 297-4362

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

The rule proposed for adoption relates to the following matters: practice and procedure before the Transportation Regulation Board. A free copy of the rule is available upon request from Mary Swanson.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Mary Swanson upon request.

YOU ARE HEREBY ADVISED, pursuant to *Minnesota Statutes* section 14.115 (1988), "Small business considerations in rulemaking," that the proposed rules may affect small business.

The adoption of these rule amendments by the Board will not require expenditure of public monies by local public bodies nor have a direct impact on agricultural land. Therefore, *Minnesota Statutes* section 14.11 (1988) is inapplicable to this rulemaking proceeding.

Please be advised that *Minnesota Statutes* ch. 10A (1988) requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes* section 10A.01, subd. 11 (1988) as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenditures and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $250, not including his own travel expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

MINNESOTA
Department of Public Service

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APR 10 1991
MINNESOTA PUBLIC UTILITIES COMMISSION

790 American Center
150 East Kellogg Boulevard
St. Paul, Minnesota 55101-1496
(612) 296-7107
FAX (612) 297-1959

April 10, 1991

Dan Lipschultz
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

Dear Mr. Lipschultz:

The Department of Public Service has reviewed the proposed Telephone Assistance Plan (TAP) rules and with one exception, believes the changes proposed are appropriate. So that the rule will achieve its objective, the Department believes that the definition of a "Service order record change charge "as given in Subp. 12a. of rule 7817.0100, should be modified.

As proposed, "Service order record change charge" is defined as the fee that a telephone company charges to a subscriber for making a change in the subscribers service. Confusion may arise because there may be more than a single fee or charge for making a change in the subscribers service, depending on the type of change being made. In fact, on March 13, 1991, US WEST Communications, Inc. submitted a filing to the Commission to replace its nonrecurring service charges with product specific nonrecurring charges. Therefore, there may be several different fees that could apply when a subscriber makes a change in service.

To avoid confusion that may be created from the language currently proposed, Subp. 12a. should be changed to read: "Service order record change charge" means the fee that a telephone company charges to a subscriber for making a change in the billing record for local service.

With the inclusion of the language revision provided above, the Department supports the proposed TAP rules.

Sincerely,

Gregory J. Doyle

GREGORY J. DOYLE
RATES ANALYST

Nelson J. Updaw

NELSON J. UPDAW
MANAGER, TELECOMMUNICATIONS UNIT

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STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

AFFIDAVIT OF SERVICE

I, **Robin Garcia**, being first duly sworn, deposes and says:

That on the **10th** day of **April**, **1991**, she served the attached **DEPARTMENT OF PUBLIC SERVICE COMMENTS**

Docket No. **P999/R-90-86**

X by depositing in the United States Mail at the City of St. Paul, a true and correct copy thereof, properly enveloped with postage prepaid.

X by personal service

by express mail

by delivery service

to all persons at the addresses indicated below or on the attached list:

See Attached List

Robin Garcia

Subscribed and sworn to before me
this 10th day of April, 1991
Miriam L. Stohl

MIRIAM L. STOHL
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES 2-25-97

Telephone Assistance Plan
Rule Amendments
Docket No. P999/R-90-86

Also print:
Local Telephone Companies

Richard Lancaster (13)
Public Utilities Commission
780 American Center Bldg
150 East Kellogg Blvd
St. Paul, MN 55101

Nelson Updaw
Dept. of Public Service
790 American Center Bldg
150 East Kellogg Blvd
St. Paul, MN 55101

Linda Chavez
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790 American Center Bldg
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St. Paul, MN 55101

John Kundert
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790 American Center Bldg
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St. Paul, MN 55101

Greg Doyle
Dept. of Public Service
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St. Paul, MN 55101

Dennis Ahlers
Attorney General's Office
340 Bremer Tower
7th Place & Minnesota Street
St. Paul, MN 55101

Joan Peterson
Attorney General's Office
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7th Place & Minnesota Street
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Karen K. Collinson
Dept. of Human Services
444 Lafayette Road
St. Paul, MN 55155-3834

Randy Young
State Planning Agency
300 Centennial Bldg
658 Cedar Street
St. Paul, MN 55155

Steve Moon
United Handicapped Fed
Dept. of Human Services
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St. Paul, MN 55155-3834

Julia Anderson
Attorney General's Office
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St. Paul, MN 55101

James Beutelspacher
Dept. of Administration
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St. Paul, MN 55155

Elmer Scott
MN Senior Federation
1885 University Ave
St. Paul, MN 55104

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Harold L. Collier
14450 Burnhaven Drive
Burnsville, MN 55337

Lakedale Telephone Company
Dan Berg
Hwy 55 East, Box 340
Annandale, MN 55302

Norman County Telephone Co.
Ken Ellefson
13 East 4th Avenue
PO Box 72
Ada, MN 56510

United Telepone of MN
Pat Jennings
1340 Norwest Center
55 East 5th Street
St. Paul, MN 55101

Assn of MN Telephone Utilities
c/o Albany Mutual Tel Assn
John Rose
PO Box 570
Albany, MN 56307

Northwestern Bell
Linda Wrzos
Room 3A75
200 South 5th Street
Minneapolis, MN 55402

MN Telephone Assn
Mike Nowick
Suite 770
386 North Wabasha Ave
St. Paul, MN 55102

Contel of Minnesota, Inc.
Will Bartley
PO Box 50770
St. Paul, MN 55150

Telephone Companies
(Local Exchange Carriers)

Ace Telephone Association
David Freeman, Controller
207 Cedar Street East
Houston, MN 55943

Albany Mutual Telephone Assoc.
John Rose, Manager
P.O. Box 570
Albany, MN 56307

Arvig Telephone Company
Gilroy G. Arvig, President
Box 395
Pequot Lakes, MN 56472

Benton Coop. Telephone Company
Nicholas Prom, Gen. Mgr.
2220 125th Street NW
Rice, MN 56367

Blackduck Telephone Company
Herbert Lien, President
50 Margaret Avenue East
Blackduck, MN 56630

Blue Earth Valley Telephone Co.
Neil Eckles, President
123 West 7th Street
Blue Earth, MN 56013

Bridge Water Telephone Co.
Gilroy G. Arvig, President
316 Pine Street
Monticello, MN 55362

Central Telephone Company
Harold L. Collier
14450 Burnhaven Drive
Burnsville, MN 55337

Clara City Telephone Exch. Co
Wesley C. Hanson, Gen Mgr
227 South Main Street
Clara City, MN 56222

Consolidated Telephone Co.
William Friday, President
P.O. Box B
2410 East Oak Street
Brainerd, MN 56401

Contel of MN, Inc.
Jack Millisor
1300 Mendota Heights Road
P.O. Box 50770
St. Paul, MN 55150

Contel of Iowa, Inc.
Sherry Banaszewski
1300 Mendota Heights Road
P.O. Box 50770
St. Paul, MN 55150

Deer River Telephone Company
Tom Runnigan, Mgr.
209 2nd Street SE
Deer River, MN 56636

Interstate Telecom. Coop., Inc.
Dean Anderson, General Mgr
406 4th Avenue South
P.O. Box 637
Clear Lake, SD 57226

East Otter Tail Telephone Co.
Allen R. Arvig, President
160 2nd Avenue SW
Perham, MN 56573

Eckles Telephone Company
Neil Eckles
123 West 7th Street
Blue Earth, MN 56013

Farmers Mutual Telephone Co.
Robert Hoffman, P.O. Box 368
Bellingham, MN 56212

Federated Telephone Coop.
Donald Roiland, Gen. Mgr.
Chokio, MN 56221

Garden Valley Telephone Co.
Lawrence C. Ware, Gen. Mgr.
Erskine, MN 56535

Gardonville Coop. Tel. Assn.
Harold Brethorst, Mgr.
P.O. Box 187
Brandon, MN 56315

GTE North
Kip Hendrickson
Midwest Dir.,External Affairs
11-11th Ave., P.O. Box 330
Grinnell, IA 50112

Halstad Telephone Company
Chester Mauritson, President
P.O. Box 55
Halstad, MN 56548

Hills Telephone Company
K.P. Ellefson, President
P.O. Box 72
13 East 4th Avenue
Ada, MN 56510

Hohman Telephone Company
Kenneth P. Ellefson, Pres.
P.O. Box 409
Pelican Rapids, MN 56572

Hutchinson Telephone Company
Walter S. Clay, President
30 2nd Avenue SW
Hutchinson, MN 55350

Johnson Telephone Company
Conrad Johnson, Sec/Treas
Remer, MN 56672

Kasson-Mantorville Tel. Co.
Jon Tollefson, President
18 2nd Avenue NW
Kasson, MN 55944

KMP Telephone Company
Mr. C.W. Ricker, President
301 South Westfield Road
P.O. Box 5901
Madison, WI 53705-0901

Lakedale Telephone Company
L.G. Morrow, VP & Gen.Mgr.
Hwy 55 East, Box 340
Annandale, MN 55302

Mabel Cooperative Tel. Co.
Harold Selness, President
214 North Main, Box 368
Mabel, MN 55954

Madelia Telephone Company
E.M. Christensen, Jr., Pres.
104 West Main Street
Madelia, MN 56062

Mankato Citizens Telephone Co.
Thomas R. Borchert, President
221 East Hickory St., Box 3248
Mankato, MN 56002

Melrose Telephone Company
Frances Monroe, President
P.O. Box 267
210 East Main Street
Melrose, MN 56352

Mid-Communications, Inc.
Tom Borchert, President
221 East Hickory St., Box 3248
Mankato, MN 56001

Mid-State Telephone Company
C.W. Ricker, Regional Mgr.
301 South Westfield Road
P.O. Box 5901
Madison, WI 53705-0901

Midwest Telephone Company
Jane A. Dorn, Secretary
Box 45
Parkers Prairie, MN 56361

New Ulm Telecom, Inc.
R.T. Rodenberg, President
400 2nd North Street, Box 158
New Ulm, MN 56073

Norman County Telephone Co.
K.P. Ellefson, President
Box 72, 13 East 4th Avenue
Ada, MN 56510

Northwestern Bell Telephone Co.
Robert Fuehr
Reg. & Govt. Relations
200 South 5th St., Room 3A75
Minneapolis, MN 55402

Park Region Mutual Tel. Co.
Paul Hoff, Manager
Underwood, MN 56586

Paul Bunyan Rural Tel. Co.
Albert Pederson, President
Box 1596
301 America Avenue
Bemidji, MN 56601

Peoples Telephone Company, Inc.
Orbin Holt, Sec./Treas.
Box 96
Bigfork, MN 56628

Pine Island Telephone Company
Steven H. Sjogren
Vice President, Operations
Hector, MN 55342

Polar Rural Tel. Mut. Aid Corp.
Winten Gunderson, President
P.O. Box 270
Park River, ND 58270

Red River Rural Tel.Assn.
Clarence Packer, President
P.O. Box 136
Abercrombie, ND 58001

Redwood County Telephone Co.
Lauren S. Beran, Sec./Treas.
120 East 3rd Street
Redwood Falls, MN 56283

Runestone Telephone Association
Paul Brutlag, President
P.O. Box 336
Hoffman, MN 56339

Scott-Rice Telephone Company
John W. Packer, President
4690 Colorado Street SE
Prior Lake, MN 55372

Sherburne County Rural Tel. Co.
Robert Eddy
Vice President/General Manager
440 Eagle Lake Road North
Big Lake, MN 55309

Sioux Valley Telephone Company
K.P. Ellefson, Vice President
525 4th Street
Dell Rapids, SD 57022

Sleepy Eye Telephone Company
K.P. Ellefson, Vice President
121 2nd Avenue NW
Sleepy Eye, MN 56085

Solon Springs Telephone Co.
Richard P. Ausman, Treas.
1905 Ward Avenue
La Crosse, WI 54602-0820

Split Rock Telecom Coop., Inc.
Don Snyders, Manager
612 East 3rd, PO Box 349
Garretson, SD 57030

Twin Valley-Ulen Tel. Co.
Allen R. Arvig, Pres.
204 Main Avenue West
Twin Valley, MN 56584

Western Telephone Company
c/o New Ulm Telecom, Inc.
400 2nd North
New Ulm, MN 56073

United Telephone of Minnesota
Pat Jennings
1340 Norwest Center
55 East 5th Street
St. Paul, MN 55101

West Central Telephone Assn.
Donald Sommars, Pres.
Sebeka, MN 56477

Wikstrom Telephone Company
Curtiss Wikstrom, Asst. Mgr.
222 South Main, Box 217
Karlstad, MN 56732

Winnebago Coop. Tel. Assn.
Kenneth Lein, Manager
704 East Main Street
Lake Mills, IA 50450

Winsted Telephone Company
Thomas Ollig, Manager
181 2nd Street South
Winsted, MN 55395

Woodstock Telephone Company
Bernard Knuth, President
Ruthton, MN 56170

Zumbrota Telephone Company
Susan K. Anderson
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Zumbrota, MN 55992

Arrowhead Comm. Corp.
Steven Sjogren, VP-Operations
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Hector, MN 55342

Barnesville Telephone Company
David Pederson, City Clerk
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Barnesville, MN 56514

Cannon Valley Telephone Co.
Kenneth Johnson, Pres.
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Bricelyn, MN 56014

Crosslake Telephone Company
Anthony Mayer, Manager
HC-83, Box 103
Crosslake, MN 56442

Eagle Valley Telephone Co.
Steven Sjogren, VP-Financial
Box 777
Hector, MN 55342

Emily Coop. Telephone Co.
Parker Johnson, Gen. Mgr.
Box 100
Emily, MN 56447

Felton Telephone Exchange
Winifred Borgen, President
Felton, MN 56536

Hancock Telephone Company
Dean Peterson, President
PO Box 397
Hancock, MN 56244

Harmony Telephone Company
Kenneth L. Halverson, CEO
35 1st Street NE, Box 308
Harmony, MN 55939

Home Telephone Company
Scott W. Cowan, Sec./Treas.
P.O. Box 158
Grand Meadow, MN 55936

Lonsdale Telephone Company
Robert Novak, President
P.O. Box 348
Lonsdale, MN 55046

Lowry Telephone Company
Paul Ekstrand, President
Box 133
Lowry, MN 56349

Manchester-Hartland Tel. Co.
Kernal Knudson, Sec./Treas.
P.O. Box 57
Manchester, MN 56064

Minnesota Lake Telephone Co.
Sheldon Campbell, President
Main Street, Box 188
Minnesota Lake, MN 56068

Minnesota Valley Telephone Co.
S.H. Larson, President
318 2nd Avenue East, Box 311
Franklin, MN 55333

Northland Telephone Company
Carol Nelson, Sec./Treas.
P.O. Box 39
Hill City, MN 55748

Osakis Telephone Company
Jane Dorn, Secretary
P.O. Box 45
Parkers Prairie, MN 56361

Rock Dell Telephone Company
Jon Tollefson, President
18 2nd Avenue NW
Kasson, MN 55944

Rothsay Telephone Company
Pauline Stowman, Vice Pres.
Rothsay, MN 56579

Chester Telephone Company
c/o Century Telephone of WI
Attn: Debra Colgan
P.O. Box 820
LaCrosse, WI 54602-0820

Sacred Heart Telephone Company
Wesley Hanson, President
227 South Main Street
Sacred Heart, MN 56285

Danube Telephone Company
Larry DeVries, Manager
203 Oak Street
Danube, MN 56230

Spring Grove Coop. Tel. Co.
C.C. Ike, President
166 West Main Street
Spring Grove, MN 55974

Delavan Telephone Company
E. Ronald Parish, President
Delavan, MN 56023

Starbuck Telephone Company
Wesley C. Hanson, President
227 South Main Street
Clara City, MN 56222

Dunnell Telephone Company
Janel Nelson, Vice Pres.
Box 42
Dunnell, MN 56127

Upsala Coop. Telephone Assn.
Dennis M. Gapinski, Mgr.
P.O. Box 146
Upsala, MN 56384

Easton Telephone Company
Neil Eckles
Box 126
Easton, MN 56025

Valley Telephone Company
George Revering, President
Parkers Prairie, MN 56361

Granada Telephone Company
Steven Sjogren, Vice Pres.
Box 777
Hector, MN 55342

Winthrop Telephone Company
Paul Larson, Sec./Treas.
Winthrop, MN 55396

Lismore Coop. Telephone Co.
Marvin T. Loosbrock, Sec.
Lismore, MN 56155

Wolverton Telephone Company
Millard Johnson, President
Box 129
Wolverton, MN 56594

Clements Telephone Company
Lauren Beran, President
614 East Wyoming St.
Redwood Falls, MN 56283

Callaway Telephone Company
Walter Schweigart, Owner
Box 123
Callaway, MN 56521

Northern Telephone Company
R.G. Riddell, Owner
Box 121
Wawina, MN 55794

MINNESOTA PUBLIC UTILITIES COMMISSION

Proposed Rules Governing the Telephone Assistance Plan, Minn. Rules, parts 7817.0100 to 7817.1000, Docket No. P-999/R-90-86.

Notice of Intent to Adopt Rules Without a Public Hearing and Notice of Intent to Adopt Rules With a Public Hearing if Twenty-five or More Persons Request a Hearing.

(1) Notice is hereby given that the Minnesota Public Utilities Commission (Commission) intends to adopt the above-entitled rules without a public hearing following the procedures for adopting rules without a public hearing set forth in the Administrative Procedure Act, Minn. Stat. sections 14.22 to 14.28. The Commission's authority to adopt the rules is set forth in Minn. Stat. sections 237.71, 237.711 and 237.10.

(2) All persons have until 4:30 p.m. on April 17, 1991, to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. (3) Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. PLEASE USE DOCKET NO. P-999/R-90-86 ON ALL CORRESPONDENCE.

Any person may make a written request for a public hearing on the rules within the comment period. (4) If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. (6) Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed.

(7) If a public hearing is required, the Commission will proceed pursuant to Minn. Stat. sections 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON WEDNESDAY, APRIL 24, 1991, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING OF THESE SAME RULES PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE COMMISSION. To verify whether a hearing will be held, please call the Commission between April 18, 1991, and April 23, 1991 at (612) 296-7124.

(5) Comments or written requests for a public hearing must be submitted to:

Dan Lipschultz
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-9617

AMERICAN CENTER BUILDING • KELLOGG AND ROBERT STS • SAINT PAUL, MN 55101

(8) The proposed rules may be modified if the modifications are supported by data and views submitted to the Commission and do not result in a substantial change in the proposed rules as noticed.

(11) The proposed rules, if adopted, will establish a uniform time frame for reimbursing company expenses incurred administering the telephone assistance plan and provide a formula to determine the maximum reimbursement a company is entitled to receive. The proposed rules are attached to this notice. One free copy of the rules is available upon request from the Commission by contacting the Commission's receptionist, Kris Kline, at the above address or by calling (612) 296-7124.

(12) A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Commission by contacting the Commission's receptionist, Kris Kline, at the above address or by calling (612) 296-7124.

(14) Your are hereby advised, pursuant to Minn. Stat. section 14.115, "small business considerations in rulemaking," that the proposed rules affect small businesses. The rules apply to all phone companies in Minnesota. Therefore, they will have an impact on smaller companies which qualify as "small businesses" under Minn. Stat. section 14.115, subd. 1.

The proposed rules will impact companies that file their required periodic expense reports before the deadline for these filings. Instead of being reimbursed within 60 days of their filings as they are now, they will be reimbursed within 60 days of the date their filings are due. The proposed rules may also reduce the compensation some companies are accustomed to receiving because of the ceiling these rules place on reimbursement. Finally, companies may, under these rules, choose to petition the Commission to establish "TAP enrollment charges" to use in determining the maximum reimbursement they can receive for administrative expenses.

(13) The adoption of these rules by the Commission will not require the expenditure of public money by local public bodies or have a direct impact on agricultural land. Therefore, Minn. Stat. section 14.11 is not applicable to this rulemaking proceeding.

(9) If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material

to the Attorney General, or who wish to receive a copy of the rules submitted to the Attorney General, must submit a written request to Dan Lipschultz at the above address.

Richard R. Lancaster
Executive Secretary

Public Utilities Commission

Proposed Permanent Rules Relating to Telephone Assistance Plan

Rules as Proposed

7817.0100 DEFINITIONS.

[For text of subps 1 to 12, see M.R.]

Subp. 12a. Service order record change charge. "Service order record change charge" means the fee that a telephone company charges to a subscriber for making a change in the subscriber's service.

[For text of subp 13, see M.R.]

Subp. 13a. TAP enrollment charge. "TAP enrollment charge" means the administrative cost to a telephone company of enrolling each new participant in the telephone assistance program as determined under part 7817.0300, subpart 5.

[For text of subps 14 and 14a, see M.R.]

Subp. 15. Telephone assistance plan or TAP. "Telephone assistance plan" or "TAP" means the plan required by Minnesota Statutes, sections 237.69 to 237.72, and set out in this chapter.

[For text of subp 16, see M.R.]

7817.0300 FUNDING.

[For text of subps 1 and 2, see M.R.]

Subp. 3. Use of surcharge revenues and fund. A telephone company shall remit, under Minnesota Statutes, section 403.11, surcharge revenues to the Department of Administration for deposit in the telephone assistance fund. The commission shall use the money in the telephone assistance fund to:

A. reimburse the telephone assistance credits extended by a telephone company ~~and reimburse a telephone company's expenses, not including expenses of collecting the surcharge,~~ within 60 days of ~~receipt of a~~ the deadline for filing the telephone company's report under part 7817.0900 or the date the report is filed, whichever occurs later;

B. reimburse the administrative expenses of the

Approved by Revisor

Department of Human Services ~~from January 1, 1988, to June 30, 1989,~~ not to exceed ~~$90,000~~ the amount specified in Minnesota Statutes, section 237.701; ~~and~~

C. reimburse the administrative expenses of the commission not to exceed ~~$25,000 annually~~ the amount specified in Minnesota Statutes, section 237.701; and

D. reimburse a telephone company's administrative expenses in accordance with subpart 4.

Subp. 4. **Reimbursing telephone company expenses.** The commission shall reimburse telephone company expenses as provided in items A to E.

A. The commission shall reimburse only with money in the telephone assistance fund.

B. The commission shall not reimburse the expenses of collecting the surcharge.

C. The commission shall not reimburse expenses under this subpart unless the telephone company has filed a report that complies with part 7817.0900. The commission shall reimburse the telephone company within 60 days after the deadline for filing its report under part 7817.0900 or the date the report is filed, whichever occurs later.

D. A telephone company with five or more new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than the number of new participants enrolled during the reporting period times one of the following:

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

E. A telephone company with fewer than five new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than five times one of the following:

Approved by Revisor _____

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

Subp. 5. **TAP enrollment charge.** A telephone company may petition the commission to establish a TAP enrollment charge for the company, which may differ from the company's service order record change charge. The TAP enrollment charge must be determined according to items A and B.

A. A company's petition to establish a TAP enrollment charge must include financial and cost-study information adequate to support the company's proposed TAP enrollment charge. The commission may accept, modify, or reject the company's petition.

B. A TAP enrollment charge must be based exclusively on the cost of one or more of the following company activities directly related to administering TAP:

(1) responding to customer inquiries regarding TAP;

(2) mailing TAP applications to customers;

(3) changing manual or computerized customer records and billing systems to reflect the addition or removal of a customer's TAP credit;

(4) sending annual notice of TAP to all subscribers;

(5) notifying the Department of Human Services of customers added to or removed from TAP;

(6) removing customers from TAP when declared ineligible by the Department of Human Services;

(7) storing TAP applications;

(8) remitting surcharge revenues to the Department of Administration as required by part 7817.0300, subpart 3; and

(9) reporting to the Public Utilities Commission and Department of Public Service under part 7817.0900, subparts 2 to 4.

Approved by Revisor _____

Subp. 6. Absence of TAP enrollment service charge. If a telephone company does not have a tariffed TAP enrollment charge when claiming reimbursement for TAP-related expenses, the maximum reimbursement allowed must be based on the company's service order record change charge as provided in subpart 4, item D, subitem (1); or item E, subitem (1).

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Telephone Assistance Plan

AGENCY: Public Utilities Commission

MINNESOTA RULES: Chapter 7817

The attached rules are approved for publication in the State Register

Ron Ray

Ron Ray
Senior Assistant Revisor

STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

In the Matter of Proposed Amendments to Rules Governing the Telephone Assistance Plan, Minn. Rules, parts 7817.0100 to 7817.1000

Docket No. P-999/R-90-86

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) SS.
COUNTY OF RAMSEY)

Mary Erdahl, being duly sworn, deposes and says:

That on the 12th day of March, 1991, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing and Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the State of Minnesota Central Mail System or in the United States mail for first class mailing at said City of St. Paul, copies thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the Minnesota Public Utilities Commission for the purpose of receiving notice of the proposed adoption of rules by the Minnesota Public Utilities Commission.

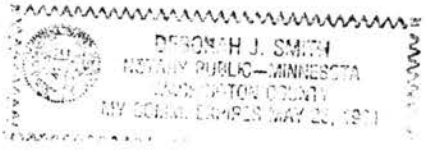
Mary Erdahl

Mary Erdahl

Subscribed and sworn to before me
this 12th day of March, 1991.

Deborah J. Smith

Notary Public



MINNESOTA public UTILITIES COMMISSION

Public Utilities Commission

Proposed Rules Governing Telephone Assistance Plan, Minn. Rules, parts 7817.0100 to 7817.1000, Docket No. P-999/R-90-86.

Notice of Hearing and Notice of Intent to Cancel Hearing if Fewer Than Twenty-Five Persons Request a Hearing In Response to Notice of Intent to Adopt Rules Without a Public Hearing.

Notice is hereby given that the Minnesota Public Utilities Commission (Commission) will hold a public hearing in the above-entitled matter in the Commission's Large Hearing Room, 780 American Center Building, 150 East Kellogg Blvd., St. Paul, Minnesota, commencing at 9:00 a.m. on Wednesday, April 24, 1991, and continuing until all interested or affected persons have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted to the presiding Administrative Law Judge, as hereinafter indicated, without appearing at the hearing.

PLEASE NOTE, HOWEVER, THAT THE HEARING WILL BE CANCELLED IF FEWER THAN TWENTY-FIVE PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE OF INTENT TO ADOPT THESE SAME RULES WITHOUT A PUBLIC HEARING PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE COMMISSION. To verify whether a hearing will be held, please call the Commission between April 18, 1991 and April 23, 1991 at (612) 296-7124.

The matter will be heard before Administrative Law Judge Bruce D. Campbell, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, (612) 341-7602. The rule hearing procedure is governed by Minn. Stat. sections 14.131 to 14.20 and by the rules of the Office of Administrative Hearings, Minn. Rules, parts 1400.0200 to 1400.1200. Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge at the address and telephone number stated above.

The subject of the hearing will be the proposed amendments to rules governing the telephone assistance plan, Minn. Rules, parts 7817.0100 to 7817.1000. The proposed rule amendments are authorized by Minn. Stat. sections 237.10, 237.71 and 237.711. The proposed rules are attached to this notice. One free copy of the rules is available on request by contacting:

Kris Kline
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-7124

AMERICAN CENTER building • kellogg and robert sts • saint paul, mn 55101

Notice is hereby given that a Statement of Need and Reasonableness is now available for review at the Commission offices and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the Commission anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the Commission offices or at the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Any person may present his or her views on the proposed rules in one or more of the following ways: by submitting written data to the Administrative Law Judge at any time before the close of the hearing; by submitting oral or written data at the hearing; and by submitting written data to the Administrative Law Judge during the comment period following the hearing. The comment period will be not less than five working days after the public hearing ends. The comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. The written material received during the comment period shall be available for review at the Office of Administrative Hearings. Within three business days after the expiration of the comment period, the Commission and interested persons may respond in writing to any new information received during the comment period; however, no additional evidence may be submitted during this three-day period. Any written material or responses submitted must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the final day.

The Commission requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment period also submit a copy of the written data to Dan Lipschultz at the Commission address stated above.

The proposed rules may be modified if the data and views received during the hearing process warrant modification and the modification does not result in a substantial change in the proposed rules.

Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the Commission may not take any final action on the rules for a period of five working days. If you desire to be so notified, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules are adopted and filed with the Secretary of State. The notice must be mailed on the same day that the rules are filed. If you want to be so notified

you may so indicate at the hearing or send a request in writing to the Commission at any time prior to the filing of the rules with the Secretary of State.

You are hereby advised, pursuant to Minn. Stat. section 14.115, "small business considerations in rulemaking," that the proposed rules will affect small businesses. The rules affect all phone companies in Minnesota. Therefore, they will have an impact on smaller companies which qualify as "small businesses" under Minn. Stat. section 14.115, subd. 1.

The proposed rules will impact companies that file their required periodic expense reports before the deadline for these filings. Instead of being reimbursed within 60 days of their filings as they are now, they will be reimbursed within 60 days of the date their filings are due. The proposed rules may also reduce the compensation some companies are accustomed to receiving because of the ceiling these rules place on reimbursement. Finally, companies may, under these rules, choose to petition the Commission to establish "TAP enrollment charges" to use in determining the maximum reimbursement they can receive for administrative expenses.

The adoption of these rule amendments by the Commission will not require expenditure of public monies by local public bodies nor have a direct impact on agricultural land. Therefore, Minn. Stat. section 14.11 is not applicable to this rulemaking proceeding.

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. section 10A.01, subd. 11, paragraph (a) as any individual:

(1) Engaged for pay or other consideration, or authorized to spend money by another individual, association, political subdivision, or public higher education system, who spends more than five hours in any month or more than $250, not including the individual's own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by communicating or urging others to communicate with public or local officials; or

(2) Who spends more than $250, not including the individual's own travel expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a metropolitan governmental unit, by

communicating or urging others to communicate with public or local officials.

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5148.

Richard R. Lancaster
Executive Secretary

Public Utilities Commission

Proposed Permanent Rules Relating to Telephone Assistance Plan

Rules as Proposed

7817.0100 DEFINITIONS.

[For text of subps 1 to 12, see M.R.]

Subp. 12a. Service order record change charge. "Service order record change charge" means the fee that a telephone company charges to a subscriber for making a change in the subscriber's service.

[For text of subp 13, see M.R.]

Subp. 13a. TAP enrollment charge. "TAP enrollment charge" means the administrative cost to a telephone company of enrolling each new participant in the telephone assistance program as determined under part 7817.0300, subpart 5.

[For text of subps 14 and 14a, see M.R.]

Subp. 15. Telephone assistance plan or TAP. "Telephone assistance plan" or "TAP" means the plan required by Minnesota Statutes, sections 237.69 to 237.72, and set out in this chapter.

[For text of subp 16, see M.R.]

7817.0300 FUNDING.

[For text of subps 1 and 2, see M.R.]

Subp. 3. Use of surcharge revenues and fund. A telephone company shall remit, under Minnesota Statutes, section 403.11, surcharge revenues to the Department of Administration for deposit in the telephone assistance fund. The commission shall use the money in the telephone assistance fund to:

A. reimburse the telephone assistance credits extended by a telephone company ~~and reimburse a telephone company's expenses, not including expenses of collecting the surcharge,~~ within 60 days of ~~receipt of a~~ the deadline for filing the telephone company's report under part 7817.0900 or the date the report is filed, whichever occurs later;

B. reimburse the administrative expenses of the

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Department of Human Services ~~from January 1, 1988, to June 30, 1989,~~ not to exceed ~~$90,000~~ the amount specified in Minnesota Statutes, section 237.701; ~~and~~

C. reimburse the administrative expenses of the commission not to exceed ~~$25,000 annually~~ the amount specified in Minnesota Statutes, section 237.701; and

D. reimburse a telephone company's administrative expenses in accordance with subpart 4.

Subp. 4. **Reimbursing telephone company expenses.** The commission shall reimburse telephone company expenses as provided in items A to E.

A. The commission shall reimburse only with money in the telephone assistance fund.

B. The commission shall not reimburse the expenses of collecting the surcharge.

C. The commission shall not reimburse expenses under this subpart unless the telephone company has filed a report that complies with part 7817.0900. The commission shall reimburse the telephone company within 60 days after the deadline for filing its report under part 7817.0900 or the date the report is filed, whichever occurs later.

D. A telephone company with five or more new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than the number of new participants enrolled during the reporting period times one of the following:

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

E. A telephone company with fewer than five new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than five times one of the following:

Approved by Revisor _____

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

Subp. 5. **TAP enrollment charge.** A telephone company may petition the commission to establish a TAP enrollment charge for the company, which may differ from the company's service order record change charge. The TAP enrollment charge must be determined according to items A and B.

A. A company's petition to establish a TAP enrollment charge must include financial and cost-study information adequate to support the company's proposed TAP enrollment charge. The commission may accept, modify, or reject the company's petition.

B. A TAP enrollment charge must be based exclusively on the cost of one or more of the following company activities directly related to administering TAP:

(1) responding to customer inquiries regarding TAP;

(2) mailing TAP applications to customers;

(3) changing manual or computerized customer records and billing systems to reflect the addition or removal of a customer's TAP credit;

(4) sending annual notice of TAP to all subscribers;

(5) notifying the Department of Human Services of customers added to or removed from TAP;

(6) removing customers from TAP when declared ineligible by the Department of Human Services;

(7) storing TAP applications;

(8) remitting surcharge revenues to the Department of Administration as required by part 7817.0300, subpart 3; and

(9) reporting to the Public Utilities Commission and Department of Public Service under part 7817.0900, subparts 2 to 4.

Approved by Revisor _____

Subp. 6. Absence of TAP enrollment service charge. If a telephone company does not have a tariffed TAP enrollment charge when claiming reimbursement for TAP-related expenses, the maximum reimbursement allowed must be based on the company's service order record change charge as provided in subpart 4, item D, subitem (1); or item E, subitem (1).

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Telephone Assistance Plan

AGENCY: Public Utilities Commission

MINNESOTA RULES: Chapter 7817

The attached rules are approved for publication in the State Register

Ron Ray

Ron Ray
Senior Assistant Revisor

MINNESOTA public UTILITIES COMMISSION

Proposed Rules Governing the Telephone Assistance Plan, Minn. Rules, parts 7817.0100 to 7817.1000, Docket No. P-999/R-90-86.

Notice of Intent to Adopt Rules Without a Public Hearing and Notice of Intent to Adopt Rules With a Public Hearing if Twenty-five or More Persons Request a Hearing.

Notice is hereby given that the Minnesota Public Utilities Commission (Commission) intends to adopt the above-entitled rules without a public hearing following the procedures for adopting rules without a public hearing set forth in the Administrative Procedure Act, Minn. Stat. sections 14.22 to 14.28. The Commission's authority to adopt the rules is set forth in Minn. Stat. sections 237.71, 237.711 and 237.10.

All persons have until 4:30 p.m. on April 17, 1991, to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. PLEASE USE DOCKET NO. P-999/R-90-86 ON ALL CORRESPONDENCE.

Any person may make a written request for a public hearing on the rules within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed.

If a public hearing is required, the Commission will proceed pursuant to Minn. Stat. sections 14.131 to 14.20. PLEASE NOTE THAT IF TWENTY-FIVE OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITHIN THE 30-DAY COMMENT PERIOD, A HEARING WILL BE HELD ON WEDNESDAY, APRIL 24, 1991, IN ACCORDANCE WITH THE NOTICE OF PUBLIC HEARING OF THESE SAME RULES PUBLISHED IN THIS STATE REGISTER AND MAILED TO PERSONS REGISTERED WITH THE COMMISSION. To verify whether a hearing will be held, please call the Commission between April 18, 1991, and April 23, 1991 at (612) 296-7124.

Comments or written requests for a public hearing must be submitted to:

Dan Lipschultz
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-9617

AMERICAN CENTER building • kellogg and robert sts • saint paul, mn 55101

The proposed rules may be modified if the modifications are supported by data and views submitted to the Commission and do not result in a substantial change in the proposed rules as noticed.

The proposed rules, if adopted, will establish a uniform time frame for reimbursing company expenses incurred administering the telephone assistance plan and provide a formula to determine the maximum reimbursement a company is entitled to receive. The proposed rules are attached to this notice. One free copy of the rules is available upon request from the Commission by contacting the Commission's receptionist, Kris Kline, at the above address or by calling (612) 296-7124.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Commission by contacting the Commission's receptionist, Kris Kline, at the above address or by calling (612) 296-7124.

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The proposed rules will impact companies that file their required periodic expense reports before the deadline for these filings. Instead of being reimbursed within 60 days of their filings as they are now, they will be reimbursed within 60 days of the date their filings are due. The proposed rules may also reduce the compensation some companies are accustomed to receiving because of the ceiling these rules place on reimbursement. Finally, companies may, under these rules, choose to petition the Commission to establish "TAP enrollment charges" to use in determining the maximum reimbursement they can receive for administrative expenses.

The adoption of these rules by the Commission will not require the expenditure of public money by local public bodies or have a direct impact on agricultural land. Therefore, Minn. Stat. section 14.11 is not applicable to this rulemaking proceeding.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material

to the Attorney General, or who wish to receive a copy of the rules submitted to the Attorney General, must submit a written request to Dan Lipschultz at the above address.

Richard R. Lancaster
Executive Secretary

Public Utilities Commission

Proposed Permanent Rules Relating to Telephone Assistance Plan

Rules as Proposed

7817.0100 DEFINITIONS.

[For text of subps 1 to 12, see M.R.]

Subp. 12a. **Service order record change charge.** "Service order record change charge" means the fee that a telephone company charges to a subscriber for making a change in the subscriber's service.

[For text of subp 13, see M.R.]

Subp. 13a. **TAP enrollment charge.** "TAP enrollment charge" means the administrative cost to a telephone company of enrolling each new participant in the telephone assistance program as determined under part 7817.0300, subpart 5.

[For text of subps 14 and 14a, see M.R.]

Subp. 15. **Telephone assistance plan or TAP.** "Telephone assistance plan" or "TAP" means the plan required by Minnesota Statutes, sections 237.69 to 237.72, and set out in this chapter.

[For text of subp 16, see M.R.]

7817.0300 FUNDING.

[For text of subps 1 and 2, see M.R.]

Subp. 3. **Use of surcharge revenues and fund.** A telephone company shall remit, under Minnesota Statutes, section 403.11, surcharge revenues to the Department of Administration for deposit in the telephone assistance fund. The commission shall use the money in the telephone assistance fund to:

A. reimburse the telephone assistance credits extended by a telephone company ~~and reimburse a telephone company's expenses, not including expenses of collecting the surcharge,~~ within 60 days of ~~receipt of a~~ the deadline for filing the telephone company's report under part 7817.0900 or the date the report is filed, whichever occurs later;

B. reimburse the administrative expenses of the

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Department of Human Services ~~from January 1, 1988, to June 30, 1989,~~ not to exceed ~~$90,000~~ the amount specified in Minnesota Statutes, section 237.701; ~~and~~

C. reimburse the administrative expenses of the commission not to exceed ~~$25,000 annually~~ the amount specified in Minnesota Statutes, section 237.701; and

D. reimburse a telephone company's administrative expenses in accordance with subpart 4.

Subp. 4. **Reimbursing telephone company expenses.** The commission shall reimburse telephone company expenses as provided in items A to E.

A. The commission shall reimburse only with money in the telephone assistance fund.

B. The commission shall not reimburse the expenses of collecting the surcharge.

C. The commission shall not reimburse expenses under this subpart unless the telephone company has filed a report that complies with part 7817.0900. The commission shall reimburse the telephone company within 60 days after the deadline for filing its report under part 7817.0900 or the date the report is filed, whichever occurs later.

D. A telephone company with five or more new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than the number of new participants enrolled during the reporting period times one of the following:

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

E. A telephone company with fewer than five new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than five times one of the following:

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(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

Subp. 5. **TAP enrollment charge.** A telephone company may petition the commission to establish a TAP enrollment charge for the company, which may differ from the company's service order record change charge. The TAP enrollment charge must be determined according to items A and B.

A. A company's petition to establish a TAP enrollment charge must include financial and cost-study information adequate to support the company's proposed TAP enrollment charge. The commission may accept, modify, or reject the company's petition.

B. A TAP enrollment charge must be based exclusively on the cost of one or more of the following company activities directly related to administering TAP:

(1) responding to customer inquiries regarding TAP;

(2) mailing TAP applications to customers;

(3) changing manual or computerized customer records and billing systems to reflect the addition or removal of a customer's TAP credit;

(4) sending annual notice of TAP to all subscribers;

(5) notifying the Department of Human Services of customers added to or removed from TAP;

(6) removing customers from TAP when declared ineligible by the Department of Human Services;

(7) storing TAP applications;

(8) remitting surcharge revenues to the Department of Administration as required by part 7817.0300, subpart 3; and

(9) reporting to the Public Utilities Commission and Department of Public Service under part 7817.0900, subparts 2 to 4.

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Subp. 6. **Absence of TAP enrollment service charge.** If a telephone company does not have a tariffed TAP enrollment charge when claiming reimbursement for TAP-related expenses, the maximum reimbursement allowed must be based on the company's service order record change charge as provided in subpart 4, item D, subitem (1); or item E, subitem (1).

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by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Telephone Assistance Plan

AGENCY: Public Utilities Commission

MINNESOTA RULES: Chapter 7817

The attached rules are approved for publication in the State Register

Ron Ray

Ron Ray
Senior Assistant Revisor

STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

In the Matter of the Proposed Amendments to Rules Governing the Telephone Assistance Plan, Minn. Rules, parts 7817.0100 to 7817.1000	Docket No. P-999/R-90-86 CERTIFICATE OF RULEMAKING LIST

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 14.14 (1990) that their names be placed on file with the Minnesota Public Utilities Commission (Commission) for the purpose of receiving notice of the proposed adoption of rules by the Commission is accurate and complete as of this 12th day of March, 1991.

Mary Erdahl

Mary Erdahl

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Telephone Assistance Plan

AGENCY: Public Utilities Commission

MINNESOTA RULES: Chapter 7817

The attached rules are approved for publication in the State Register

Ron Ray

Ron Ray
Senior Assistant Revisor

Public Utilities Commission

Proposed Permanent Rules Relating to Telephone Assistance Plan

Rules as Proposed

7817.0100 DEFINITIONS.

[For text of subps 1 to 12, see M.R.]

Subp. 12a. **Service order record change charge.** "Service order record change charge" means the fee that a telephone company charges to a subscriber for making a change in the subscriber's service.

[For text of subp 13, see M.R.]

Subp. 13a. **TAP enrollment charge.** "TAP enrollment charge" means the administrative cost to a telephone company of enrolling each new participant in the telephone assistance program as determined under part 7817.0300, subpart 5.

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Subp. 15. **Telephone assistance plan or TAP.** "Telephone assistance plan" or "TAP" means the plan required by Minnesota Statutes, sections 237.69 to 237.72, and set out in this chapter.

[For text of subp 16, see M.R.]

7817.0300 FUNDING.

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A. reimburse the telephone assistance credits extended by a telephone company ~~and reimburse a telephone company's expenses, not including expenses of collecting the surcharge,~~ within 60 days of ~~receipt of a~~ the deadline for filing the telephone company's report under part 7817.0900 or the date the report is filed, whichever occurs later;

B. reimburse the administrative expenses of the

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Department of Human Services ~~from January 1, 1988, to June 30, 1989,~~ not to exceed ~~$90,000~~ the amount specified in Minnesota Statutes, section 237.701; ~~and~~

C. reimburse the administrative expenses of the commission not to exceed ~~$25,000 annually~~ the amount specified in Minnesota Statutes, section 237.701; and

D. reimburse a telephone company's administrative expenses in accordance with subpart 4.

Subp. 4. **Reimbursing telephone company expenses.** The commission shall reimburse telephone company expenses as provided in items A to E.

A. The commission shall reimburse only with money in the telephone assistance fund.

B. The commission shall not reimburse the expenses of collecting the surcharge.

C. The commission shall not reimburse expenses under this subpart unless the telephone company has filed a report that complies with part 7817.0900. The commission shall reimburse the telephone company within 60 days after the deadline for filing its report under part 7817.0900 or the date the report is filed, whichever occurs later.

D. A telephone company with five or more new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than the number of new participants enrolled during the reporting period times one of the following:

(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

E. A telephone company with fewer than five new TAP participants enrolled during the reporting period for which reimbursement is sought must be reimbursed for expenses actually incurred and claimed up to an amount no greater than five times one of the following:

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(1) the company's tariffed service order record change charge; or

(2) the company's tariffed TAP enrollment charge determined under subpart 5.

Subp. 5. **TAP enrollment charge.** A telephone company may petition the commission to establish a TAP enrollment charge for the company, which may differ from the company's service order record change charge. The TAP enrollment charge must be determined according to items A and B.

A. A company's petition to establish a TAP enrollment charge must include financial and cost-study information adequate to support the company's proposed TAP enrollment charge. The commission may accept, modify, or reject the company's petition.

B. A TAP enrollment charge must be based exclusively on the cost of one or more of the following company activities directly related to administering TAP:

(1) responding to customer inquiries regarding TAP;

(2) mailing TAP applications to customers;

(3) changing manual or computerized customer records and billing systems to reflect the addition or removal of a customer's TAP credit;

(4) sending annual notice of TAP to all subscribers;

(5) notifying the Department of Human Services of customers added to or removed from TAP;

(6) removing customers from TAP when declared ineligible by the Department of Human Services;

(7) storing TAP applications;

(8) remitting surcharge revenues to the Department of Administration as required by part 7817.0300, subpart 3; and

(9) reporting to the Public Utilities Commission and Department of Public Service under part 7817.0900, subparts 2 to 4.

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Subp. 6. **Absence of TAP enrollment service charge.** If a telephone company does not have a tariffed TAP enrollment charge when claiming reimbursement for TAP-related expenses, the maximum reimbursement allowed must be based on the company's service order record change charge as provided in subpart 4, item D, subitem (1); or item E, subitem (1).

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by Revisor _____

STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION

In the Matter of the Proposed Amendments to Rules Governing the Telephone Assistance Plan, Minn. Rules, parts 7817.0100 to 7817.1000.	ISSUE DATE: Feb. 26, 1991 DOCKET NO. P-999/R-90-86 STATEMENT OF NEED AND REASONABLENESS

I. INTRODUCTION

In 1987 the Minnesota Legislature enacted Minn. Laws, Ch. 340, §§ 13 to 17, which established the telephone assistance plan (TAP). The plan initially provided for a credit to low income telephone subscribers who were at least 65 years old. The statute was amended in 1988 to, among other things, extend the credit to low income handicapped subscribers. The statute was amended again in 1989 to require TAP applicants to provide their social security numbers and to increase the amount allocated to the Department of Human Services for administrative purposes.

The Minnesota Public Utilities Commission (Commission) adopted rules governing the telephone assistance plan in 1988. These rules were amended in 1989 to incorporate statutory changes enacted the previous year. The amendments in this rulemaking are needed to address problems that have arisen in the administration of TAP. The amendments are the product of a collaborative effort between Commission staff and an advisory panel whose members include representatives of industry, affected constituencies and relevant state agencies. The panel met four times to review and comment on drafts of the rule amendments prepared by staff. The amendments discussed below were reviewed and approved by the panel as a reasonable approach to the problems in the TAP program.

II. STATEMENT OF COMMISSION'S STATUTORY AUTHORITY

The Commission's statutory authority to adopt these rule amendments is set forth in Minn. Stat. § 237.71 (1990) which requires the Commission to adopt rules establishing the telephone assistance plan and in Minn. Stat § 237.711 (1990) which permits the Commission to adopt emergency and permanent rules to implement the 1988 amendments to the laws governing TAP. These rule amendments are also authorized by Minn. Stat. § 237.10 which requires the Commission to "prescribe uniform rules and classifications pertaining to the conduct of intrastate telephone business . . .."

III. STATEMENT OF NEED

Minn. Stat. ch. 14 (1990) requires the Commission to make an affirmative presentation of facts establishing the need for and reasonableness of the rules as proposed. In general terms, this means that the Commission must set forth the reasons for its proposal, and the reasons must not be arbitrary or capricious. However, to the extent that need and reasonableness are separate, need has come to mean that a problem exists which requires administrative attention, and reasonableness means that the solution proposed by the Commission is appropriate.

The first problem addressed by the rule amendments is the staggered receipt of company TAP reports. Minn. Rules, part 7817.0900 requires telephone companies with at least 100 subscribers to file monthly or quarterly reports with the Commission documenting their administrative activity related to TAP. Smaller companies are permitted to file reports annually. The Commission is then required by Minn. Rules, part 7817.0300, subp. 3, item A to reimburse the expenses of companies within 60 days after receiving their reports.

This 60 day time period imposes a substantial burden on Commission staff who must determine reimbursement for approximately 100 companies filing in three different reporting periods. Many companies file at various times each reporting period before their monthly or quarterly filing deadlines. Commission staff must, therefore, calculate and distribute reimbursement multiple times each reporting period. Since the Commission cannot know exactly when a particular company will file its report, it is exceedingly difficult to do the planning necessary to reimburse companies in a timely, efficient manner.

The difficulty in meeting the 60 day time limit as currently constituted is evidenced by the legislative auditor's report for fiscal years 1988 and 1989. This report found that only 54% of the reimbursement payments examined for that period were made within the required 60 day period. Minn. Rules, part 7817.0300, subp. 3, item A is amended to address this problem, establishing a single time frame applicable to all companies each reporting period.

The second problem addressed by the rule amendments is the absence of criteria the Commission can use to determine reimbursement of company expenses. Minn. Stat. § 237.70, subd. 7 (d) (5) requires the Commission to compensate companies for their TAP-related expenses. Neither the statute nor the current TAP rule identify these expenses or how they must be calculated. Consequently, the Commission has received wide-ranging, disproportionate requests for reimbursement. For example, in the fourth quarter of 1989, Clements Phone Company claimed administrative expenses of $644.00 even though only 8 TAP

participants were receiving service from the company. In that same period, Mankato Phone Company, serving almost 300 TAP subscribers, claimed less (attachment 1). Similar incongruities have been common each quarter since TAP was first implemented (attachments 1 and 2). Clearly some companies are claiming more than they are entitled to receive while others may be claiming less.

To deal with these disproportionate and excessive claims, Commission staff have often engaged in lengthy discussions on a case-by-case basis to seek clarification on the amounts these companies have actually spent. This approach has consumed substantial staff time and, therefore, a significant portion of the Commission's $25,000 allotment to administer TAP. The current system which requires Commission staff to choose between paying excessive, disparate reimbursement requests or spending an inordinate amount of time discussing individual claims is clearly inadequate. Subparts 4 and 5 of the rule amendments address this problem, establishing uniform standards and procedures for determining reimbursement.

IV. STATEMENT OF REASONABLENESS.

The Commission is required by Minn. Stat. ch. 14 (1990) to make an affirmative presentation of facts establishing the reasonableness of the proposed rules. Reasonableness is the opposite of arbitrariness or capriciousness. It means that there is a rational basis for the Commission's proposed action. However, the proposed rule need not be the most reasonable solution to the situation which created the need for a rule. The proposed rules are not unreasonable simply because a more reasonable alternative exists or a better job of drafting might have been done.

Nevertheless, for the reasons given below, the Commission believes that its proposed rule amendments are the most reasonable approach to the issues presented based on its own experience and expertise and comments from interested persons.

A. Reasonableness of the Rules as a Whole

The rule amendments in this docket are a reasonable response to the problems discussed above. They reflect broad agreement among affected parties who served on the advisory panel. The rules do not impose any additional duties on companies or subscribers. They merely establish uniform standards and procedures that will reduce the administrative burden on the Commission as well as companies and ensure more accurate, less arbitrary reimbursement of TAP expenses.

B. Reasonableness of Individual Rules

The following discussion addresses the specific provisions of the proposed rules.

Part 7817.0100 DEFINITIONS.

This rule part defines 16 terms used throughout the TAP rules. The proposed amendments to this part add two definitions, one defining "service order record change charge," the other defining "TAP enrollment charge." The proposed amendments to this rule part also add the acronym "TAP" as an abbreviated reference to the telephone assistance plan.

Subpart 12a. Service order record change charge.

This term is added because it is used throughout the proposed amendments as a basis for determining a company's reimbursement for administrative expenses. The definition of the term in this subpart is consistent with the common understanding of the term in the telephone industry. "Service order record change charge" is recognized by regulators and telephone companies operating in Minnesota as the fee a company charges a subscriber for making a change in the subscriber's service. The rule incorporates this commonly understood definition to ensure that the general public is aware of its meaning as applied to TAP.

Subpart 13a. TAP enrollment charge.

This term is added because it is used throughout the proposed rules as a basis for determining a company's reimbursement for administrative expenses. Unlike the service order record change charge, the TAP enrollment charge is a new concept. It can be used under the proposed amendments, in lieu of the service order record change charge, as a basis for determining reimbursement for TAP administrative expenses. It is an important option for companies whose TAP expenses may not be fully or accurately reflected in their existing service order record change charges. The criteria and procedures for determining a company's TAP enrollment charge are set forth in subpart 5 of this rule part; they are discussed below.

Subpart 15. Telephone assistance plan or TAP.

The definition of this term is currently in the TAP rules. The amendment here simply adds the acronym "TAP." Use of this acronym will reduce the length of the TAP rules and enhance their readability. The acronym is widely used and generally recognized by companies, state agencies and consumers affected by TAP.

Part 7817.0300 FUNDING.

This rule part currently provides for the collection of a recurring monthly surcharge by telephone companies to finance the TAP program. It further specifies how these surcharge revenues are to be allocated and used in administering TAP. Subparts 1 and 2 establish the surcharge as the sole source of revenue for TAP and place responsibility for collecting this surcharge on the companies. No amendments to these sections are proposed in this rulemaking. Subpart 3 identifies precisely how the surcharge revenues must be allocated and used. This subpart is being amended. Subparts 4 and 5 are also added in this rulemaking to further delineate the standards and processes to use in determining reimbursement for company administrative expenses.

Subpart 3. Use of surcharge revenues and fund.

This subpart currently has three items. Item A requires the Commission to use money in the telephone assistance fund to reimburse telephone companies for both the TAP credits they extend and the administrative costs they incur. It also requires the Commission to provide this reimbursement within 60 days after a company files its required monthly or quarterly TAP report with the Commission. Item B requires the Commission to reimburse the Department of Human Services (Department) for administrative expenses up to $90,000 annually. Item C permits the Commission to compensate itself for administrative expenses up to $25,000 annually.

Item A.

Item A is amended in two respects. First, it is modified to refer only to reimbursement of TAP credits, not administrative expenses. Reimbursement of company administrative expenses is addressed in subpart 4. Second, this item is amended to require reimbursement within 60 days after a company's filing deadline, not 60 days after the date the report is actually filed as provided in the current rule.

Moving the subject of administrative expense reimbursement from this item to subpart 4 will make the rules more comprehensible by ensuring that all the provisions pertaining to administrative expense reimbursement are together under one subpart. As discussed above, the change in the time frame for reimbursement is necessary to help alleviate the burden associated with reimbursing almost 100 companies at potentially 100 different times each reporting period. The amendment will enable Commission staff to calculate and distribute reimbursement for nearly all companies at approximately the same time each reporting period. This, in turn, will result in a much more efficient and orderly reimbursement system.

Item B.

Item B is amended to incorporate the 1989 statutory change that raised the reimbursement amount for the Department of Human Services from $90,000 to $180,000. This amount is for the Department's administrative expenses associated with TAP. The amendment does not refer specifically to any dollar amount. Instead, it provides for reimbursement up to the limit specified in the statute. This will ensure consistency between the rule and the governing statute. The amendment incorporates the statutory change enacted in 1989 and accommodates any future changes in the statutory allotment.

Item C.

Item C is changed by replacing the specific reference to the $25,000 annual allotment for the Commission with a general reference to the statute that sets the reimbursement amount. This will ensure that the rule provision remains consistent with the statute even if the statute is amended.

Item D.

Item D is added to provide the basis for determining reimbursement to companies. It requires the Commission to reimburse company administrative expenses in accordance with subpart 4. Subpart 4 is new material proposed in this rulemaking; it is discussed below.

Subpart 4. Reimbursement of telephone company expenses.

Items A and B.

Item A delineates the telephone assistance fund as the sole source of reimbursement for company expenses. Item B prohibits the Commission from reimbursing companies for the expenses they incur collecting the surcharge. These provisions incorporate Minn. Stat. § 237.70, subd. 7 (d) (5) and help ensure that the statute is implemented.

Item C.

Item C conditions reimbursement on receipt of the company's report required under part 7817.0900. This report provides an account of the company's administration of the TAP program, including such data as the surcharge revenues collected by the company and the credits extended to subscribers. The report is mandated by Minn. Stat. § 237.70, subd. 7 (d) (3) which requires each telephone company "to account to the commission on a periodic basis for surcharge revenues collected by the company . . .." Delaying reimbursement until after this report is received ensures that the Commission has all the information

needed to determine the amount of reimbursement. It also serves as an important incentive to ensure compliance with the statutory reporting mandate.

Item C further requires the Commission to reimburse a company's administrative expenses within 60 days after the deadline for filing the company's report, or when the report is actually filed, whichever occurs later. This requirement replaces part 7817.0300, subpart 3, item A. Under the rule provision being replaced, the 60 day period begins when the report is actually filed, even if filed before the deadline. Item C as proposed changes this by designating the filing deadline as the date on which the 60 day period begins unless the company files after the deadline.

The 60 day period was adopted to prevent any unreasonable delay in providing reimbursement to companies. The change proposed in this rulemaking reduces the burden placed on Commission staff by the current procedure which could require the Commission to reimburse almost 100 companies at different times each reporting period. The proposed amendment does not reduce the amount of time companies are allowed to file their reports; it merely provides a uniform time frame within which the Commission must provide reimbursement. This change will result in more efficient and reliable reimbursement of company expenses.

Item D.

Item D sets forth the formula for reimbursing companies with five or more new TAP participants enrolled in a reporting period. It provides for reimbursement of actual expenses incurred and claimed up to a maximum. The maximum is determined by multiplying the number of new TAP customers enrolled during the period for which reimbursement is sought by either the company's service order record change charge or the company's TAP enrollment charge.

Minn. Stat. § 237.70, subd. 7 (d) (5) requires the Commission to "remit to each telephone company . . . the amount necessary to compensate the company for expenses, not including expenses of collecting the surcharge . . .." Item D implements this statutory requirement. It provides reimbursement for actual expenses claimed as the current rule does; however, it also establishes a maximum reimbursement level depending on the number of TAP participants served by the company.

As discussed above, a number of claims for reimbursement have borne little relationship to the number of TAP participants being served. The Commission has been forced to either pay these inflated claims or engage in lengthy discussions with the claiming companies, attempting to agree on reasonable payment amounts. Item D as proposed provides a uniform method of

determining the maximum reasonable cost of administering TAP for each company. This will ensure that reimbursement amounts do not exceed the actual cost of administering TAP. It will also eliminate the wide disparity in the claims of similarly situated companies and the need to engage in case-by-case discussions with companies each reporting period to determine the compensation they will receive. The result will be a more precise, more equitable, less burdensome and less arbitrary process for reimbursing the TAP-related administrative expenses of companies.

The service order record change charge, proposed in this item as a basis for determining reimbursement, reflects the cost to a company of changing a customer's service. This fee provides a reasonable basis for determining TAP reimbursement. The addition of a TAP credit to a company's specific customer record is similar to a service change in that both require the modification of company records and billing statements. Since the service order record change charge is designed to capture these costs, it should reflect most of the costs associated with administering TAP. If this charge had, in fact, been used in 1989 to determine reimbursement, the total amount paid to reimburse companies would have been 87% of the amount actually provided (attachment 3). This indicates a reasonably close correlation between the service order record change charge and the cost to companies of administering TAP.

The TAP enrollment charge is proposed in this item as another basis for calculating a company's maximum reimbursement. Unlike the service order record change charge, the TAP enrollment charge applies specifically and exclusively to TAP. It provides an alternative for companies that conclude their service order charges do not accurately reflect their costs. This is reasonable since the various service order record change charges of companies were not developed with TAP in mind. The similarity between TAP-related costs and service change costs indicates that the service order charge is likely to adequately reflect the administrative expenses of TAP; however, there are differences that suggest the need for a charge exclusive to TAP.

Item E.

Item E establishes the maximum reimbursement level for companies with fewer than five new TAP participants in a reporting period. This maximum, like the ceiling for companies with five or more new TAP enrollees, is determined using either the company's service order record change charge or the company's TAP enrollment charge. The formula in this item sets the maximum amount at five times either of these charges. It is different from the maximum for larger companies seeking reimbursement under item D in that it is not tied to the specific number of subscribers receiving TAP.

The formula is modified in this item to ensure that companies serving only a small number of new TAP participants are compensated for the fixed costs associated with TAP. All companies are required to send annual notice of TAP to their subscribers. All companies are also required to remit surcharge revenues to the Department of Administration, respond to customer inquiries regarding TAP and report to the Commission on a monthly, quarterly or annual basis. These responsibilities adhere even if a company has no TAP participants. Allowing reimbursement up to five times the company's service order or TAP enrollment charge will ensure that the company is adequately compensated for its TAP expenditures.

Subpart 5. TAP enrollment charge.

This subpart sets forth the procedural framework and criteria for determining a company's TAP enrollment charge. The subpart permits companies to petition the Commission to establish such a charge by submitting a proposed charge along with financial and cost information supporting it as required under item A. The charge must be based on one or more of the nine specific costs identified in item B.

The Commission can accept, modify or reject a company's proposal. When a TAP enrollment charge is approved by the Commission, it becomes part of the company's tariff and serves as an alternative to the service order record change charge for use in calculating the cost of administering TAP. Either charge can then be used as provided in subpart 4, items D or E.

Establishing a tariffed charge as the basis for determining a company's administrative costs will make the reimbursement process considerably more efficient for companies and the Commission. It will, essentially, condense the work now done each reporting period into one Commission proceeding. The enrollment charge resulting from this proceeding will likely last for years, eliminating the need to identify and calculate specific costs each month or quarter.

Item A.

Requiring companies to include financial and cost information as part of their petitions to establish TAP enrollment charges helps ensure that the Commission has the necessary information at its disposal to determine whether the proposed charges are reasonable. It is standard practice to require companies to provide the Commission with financial information and cost studies that enable the Commission to make decisions regarding company filings. For example, part 7810.7800 requires telephone companies to file detailed accounting information along with their petitions for certification of their

depreciation schedules. Similar informational requirements are applied to the filings of gas and electric utilities.

Item B.

The activities identified in item B for use in determining the cost of administering TAP were identified by Commission staff and members of the advisory panel convened to assist in this rulemaking. The costs are specific and encompass the full scope[1] of administrative activities associated with TAP as identified by representatives of the parties responsible for administering the program. Most of the activities identified in this item, including those listed in subitems (2), (4), (5), (8) and (9), are required by statute or other parts of the TAP rules. The other activities are essential to carrying out a company's TAP responsibilities.

Subpart 6. Absence of TAP enrollment service charge.

This subpart makes clear that the service order record change charge must be used to determine a company's maximum reimbursement in the absence of a tariffed TAP enrollment charge. This clarification is needed to ensure that there is no delay in implementing the ceiling on reimbursement established in this rulemaking. Companies are not expected to rush immediately into petitioning the Commission for a TAP enrollment charge. If a company has both charges in its tariff, it may use either one. If a company has only one, it must use that one charge to determine its maximum reimbursement.

This subpart will give companies time to prepare their petitions for approval of TAP enrollment charges. It will also allow companies to refrain from seeking TAP enrollment charges if they conclude that their service order record change charges are adequate. These rule amendments are not intended to require all companies to develop TAP enrollment charges.

V. SMALL BUSINESS CONSIDERATIONS IN RULEMAKING

Minn. Stat. § 14.115, subd. 2 (1990) requires the Commission, when proposing rules which may affect small business, to consider the following methods for reducing the impact on small businesses:

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[1] The company activities listed in this item do not include those connected with collecting the surcharge since Minn. Stat. § 237.70, subd. 7 (d) (5) prohibits reimbursement for the cost of collecting the surcharge.

(a) the establishment of less stringent compliance or reporting requirements for small businesses;

(b) the establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;

(c) the consolidation or simplification of compliance or reporting requirements for small businesses;

(d) the establishment of performance standards for small businesses to replace design or operational standards required in the rule; and

(e) the exemption of small businesses from any or all requirements of the rule.

Minn. Stat. § 14.115, subd. 1 (1990) defines small business as:

> a business entity, including its affiliates, that (a) is independently owned and operated; (b) is not dominant in its field; and (c) employs fewer than 50 full-time employees or has gross annual sales of less than $4,000,000. For purposes of a specific rule, an agency may define small business to include more employees if necessary to adapt the rule to the needs and problems of small businesses.

The proposed rule amendments may affect small businesses as defined in Minn. Stat. § 14.115 (1990). The small businesses that may be affected are small telephone companies. As a result, the Commission has considered the above-listed methods for reducing the impact of the rules on small businesses.

Methods (a), (b), and (c) address compliance and reporting requirements. The amendments proposed in this rulemaking do not impose any additional reporting requirements on businesses of any size. Therefore, the methods of reducing the impact of rules on small businesses set forth in paragraphs (a), (b) and (c) are not relevant.

Method (d) is similarly irrelevant to the proposed rule amendments since the amendments do not contain design or operational standards.

Method (e) addresses the exemption of small businesses from any or all rule requirements. The proposed rule amendments directly affect both small and large companies in two ways, neither of which necessitates any special exemptions for small businesses.

First, the rules change the starting point for the time period within which the Commission must reimburse a company for its TAP expenses. Currently, the 60 day period begins to run when the Commission receives the company's report. As amended the period will begin to run from the date the report is due. The purpose of this change is to reduce the burden on Commission staff of reimbursing a multitude of companies at different times each reporting period. Exempting small companies from this requirement would be directly contrary to the purpose of the mandate. The rule amendment reduces the administrative complexity and burden of reimbursement by providing a uniform time frame for compensating companies. An exemption for the many small companies affected by this rule amendment would eliminate the uniformity it seeks to achieve.

Second, the rules place a ceiling on reimbursement for administrative expenses. This ceiling is determined by reference to a formula based on a tariffed charge which is then multiplied by the number of new TAP participants subscribing to the company's service. It is intended to eliminate unreasonably high reimbursement requests received in the past and to reduce the burden on Commission staff and the companies of determining the exact cost of administering TAP each reporting period.

Because many of the unreasonably high reimbursement claims of the past have come from smaller companies it would make little sense to exempt these companies from this requirement. Moreover, the formula provided in this rule amendment should reduce the administrative burden on small as well as large companies. As discussed above, use of the formula involves nothing more than multiplying the number of new TAP participants subscribing to the company's service by the pre-approved amount in the company's tariff. Using this formula, companies will no longer have to determine the exact cost of administering TAP each reporting period.

Finally, the Commission notes that in Minn. Stat. ch. 237, it has been authorized by the legislature to regulate telephone companies in Minnesota. Some of the basic tenets of telephone company regulation are that telephone companies are:

- affected with a deep public interest;

- obligated to provide satisfactory service to the entire public on demand; and

- obligated to charge fair, non-discriminatory rates.

A general freedom from substantial direct competition and the opportunity to make a fair return on investment are among the benefits telephone companies receive from regulation. Given this regulatory framework, it is clear that the legislature views

telephone companies differently from other concerns defined as small businesses. The degree of government intervention in the operations of a telephone company is considerably higher than in other types of businesses.

The Commission considered the possibility of exempting small companies from the requirements of these rule amendments. Since these amendments will have little if any adverse impact on small companies and since uniformity is the overriding purpose of these amendments, an exemption for smaller companies would be unnecessary and inappropriate.

VI. CONCLUSION

Based on the foregoing, the proposed amendments to Minn. Rules, parts 7817.0100 to 7817.1000 are both needed and reasonable.

Richard R. Lancaster
Executive Secretary

Telephone Assistance Plan (TAP)
Page 1 of 3

Cummulative Fourth Quarter 1989 Report
(1/1/89 through 12/31/89)

April 3, 1990

COMPANY	NO OF SUBSCRIBERS	NO OF TAP RECIP	SURCHG REV Jan-Jun 89	July-Dec 89	TOTAL REVENUE	NONRECURRING SERV ORD HANDLING	EXPENSES ANNUAL BILLING NOTICE	RECURRING LABOR	TOTAL ADMIN EXP	TAP CREDITS	FEDERAL WAIVER
Sioux Valley	27	0	15.30	16.50	31.80	1.01		10.00	11.01	0.00	0.00
Northern	33	1		37.90	37.90			200.40	200.40	41.10	41.10
Chester	42	0		52.17	52.17			96.00	96.00	0.00	0.00
Split Rock	69	0		82.80	82.80			85.00	85.00	0.00	0.00
Polar Rural	92	0		105.49	105.49				0.00	0.00	0.00
Solon Springs	104	8	61.85	62.40	124.25			142.00	142.00	278.17	278.17
Wolverton	168	0	99.51	100.10	199.61				0.00	0.00	0.00
Clements	158	8	93.20	94.90	188.10		254.00	390.00	644.00	105.10	105.10
Callaway	216	10	127.70	131.50	259.20	15.00		120.00	135.00	445.40	445.40
Easton	225	2	133.55	134.76	268.31			80.00	80.00	77.40	77.40
Granada	253	13	151.70	150.65	302.35	60.50	12.65	7.77	80.92	527.10	527.10
Dunnell	216	0	127.80	129.20	257.00			63.00	63.00	0.00	0.00
Lismore	324	4	191.70	196.30	388.00		12.50	93.05	105.55	139.84	139.84
Delavan	301	9	181.30	180.60	361.90			98.00	98.00	314.90	314.90
Danube	431	1	262.10	259.00	521.10			240.00	240.00	41.10	41.10
Rothsay	464	10	287.40	285.80	573.20		60.00	88.00	148.00	384.78	384.78
MN Lake	494	23	290.50	294.60	585.10			58.00	58.00	763.00	763.00
Hills	511	10	302.76	304.45	607.21	20.58		10.00	30.58	363.60	363.60
Valley	483	34	292.35	291.34	583.69	17.80		345.00	362.80	1,323.40	1,323.40
Sacred Heart	517	7	310.40	313.50	623.90	13.50		66.64	80.14	251.90	251.90
Arrowhead	497	24	274.90	309.94	584.84	99.00	23.50	7.77	130.27	929.10	929.10
Northland	580	34	339.60	348.15	687.75			490.00	490.00	1,160.00	1,160.00
Manchester	524	7	321.00	318.00	639.00				0.00	243.00	243.00
Rock Dell	605	1	350.50	359.90	710.40				0.00	41.10	41.10
Eagle Valley	613	86	365.80	371.95	737.75	230.00	30.35	7.77	268.12	3,153.70	3,153.70
Hancock	633	25	379.60	380.50	760.10	5.00		540.00	545.00	1,035.40	1,035.40
Felton	626	20	384.00	389.10	773.10	66.00		180.00	297.20	703.40	703.40
Lowry	698	33	413.70	400.50	814.20			315.00	315.00	1,357.90	1,357.90
Mabel	709	31	555.60	431.38	986.98	320.00	42.15	628.67	990.82	806.38	806.38
Winnebago	737	6	443.16	447.46	890.62			536.29	536.29	174.09	174.09
Harmony	804	38	517.20	483.30	1,000.50		175.00	507.50	682.50	1,492.10	1,492.10
Upsala	835	79	490.64	506.33	996.97			84.00	84.00	2,794.72	2,794.72
Red River	809	4	490.60	487.00	977.60				0.00	158.00	158.00
Winthrop	999	43	602.40	604.00	1,206.40	133.00		360.00	493.00	1,531.50	1,531.50
Emily	970	28	570.30	595.35	1,165.65			136.04	136.04	1,124.10	1,124.10
Barnsville	962	53	574.59	574.30	1,148.89			62.00	62.00	1,897.10	1,897.10
MN Valley	932	57	557.90	559.70	1,117.60	119.00		360.00	479.00	2,008.92	2,008.92

ATTACHMENT 1

COMPANY	NO OF SUBSCRIBERS	NO OF TAP RECIP	SURCHG REV Jan-Jun 89	July-Dec 89	TOTAL REVENUE	EXPENSES NONRECURRING SERV ORD HANDLING	ANNUAL BILLING NOTICE	RECURRING LABOR	TOTAL ADMIN EXP	TAP CREDITS	FEDERAL WAIVER
Blackduck	1,030	74	615.24	619.93	1,235.17	416.00	139.87	64.00	619.87	2,742.95	2,742.95
Farmers Mutual	1,062	43	635.70	641.00	1,276.70	185.00		772.00	957.00	1,431.30	1,431.30
Crosslake	1,260	9	675.80	836.10	1,511.90	3.20		360.00	363.20	355.50	355.50
Lonsdale	1,128	48	667.70	675.80	1,343.50				0.00	1,788.90	1,788.90
Woodstock	1,194	40	709.80	714.10	1,423.90			84.00	84.00	1,443.20	1,443.20
Spring Grove	1,068	15	640.87	644.20	1,285.07				0.00	372.96	372.96
Winstead	1,233	3	719.10	741.60	1,460.70				0.00	92.52	92.52
Peoples	1,378	85	818.50	745.90	1,564.40			84.00	84.00	3,368.40	3,368.40
Starbuck	1,093	41	649.10	665.00	1,314.10	22.50		66.64	89.14	1,555.70	1,555.70
Johnson	1,345	102	911.10	596.30	1,507.40			430.38	430.38	3,705.40	3,705.40
Halstad	1,359	62	773.81	778.33	1,552.14			330.00	330.00	2,333.08	2,333.08
KMP	1,414	48	845.90	853.30	1,699.20	287.00		315.00	602.00	1,670.20	1,670.20
Interstate	1,463	103	862.90	874.51	1,737.41	155.00			155.00	2,920.50	2,920.50
Osakis	1,330	37	960.60	799.59	1,760.19	22.25		322.50	344.75	1,529.50	1,529.50
Clara City	1,412	21	843.70	854.90	1,698.60	27.00		66.64	93.64	803.40	803.40
Madelia	1,450	78	864.50	870.95	1,735.45			182.84	182.84	3,052.30	3,052.30
Deer River	1,605	97	963.81	966.77	1,930.58	114.00		125.00	239.00	3,445.64	3,445.64
Home	1,602	53	951.40	953.80	1,905.20		135.00	788.50	923.50	1,934.79	1,934.79
Zumbrota	1,649	24	990.40	995.40	1,985.80	40.50		100.00	140.50	813.80	813.80
Cannon Valley	1,800	42	1,054.65	1,065.19	2,119.84	238.00	87.50	235.00	560.50	1,512.78	1,512.78
Federated	1,856	66	1,100.16	1,116.20	2,216.36	355.00			355.00	2,240.50	2,240.50
Western	2,139	93	1,260.28	1,259.21	2,519.49			544.00	544.00	3,239.90	3,239.90
Pine Island	2,293	55	1,361.40	1,379.50	2,740.90	325.50	95.62	27.40	448.52	1,845.40	1,845.40
Midwest	2,053	90	1,368.57	1,230.56	2,599.13	115.70		360.00	475.70	3,225.30	3,225.30
Gardonville	1,993	68	1,181.26	1,279.20	2,460.46	135.00	67.35	117.13	319.48	2,603.59	2,603.59
Kasson Mantor	2,448	40	1,430.69	1,463.00	2,893.69	70.00		20.00	90.00	1,544.70	1,544.70
Albany	2,490	103	1,476.60	1,487.40	2,964.00		60.00	418.65	478.65	3,002.32	3,002.32
Eckles	2,767	16	1,684.25	1,672.03	3,356.28			456.00	456.00	583.75	583.75
Twin Valley	2,799	175	1,737.93	1,600.00	3,337.93	494.00	50.00	320.00	864.00	6,662.50	6,662.50
Benton	2,949	85	1,739.40	1,773.10	3,512.50	600.00		126.00	726.00	2,922.80	2,922.80
West Central	3,003	241	1,787.30	1,826.14	3,613.44	392.00			392.00	9,104.60	9,104.60
General	3,087	121	1,831.48	1,843.26	3,674.74	845.50		52.36	897.86	4,027.10	4,027.10
Park Region	3,342	62	1,952.79	2,008.62	3,961.41	180.00		465.00	645.00	2,346.30	2,346.30
Runestone	3,412	158	1,961.47	2,008.22	3,969.69			175.12	175.12	6,094.60	6,094.60
Norman Cty	3,643	130	2,219.07	2,008.88	4,227.95	139.29		10.00	149.29	5,123.38	5,123.38
Bridgewater	4,477	112	2,582.50	2,608.64	5,191.14			555.25	555.25	3,939.62	3,939.62
Redwood Cty	3,996	218	2,395.30	2,410.00	4,805.30		254.00	2,190.00	2,444.00	7,018.35	7,018.35

COMPANY	NO OF SUBSCRIBERS	NO OF TAP RECIP	SURCHG REV Jan-Jun 89	July-Dec 89	TOTAL REVENUE	NONRECURRING SERV ORD HANDLING	EXPENSES ANNUAL BILLING NOTICE	RECURRING LABOR	TOTAL ADMIN EXP	TAP CREDITS	FEDERAL WAIVER
Paul Bunyan	5,085	134	2,969.11	3,021.94	5,991.05	630.00		125.00	755.00	4,686.50	4,686.50
Wikstrom	5,103	337	3,026.80	3,081.30	6,108.10	2,682.50		300.00	2,982.50	12,934.50	12,934.50
Sleepy Eye	5,208	127	3,099.17	3,133.72	6,232.89	211.93		10.00	221.93	4,779.91	4,779.91
Mid-State	5,593	225	3,250.07	3,311.31	6,561.38			259.86	259.86	8,181.10	8,181.10
Consolidated	6,126	142	3,359.39	3,509.32	6,868.71	165.00		371.29	536.29	5,442.85	5,442.85
Sherburne	5,836	55	3,324.48	3,570.44	6,894.92			469.00	469.00	1,830.50	1,830.50
Hohman	4,568	184	3,850.03	2,707.66	6,557.69	181.58		10.00	191.58	6,597.35	6,597.35
Blue Earth	6,188	111	3,701.52	3,736.70	7,438.22			560.00	560.00	2,697.05	2,697.05
Hutchinson	7,350	91	4,334.30	4,373.90	8,708.20			180.00	180.00	3,289.30	3,289.30
Mid-Com	7,254	126	4,203.29	4,259.80	8,463.09	193.50			193.50	4,847.10	4,847.10
Scott Rice	8,331	34	4,805.57	4,946.12	9,751.69	73.50		474.09	547.59	1,322.80	1,322.80
Melrose	7,708	431	4,588.40	4,639.40	9,227.80	955.50	59.34	828.37	1,843.21	17,398.10	17,398.10
New Ulm	8,412	278	4,814.77	4,858.59	9,673.36			544.00	544.00	9,416.30	9,416.30
Ace	8,656	291	5,104.70	5,192.60	10,297.30	3,072.00		512.50	3,584.50	10,638.30	10,638.30
Arvig	8,536	213	4,849.50	5,087.50	9,937.00			788.00	788.00	7,660.10	7,660.10
Lakedale	8,149	259	6,178.07	4,870.41	11,048.48	2,365.00		808.00	3,173.00	9,360.03	9,360.03
Garden Valley	12,847	977	7,335.79	7,459.76	14,795.55			360.00	360.00	37,703.95	37,703.95
East Ottertail	13,107	474	7,698.85	7,883.10	15,581.95			969.15	969.15	16,099.96	16,099.96
Mankato	27,409	299	13,510.92	13,611.45	27,122.37	621.00			621.00	9,113.16	9,113.16
Central	82,310	1,509	47,228.33	48,256.46	95,484.79	5,907.90		662.70	6,570.60	44,907.86	44,907.86
Contel	91,871	3,649	54,561.59	55,692.50	110,254.09	20,964.00			20,964.00	131,953.50	131,953.50
United	94,268	1,756	57,100.82	57,725.11	114,825.93				0.00	69,251.02	69,251.02
US West	1,587,087	31,576	932,174.44	947,518.94	1,879,693.38	138,020.14	2,418.24	2,596.99	143,035.37	1,111,064.90	1,111,064.90
1989 TOTALS	2,110,258	46,845	1,240,840.25	1,258,051.08	2,498,929.23	182,305.37	3,977.07	27,390.26	213,723.90	1,659,240.97	1,659,240.97
1988 TOTALS	2,044,060	26,501	1,186,010.33	1,220,946.67	2,406,993.40	243,941.08	110,248.08	35,144.61	389,333.77	450,284.69	450,284.69
TOTALS TO DATE			2,426,850.58	0.00	4,905,922.63	426,246.45	114,225.15	62,534.87	603,057.67	2,109,525.66	2,109,525.66

Telephone Assistance Plan (TAP)
P. 1 of 3

Cummulative Third Quarter 1989 Report
(1/1/89 through 9/30/89)

12/14/89

COMPANY	NO OF SUBSCRIBERS	NO OF TAP RECIP	SURCHG REV Jan-Jun 89	July-Dec 89	TOTAL REVENUE	NONRECURRING SERV ORD HANDLING	EXPENSES ANNUAL BILLING NOTICE	RECURRING LABOR	TOTAL ADMIN EXP	TAP CREDITS	FEDERAL WAIVER
Sioux Valley	27	0	15.30	8.39	23.69	1.01		10.00	11.01	0.00	0.00
Northern	28	1			0.00				0.00		0.00
Chester	45	0			0.00				0.00		0.00
Split Rock	70	0			0.00				0.00		0.00
Polar Rural	92	0		26.60	26.60				0.00		0.00
Solon Springs	104	9	61.85	31.20	93.05			90.00	90.00	203.66	203.66
Wolverton	167	0	99.51	50.10	149.61				0.00		0.00
Clements	159	7	93.20	47.50	140.70		254.00	300.00	554.00	70.60	70.60
Callaway	221	10	127.70	65.90	193.60	15.00		90.00	105.00	336.90	336.90
Easton	224	2	133.55	67.22	200.77			60.00	60.00	57.60	57.60
Granada	249	14	151.70	75.30	227.00	60.50	12.65	7.77	80.92	383.60	383.60
Dunnell	215	0	127.80	64.40	192.20			45.00	45.00	0.00	0.00
Lismore	323	4	191.70	98.50	290.20		12.50	67.55	80.05	99.40	99.40
Delavan	302	9	181.30	90.40	271.70			73.50	73.50	220.40	220.40
Danube	431	1	262.10	129.50	391.60			180.00	180.00	21.00	21.00
Rothsay	478	10	287.40	143.30	430.70		30.00	88.00	118.00	289.38	289.38
MN Lake	492	23	290.50	146.80	437.30				0.00	521.50	521.50
Hills	503	12	302.76	150.98	453.74	20.58		10.00	30.58	258.60	258.60
Valley	489	33	292.35	146.43	438.78	13.35		270.00	283.35	966.40	966.40
Sacred Heart	525	7	310.40	157.50	467.90	13.50		41.65	55.15	178.40	178.40
Arrowhead	586	24	274.90	176.20	451.10	88.00	23.50	7.77	119.27	677.10	677.10
Northland	578	30	339.60	173.75	513.35			390.00	390.00	810.00	810.00
Manchester	531	7	321.00	159.80	480.80				0.00	169.50	169.50
Rock Dell	597	1	350.50	178.60	529.10				0.00	30.60	30.60
Eagle Valley	619	84	365.80	186.50	552.30	210.00	30.35	7.77	248.12	2,264.70	2,264.70
Hancock	632	27	379.60	189.40	569.00	5.00		405.00	410.00	758.90	758.90
Felton	651	20	384.00	197.30	581.30	66.00		135.00	252.20	489.90	489.90
Lowry	691	36	413.70	200.60	614.30			225.00	225.00	1,007.90	1,007.90
Mabel	717	32	555.60	216.13	771.73	320.00	42.15	522.43	884.58	661.65	661.65
Winnebago	749	5	443.16	225.24	668.40			463.15	463.15	110.73	110.73
Harmony	805	39	517.20	241.70	758.90		100.00	487.50	587.50	1,093.10	1,093.10
Upsala	851	73	490.64	254.03	744.67			63.00	63.00	1,989.68	1,989.68
Red River	812	4	490.60	243.00	733.60				0.00	116.00	116.00
Winthrop	1,006	43	602.40	302.70	905.10	133.00		270.00	403.00	1,080.00	1,080.00
Emily	1,005	30	570.30	301.15	871.45			107.88	107.88	826.60	826.60
Barnsville	958	49	574.59	287.10	861.69			48.00	48.00	1,343.90	1,343.90
MN Valley	930	55	557.90	279.40	837.30	119.00		270.00	389.00	1,420.68	1,420.68

ATTACHMENT 2

12/14/89

COMPANY	NO OF SUBSCRIBERS	NO OF TAP RECIP	SURCHG REV Jan-Jun 89	July-Dec 89	TOTAL REVENUE	NONRECURRING SERV ORD HANDLING	EXPENSES ANNUAL BILLING NOTICE	RECURRING LABOR	TOTAL ADMIN EXP	TAP CREDITS	FEDERAL WAIVER
Blackduck	1,032	75	615.24	309.52	924.76	392.00	94.35	48.00	534.35	1,953.45	1,953.45
Farmers Mutual	1,070	42	635.70	322.10	957.80	180.00		675.00	855.00	1,034.50	1,034.50
Crosslake	1,501	11	675.80	447.80	1,123.60	3.20		225.00	228.20	243.50	243.50
Lonsdale	1,127	49	667.70	337.50	1,005.20				0.00	1,288.40	1,288.40
Woodstock	1,190	36	709.80	358.30	1,068.10			63.00	63.00	1,051.20	1,051.20
Spring Grove	1,073	15	640.87	322.39	963.26				0.00	273.06	273.06
Winstead	1,240	3	719.10	371.60	1,090.70				0.00	69.39	69.39
Peoples	1,384	82	818.50	337.24	1,155.74			63.00	63.00	2,500.40	2,500.40
Starbuck	1,117	38	649.10	334.60	983.70	9.00		41.65	50.65	1,146.20	1,146.20
Johnson	1,351	100	911.10	297.10	1,208.20			316.38	316.38	2,623.90	2,623.90
Halstad	1,382	62	773.81	393.28	1,167.09			305.00	305.00	1,725.16	1,725.16
KMP	1,428	47	845.90	427.10	1,273.00	287.00		255.00	542.00	1,166.20	1,166.20
Interstate	1,456	106	862.90	436.13	1,299.03	155.00			155.00	2,110.27	2,110.27
Osakis	1,330	38	960.60	401.69	1,362.29	22.25		247.50	269.75	1,141.00	1,141.00
Clara City	1,434	20	843.70	429.10	1,272.80	22.50		41.65	64.15	586.40	586.40
Madelia	1,463	78	864.50	435.95	1,300.45			169.78	169.78	2,226.30	2,226.30
Deer River	1,625	95	963.81	487.00	1,450.81	102.00		100.00	202.00	2,532.49	2,532.49
Home	1,581	55	951.40	474.20	1,425.60		60.00	742.25	802.25	1,367.79	1,367.79
Zumbrota	1,653	24	990.40	499.70	1,490.10	40.50		75.00	115.50	577.00	577.00
Cannon Valley	1,780	43	1,054.65	535.27	1,589.92	238.00	87.50	215.00	540.50	1,071.67	1,071.67
Federated	1,858	64	1,100.16	558.20	1,658.36	295.00			295.00	1,551.00	1,551.00
Western	2,143	92	1,260.28	630.74	1,891.02			408.00	408.00	2,273.90	2,273.90
Pine Island	2,280	53	1,361.40	689.60	2,051.00	294.50	95.62	27.40	417.52	1,278.40	1,278.40
Midwest	2,050	83	1,368.57	617.43	1,986.00	84.55		285.00	369.55	2,290.80	2,290.80
Gardonville	2,235	69	1,181.26	652.70	1,833.96	135.00	67.35	104.04	306.39	1,886.09	1,886.09
Kasson Mantor	2,437	40	1,430.69	729.30	2,159.99	70.00			70.00	1,121.20	1,121.20
Albany	2,479	85	1,476.60	741.90	2,218.50		40.00	311.55	351.55	2,017.36	2,017.36
Eckles	2,831	15	1,684.25	841.47	2,525.72			342.00	342.00	434.25	434.25
Twin Valley	2,828	173	1,659.16	804.28	2,463.44	455.00	50.00	260.00	765.00	4,811.00	4,811.00
Benton	2,970	86	1,739.40	887.40	2,626.80	580.00		108.00	688.00	2,033.80	2,033.80
West Central	3,051	240	1,787.30	917.35	2,704.65	364.00			364.00	6,581.10	6,581.10
General	3,085	120	1,831.48	920.56	2,752.04	801.00		39.27	840.27	2,721.60	2,721.60
Park Region	3,369	60	1,952.79	1,008.53	2,961.32	160.00		390.00	550.00	1,698.80	1,698.80
Runestone	3,414	159	1,961.47	1,013.88	2,975.35			119.42	119.42	4,421.60	4,421.60
Norman Cty	3,701	131	2,219.07	1,012.03	3,231.10	139.29		10.00	149.29	3,745.41	3,745.41
Bridgewater	4,448	107	2,582.50	1,301.86	3,884.36			477.25	477.25	2,868.27	2,868.27
Redwood Cty	4,011	210	2,395.30	1,206.80	3,602.10		254.00	1,740.00	1,994.00	4,718.85	4,718.85

12/14/89

COMPANY	NO OF SUBSCRIBERS	NO OF TAP RECIP	SURCHG REV Jan-Jun 89	July-Dec 89	TOTAL REVENUE	NONRECURRING SERV ORD HANDLING	EXPENSES ANNUAL BILLING NOTICE	RECURRING LABOR	TOTAL ADMIN EXP	TAP CREDITS	FEDERA WAIV
Paul Bunyan	5,071	131	2,969.11	1,509.92	4,479.03	576.00		100.00	676.00	3,258.50	3,258.50
Wikstrom	5,186	343	3,026.80	1,535.90	4,562.70	2,682.50		300.00	2,982.50	9,371.50	9,371.50
Sleepy Eye	5,230	121	3,099.17	1,569.63	4,668.80	211.93		10.00	221.93	3,488.41	3,488.41
Mid-State	5,582	226	3,250.07	1,657.35	4,907.42			173.24	173.24	5,825.60	5,825.60
Consolidated	6,148	138	3,359.39	1,755.14	5,114.53	125.00		296.29	421.29	3,965.60	3,965.60
Sherburne	6,046	49	3,324.48	1,789.69	5,114.17			397.00	397.00	1,267.00	1,267.00
Hohman	4,568	178	3,850.03	1,370.44	5,220.47	181.58		10.00	191.58	4,707.35	4,707.35
Blue Earth	6,242	112	3,701.52	1,880.88	5,582.40			420.00	420.00	1,871.40	1,871.40
Hutchinson	7,291	81	4,334.30	2,177.30	6,511.60			120.00	120.00	2,358.30	2,358.30
Mid-Com	7,240	120	4,203.29	2,131.97	6,335.26	153.00			153.00	3,531.10	3,531.10
Scott Rice	8,481	34	4,805.57	2,463.32	7,268.89	73.50		386.73	460.23	965.80	965.80
Melrose	7,776	432	4,588.40	2,324.60	6,913.00	738.92	59.34	638.00	1,436.26	12,851.60	12,851.60
New Ulm	8,421	275	4,814.77	2,394.58	7,209.35			408.00	408.00	6,500.80	6,500.80
Ace	8,657	291	5,104.70	2,591.50	7,696.20	2,988.00		450.00	3,438.00	7,591.55	7,591.55
Arvig	8,425	201	4,849.50	2,539.60	7,389.10			665.00	665.00	5,462.10	5,462.10
Lakedale	8,124	266	6,178.07	2,464.49	8,642.56	2,296.25		656.00	2,952.25	6,838.43	6,838.43
Garden Valley	12,438	960	7,335.79	3,736.97	11,072.76			270.00	270.00	27,515.45	27,515.45
East Ottertail	13,103	458	7,698.85	3,947.75	11,646.60			830.05	830.05	11,605.96	11,605.96
Mankato	23,466	296	13,510.92	6,567.37	20,078.29	513.00			513.00	6,724.48	6,724.48
Central	81,660	1,476	47,228.33	24,112.72	71,341.05	5,548.35		662.70	6,211.05	31,096.02	31,096.02
Contel	93,448	3,630	54,561.59	27,989.60	82,551.19	20,712.00			20,712.00	93,761.50	93,761.50
United	96,808	1,757	57,100.82	28,950.40	86,051.22				0.00	50,794.51	50,794.51
US West	1,578,377	30,602	932,174.44	470,654.84	1,402,829.28	128,377.54	1,758.72	2,156.78	132,293.04	782,775.40	782,775.40
1989 TOTALS	2,102,030	45,684	1,240,761.48	625,911.79	1,866,673.27	171,071.29	3,072.03	21,880.90	196,075.42	1,175,728.45	1,175,728.45
1988 TOTALS	2,044,060	26,501	1,186,010.33	1,220,946.67	2,406,993.40	243,941.08	110,248.08	35,144.61	389,333.77	450,284.69	450,284.69
TOTALS TO DATE			2,426,771.81	0.00	4,273,666.67	415,012.37	113,320.11	57,025.51	585,409.19	1,626,013.14	1,626,013.14

COMPANY	NO OF TAP RECIP DEC 1989	NO OF TAP RECIP DEC 1988	DIFFERENCE	SERVICE ORDER CHARGE	TOTAL COST ESTIM 1989	TOTAL ACTUAL ADMIN EXP 1989
Sioux Valley	0	0	0	6.00	0.00	11.01
Northern	1	1	0	5.00	0.00	200.40
Chester	0	0	0	0.00	0.00	96.00
Split Rock	0	0	0	7.00	0.00	85.00
Polar Rural	0	0	0	6.00	0.00	0.00
Solon Springs	8	6	2	5.00	10.00	142.00
Wolverton	0	0	0	5.00	0.00	0.00
Clements	8	1	7	4.00	28.00	644.00
Callaway	10	9	1	5.00	5.00	135.00
Easton	2	2	0	5.50	0.00	80.00
Granada	13	3	10	5.50	55.00	80.92
Dunnell	0	0	0	10.00	0.00	63.00
Lismore	4	2	2	15.00	30.00	105.55
Delavan	9	1	8	4.25	34.00	98.00
Danube	1	1	0	9.00	0.00	240.00
Rothsay	10	24	0	4.00	0.00	148.00
MN Lake	23	11	12	7.00	84.00	58.00
Hills	10	3	7	4.50	31.50	30.58
Valley	34	30	4	4.00	16.00	362.80
Sacred Heart	7	3	4	4.50	18.00	80.14
Arrowhead	24	10	14	5.50	77.00	130.27
Northland	34	50	0	9.00	0.00	490.00
Manchester	7	0	7	7.00	49.00	0.00
Rock Dell	1	1	0	10.00	0.00	0.00
Eagle Valley	86	29	57	5.00	285.00	268.12
Hancock	25	23	2	5.00	10.00	545.00
Felton	20	12	8	6.00	48.00	297.20
Lowry	33	15	18	10.00	180.00	315.00
Mabel	31	8	23	10.00	230.00	990.82
Winnebago	6	2	4	8.00	32.00	536.29
Harmony	38	5	33	9.00	297.00	682.50
Upsala	79	20	59	10.00	590.00	84.00
Red River	4	2	2	4.25	8.50	0.00
Winthrop	43	26	17	7.00	119.00	493.00
Emily	28	23	5	7.50	37.50	136.04
Barnsville	53	25	28	7.50	210.00	62.00
MN Valley	57	37	20	7.00	140.00	479.00

ATTACHMENT 3

COMPANY	NO OF TAP RECIP DEC 1989	NO OF TAP RECIP DEC 1988	DIFFERENCE	SERVICE ORDER CHARGE	TOTAL COST ESTIM 1989	TOTAL ACTUAL ADMIN EXP 1989
Blackduck	74	40	34	5.00	170.00	619.87
Farmers Mutual	43	8	35	5.00	175.00	957.00
Crosslake	9	6	3	8.00	24.00	363.20
Lonsdale	48	17	31	6.00	186.00	0.00
Woodstock	40	32	8	4.50	36.00	84.00
Spring Grove	15	9	6	4.00	24.00	0.00
Winstead	3	2	1	7.00	7.00	0.00
Peoples	85	41	44	6.00	264.00	84.00
Starbuck	41	34	7	4.50	31.50	89.14
Johnson	102	57	45	5.00	225.00	430.38
Halstad	62	42	20	11.00	220.00	330.00
KMP	48	11	37	5.00	185.00	602.00
Interstate	103	39	64	6.00	384.00	155.00
Osakis	37	35	2	4.00	8.00	344.75
Clara City	21	16	5	4.50	22.50	93.64
Madelia	78	39	39	7.25	282.75	182.84
Deer River	97	78	19	6.00	114.00	239.00
Home	53	5	48	4.25	204.00	923.50
Zumbrota	24	4	20	6.50	130.00	140.50
Cannon Valley	42	18	24	7.00	168.00	560.50
Federated	66	6	60	5.00	300.00	355.00
Western	93	54	39	4.25	165.75	544.00
Pine Island	55	17	38	7.75	294.50	448.52
Midwest	90	65	25	4.00	100.00	475.70
Gardonville	68	43	25	5.00	125.00	319.48
Kasson Mantor	40	33	7	10.00	70.00	90.00
Albany	103	40	63	5.95	374.85	478.65
Eckles	16	10	6	5.50	33.00	456.00
Twin Valley	175	109	66	4.00	264.00	864.00
Benton	85	31	54	10.00	540.00	726.00
West Central	241	158	83	4.00	332.00	392.00
General	121	43	78	8.90	694.20	897.86
Park Region	62	48	14	10.00	140.00	645.00
Runestone	158	126	32	5.00	160.00	175.12
Norman Cty	130	64	66	6.00	396.00	149.29
Bridgewater	112	149	0	12.50	0.00	555.25
Redwood Cty	218	59	159	4.00	636.00	2,444.00

COMPANY	NO OF TAP RECIP DEC 1989	NO OF TAP RECIP DEC 1988	DIFFERENCE	SERVICE ORDER CHARGE	TOTAL COST ESTIM 1989	TOTAL ACTUAL ADMIN EXP 1989
Paul Bunyan	134	41	93	6.00	558.00	755.00
Wikstrom	337	158	179	14.50	2,595.50	2,982.50
Sleepy Eye	127	57	70	6.50	455.00	221.93
Mid-State	225	156	69	13.00	897.00	259.86
Consolidated	142	122	20	5.00	100.00	536.29
Sherburne	55	33	22	12.00	264.00	469.00
Hohman	184	61	123	6.00	738.00	191.58
Blue Earth	111	92	19	5.50	104.50	560.00
Hutchinson	91	65	26	5.50	143.00	180.00
Mid-Com	126	97	29	4.50	130.50	193.50
Scott Rice	34	30	4	12.25	49.00	547.59
Melrose	431	404	27	7.00	189.00	1,843.21
New Ulm	278	140	138	7.00	966.00	544.00
Ace	291	59	232		0.00	3,584.50
Arvig	213	176	37	5.00	185.00	788.00
Lakedale	259	113	146	13.75	2,007.50	3,173.00
Garden Valley	977	561	416	8.00	3,328.00	360.00
East Ottertail	474	345	129	7.00	903.00	969.15
Mankato	299	236	63	4.50	283.50	621.00
Central	1,509	707	802	7.05	5,654.10	6,570.60
Contel	3,649	1,904	1,745	12.00	20,940.00	20,964.00
United	1,756	1,284	472	8.15	3,846.80	0.00
US West	31,576	17,687	13,889	9.50	131,945.50	143,035.37
TOTALS	46,845	26,501	20,411		186,393.45	213,734.91

STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL
PUBLIC UTILITIES COMMISSION

In the Matter of the Proposed Amendments to Rules Governing the Telephone Assistance Plan, Minn. Rules, parts 7817.0100 to 7817.1000.

DOCKET NO. P-999/R-90-86

DECLARATION OF COUNSEL

I, Rosellen Condon, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rules and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, ch. 2010 have been followed. For Attorney General billing purposes, the four-digit docket client code is 0729.

Rosellen Condon

Rosellen Condon
Special Assistant
Attorney General