

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MJM 10/25/91

Julie come see me re these

RULE REVIEW CHECKLIST

File No. 1861
DATE RECEIVED 10-24-91
REVIEW DATE 11-4-91
DUE DATE 11-7-91
(DIS)APPROVED
WITHDRAWN

Docket No. 05.0009, 0183
ADOPTED W/O HEARING
EMERGENCY RULE
TO REVISOR ON
REVISOR (DIS)APPROVED
FILED W/SEC. OF STATE
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)

Notice to ~~Solicit~~ Outside Information/Opinion (if applicable)
- Date published in State Register
- Comments

~~Petition for Adoption~~ of a Rule

✓ Board's Authorizing Resolution
- June 6, 1991 Date adopted

✓ Proposed Rule
- ✓ Revisor's Certificate

✓ Notice of Intent to Adopt Rule
- 446A.11 sub-2 Statutory Authority
- no comment Small Business Statement
- no comment Expenditure of public money statement
- July 12, 1991 Signature

Statement of Need and Reasonableness (if applicable)
- Small Business Statement
- ~~June 6, 1991~~ Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
- July 30, 1991 Dated (30)/25 days before adoption
- ✓ Notice attached indicates it is attached
- Copy of rule or summary attached

✓ Publication in State Register
- August 5, 1991 Date (30)/25 days before adoption

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

✓ Resolution Adopting
- Sept 13, 1991 Date adopted

✓ Findings of Fact, Conclusions & Order Adopting
- October 3, 1991 Date

~~Written Requests~~, ~~Submissions~~ or Comments

✓ Declaration of Attorney
- Christa Eller Name of SAAG representing agency

Notice of Submission to Attorney General (if applicable)

Affidavit of Mailing Notice to Attorney General (if applicable)

Rules ag1

DEPARTMENT: Office of the Attorney General **STATE OF MINNESOTA**

OFFICE MEMORANDUM

DATE: November 18, 1991

TO: MICHAEL ROELOFS
Department of Public Service
Energy Division, 9th Floor
American Center Building
150 East Kellogg Boulevard

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 Energy Conservation Investment Loan Program

The above-referenced rule has been approved as to its legality by the Attorney General on November 7, 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: Christie B. Eller
William Brown, Chief Judge
MaryAnn Hruby

Department of Trade and Economic Development

Adopted Permanent Rules Relating to Energy Conservation Investment Loan Program

Rules as Adopted

7380.0720 MAXIMUM LOAN AMOUNT.

To assure equitable statewide distribution of loan funds, given that loans will be issued on a first-come, first-served basis, the authority shall establish a maximum loan amount of $1,500,000 for each municipality.

7380.0750 LOAN APPROVAL; DISBURSEMENT OF FUNDS.

Subpart 1. **Authority approval; priority.** The authority shall approve loans that comply with Minnesota Statutes, section 216C.37, and with parts 7380.0710 to 7380.0740, on a first-come, first-served basis based on the order in which eligible and complete loan applications are received by the authority. If eligible and complete loan applications received at the same time cannot all be funded due to a lack of available funds, the authority shall first approve loans to school districts. If funds are not available for all eligible applications from school districts, the authority shall approve loans so that each affected district receives an equal percentage of the eligible loan amount request. If the available funds are adequate to fully fund all eligible applications from school districts, but not all other eligible applications, the authority shall approve loans to school districts for the full eligible loan amount request and approve loans to other eligible municipalities so that each affected applicant receives an equal percentage of the eligible loan amount request.

Subp. 2. **Execution of loan contract and disbursement of funds.** Upon approval of a municipal energy loan, the authority shall send a loan contract to the applicant. The authority shall attach to a loan contract a loan repayment schedule based on the approved loan application according to Minnesota

Statutes, section 216C.37, subdivision 4, paragraph (b). The applicant shall have a duly authorized official execute and return the loan contract to the Department of Finance for execution of the loan contract by state officials and for disbursement of the loan funds. Loan funds must be disbursed for the reimbursement of eligible project costs upon execution of and according to the terms of the loan contract.

APPROVED AS TO FORM AND LEGALITY

Nov 7 19 91

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY _____
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 18 1991

Joan Anderson Growe
Secretary of State

RC 8:52a

GENERAL

446A.11 subd 2

The authority has the powers in this section subd 2 It may ~~ad~~ adopt, amend, and repeal rules, including emergency rules, necessary to effectuate its purpose.

certificate of authority - cross-out Kristie Sanda signed it but Peter Gillette is listed as the authority to sign it.

J Wilkins
K Scan

SOLAR

no ~~as~~ justification for why A School districts C. Counties and D towns are eliminated = If they have 7 million left why are they eliminating schools districts, counties, towns from recieving loans?

STATE OF MINNESOTA

DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT

PUBLIC FACILITIES AUTHORTITY

In the Matter of the Adoption of the Rule of the State Department of Trade and Economic Development Governing the Energy Conservation Investment Loan Program

DECLARATION OF COUNSEL

I, Christie B. Eller, ~~Special~~ Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0183.

Christie B Eller

Christie B. Eller
~~Special~~ Assistant Attorney General

Dated: 10-24-91

The Commissioner of Trade and Economic Development

In the Matter of the Proposed Amendment of the Rule of the Minnesota Public Facilities Authority Governing Energy Conservation Investment Loan Program

NOTICE OF INTENT TO AMEND RULES WITHOUT A PUBLIC HEARING

(1) Notice is hereby given that the Minnesota Public Facilities Authority 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 Statute 446A.11, Subdivision 2.

(2) 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. (3) 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. (4) 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. (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 rule addressed, the reason for the request, and any change proposed. (7) If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

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

Michael Roelofs
Department of Public Service
Energy Division, 9th Floor
American Center Building
150 E. Kellogg Boulevard
St. Paul, MN 55101
(612) 297-2545

(8) 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.

(11) A copy of the proposed rule is attached to this notice.

(12) 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 Michael Roelofs, Department of Public Service/Energy Division, American Center Building, 9th Floor, 150 E. Kellogg Boulevard, St. Paul, MN 55101, (612) 297-2545 upon request.

(9) If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the 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 adopted rule, must submit the written request to Michael Roelofs.

Dated: July 12, 1991

E. Peter Gillette, Jr., Commissioner

PFA V/64-1

7380.0720 MAXIMUM LOAN AMOUNT.

To assure equitable statewide distribution of loan funds, given that loans will be issued on a first-come, first-served basis, the authority shall establish a maximum loan amount~~s~~ of $1,500,000 for each ~~type of~~ municipality.

~~A. School districts with fewer than 900 students and four classroom buildings or less are eligible for up to $250,000 per district. School districts with greater than 5,000 students or more than ten classroom buildings are eligible for up to $1,000,000 per district. All other districts are eligible for $500,000 per district. Cooperative vocational centers and any other eligible educational facilities that are not included in school districts are limited to $250,000.~~

~~B. Cities of the first class, as defined in Minnesota Statutes, section 410.01, are eligible for up to $1,000,000 per city. Cities of the second class, as defined in Minnesota Statutes, section 410.01, are eligible for up to $500,000 per city. All other cities are eligible for up to $250,000 per city.~~

~~C. Counties containing a city of the first class, as defined in Minnesota Statutes, section 410.01, are eligible for up to $1,000,000 per county. All other counties are eligible for up to $500,000 per county.~~

~~D. Towns are eligible for up to $100,000 per town.~~

7380.0750 Subp. 2. **Execution of loan contract and disbursement of funds.** Upon approval of a municipal energy loan, the authority shall send a loan contract to the applicant. The authority shall attach to a loan contract a loan repayment schedule based on the approved loan application according to Minnesota Statutes, section 216C.37, subdivision 4, paragraph (b). The applicant shall have a duly authorized official execute and return the loan contract to the ~~authority~~Department of Finance for execution of the loan contract by state officials and for disbursement of the loan funds. Loan funds must be disbursed for the reimbursement of eligible project costs upon execution of and according to the terms of the loan contract.

PFA RESOLUTION NO. 91-13
MINNESOTA PUBLIC FACILITIES AUTHORITY
STATE OF MINNESOTA
ST. PAUL, MINNESOTA

In the Matter of the Proposed
Amendment to Permanent Rules of
the Public Facilities Authority
Relating to the Energy Conservation
Investment Loan Program

CERTIFICATE OF AUTHORITY'S
AUTHORIZING RESOLUTION

I, ~~E. Peter Gillette, Jr.~~ Krista L. Sanda, do hereby certify that I am a member and the Vice Chairman of the Public Facilities Authority, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Public Facilities Authority duly and properly called and held on the 6th day of June, 1991, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "Resolved, that E. Peter Gillette, Jr., Chairman of the Public Facilities Authority, be and he is hereby granted the authority and directed to sign an Order of the Board directing that Notice be given of the Board's intent to adopt without a public hearing the amended rules governing the Energy Conservation Investment Loan Program of the Public Facilities Authority, to sign the notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, he is hereby granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 6th day of June, 1991.

By: Krista L. Sanda Attest: Tom Suhlman
Vice Chair Executive Director

PFA V/59-CP

Department of Trade and Economic Development

Proposed Permanent Rules Relating to Energy Conservation Investment Loan Program

Rules as Proposed

7380.0720 MAXIMUM LOAN AMOUNT.

To assure equitable statewide distribution of loan funds, given that loans will be issued on a first-come, first-served basis, the authority shall establish a maximum loan ~~amounts~~ amount of $1,500,000 for each ~~type of~~ municipality.

~~A.--School districts with fewer than 900 students and four classroom buildings or less are eligible for up to $250,000 per district.--School districts with greater than 5,000 students or more than ten classroom buildings are eligible for up to $1,000,000 per district.--All other districts are eligible for up to $500,000 per district.--Cooperative vocational centers and any other eligible educational facilities that are not included in school districts are limited to $250,000.~~

~~B.--Cities of the first class, as defined in Minnesota Statutes, section 410.01, are eligible for up to $1,000,000 per city.--Cities of the second class, as defined in Minnesota Statutes, section 410.01, are eligible for up to $500,000 per city.--All other cities are eligible for up to $250,000 per city.~~

~~C.--Counties containing a city of the first class, as defined in Minnesota Statutes, section 410.01, are eligible for up to $1,000,000 per county.--All other counties are eligible for up to $500,000 per county.~~

~~D.--Towns are eligible for up to $100,000 per town.~~

7380.0750 LOAN APPROVAL; DISBURSEMENT OF FUNDS.

Subpart 1. **Authority approval; priority.** The authority shall approve loans that comply with Minnesota Statutes, section 216C.37, and with parts 7380.0710 to 7380.0740, on a first-come, first-served basis based on the order in which eligible and complete loan applications are received by the authority. If

Approved by Revisor

eligible and complete loan applications received at the same time cannot all be funded due to a lack of available funds, the authority shall first approve loans to school districts. If funds are not available for all eligible applications from school districts, the authority shall approve loans so that each affected district receives an equal percentage of the eligible loan amount request. If the available funds are adequate to fully fund all eligible applications from school districts, but not all other eligible applications, the authority shall approve loans to school districts for the full eligible loan amount request and approve loans to other eligible municipalities so that each affected applicant receives an equal percentage of the eligible loan amount request.

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Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Energy Conservation Investment Loan Program

AGENCY: Department of Trade and Economic Development

MINNESOTA RULES: Chapter 7380

The attached rules are approved for
publication in the State Register

Carla M. Riehle
Assistant Revisor

Minnesota Department of
Trade and Economic Development

Community Development Division

900 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101-1421

612/296-5005
Fax: 612/296-5287

July 17, 1991

Ms. Maryanne Hruby, Executive Director
Legislative Commission to Review
Room 55, State Office Building
100 Constitution Avenue
St. Paul, Minnesota 55155

Dear Ms. Hruby:

I have enclosed a statement of need and reasonableness, as required by Minnesota Statutes 1990, section 14.23. It is anticipated that the Notice of Intent will be published in the August 5th issue of the State Register.

Sincerely,

Martin English
Minnesota Public Facilities Authority

Enclosure

PFA.GEN/VI20-1

Celebrate MINNESOTA 1990

An Equal Opportunity Employer

6/25/91

Statement of Need and Reasonableness

Energy Conservation Investment Loan Program

I. The Minnesota Public Facilities Authority presents herein facts and justifications establishing the need for and reasonableness of the proposed amendment to rules governing the Energy Conservation Investment Loan Program. Minnesota Statutes, section 446A.11, subdivision 2 empowers the authority to adopt rules necessary to implement this program. The present rule was adopted at 13 S.R. 1922.

II. Impact on small business

The proposed rule amendment affects a voluntary program of financial assistance to Minnesota public schools and units of local government to implement energy conservation improvements. As such, it has no direct effect on small business. Rules covering programs such as this are exempted from Minnesota Statutes, section 14.115 (1990) by subd. 7 (2) which exempts rules which do not directly affect small businesses.

III. Need and reasonableness of each rule amendment

A. The authority proposes to amend part 7380.0720 to raise the maximum loan amount for each municipality to $1,500,000. This change is necessary to expedite the use of loan funds. When first adopted, the present loan limits were intended to ensure that loan funds were not monopolized by a few large applicants. After seven years of operation with over 275 loans made, this intent has been realized, yet over seven million dollars of the original bonding authority for this program has not been used. The authority believes it is now reasonable to put the remaining bond funds to work as quickly as possible. A limit of $1,500,000 will allow further participation by borrowers that have reached their existing loan limits and will stimulate participation by large cities and counties, which have not been active in the program.

B. The authority proposes to amend part 7380.0750, subpart 2, to change the entity to which an applicant returns a signed contract from the authority to the Department of Finance. Because the loan contracts are between the borrower and the Department of Finance, the authority's role at this point in the contracting process has been to merely pass on contracts received to Finance. It is reasonable to amend the rule to eliminate this unnecessary role.

C. The authority proposes to amend part 7380.0750, subpart 2, to require that loans be disbursed on a reimbursement basis. This is necessary and reasonable to comply with federal law affecting tax-exempt bonds.

For the reasons stated above, the authority believes that the proposed rule amendments are reasonable and necessary to effect the purpose and intent of the statutory authorization.

STATE OF MINNESOTA

In the Matter of the Proposed Adoption of the Rules of the Commissioner of the Department of Trade and Economic Development for the Minnesota Public Facilities Authority Governing:

AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND CERTIFICATE OF MAILING LIST

To permanently amend the Energy Conservation Investment Loan Program.

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY)

Mary Benner, being duly sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minn. Stat. 14.14, Subd. 1a and 14.22 (1986) that their names be placed on the Minnesota Department of Trade and Economic Development rulemaking mailing list is accurate, complete, and current as of this 30th day of July, 1991.

Mary Benner
Name
Data Processing Coord.
Title

Subscribed and sworn to before me

this 30th day of July, 1991.

Richard B. Nadeau

RICHARD B. NADEAU
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY
My Comm. Expires Apr. 12, 1993

Notary Public

Martin English, being duly sworn says:

That on the 30th day of July, 1991, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the State of Minnesota Central Mail System of United States Mail or in the United States mail a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Martin B. English
Name
Community Development Rep.
Title

Subscribed and sworn to before me

this 1st day of August, 1991.

Richard B. Nadeau

Notary Public

RICHARD B. NADEAU
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY
My Comm Expires Apr. 12, 1993

The Commissioner of Trade and Economic Development

In the Matter of the Proposed Amendment of the Rule of the Minnesota Public Facilities Authority Governing Energy Conservation Investment Loan Program

NOTICE OF INTENT TO AMEND RULES WITHOUT A PUBLIC HEARING

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Dated: July 12, 1991

E. Peter Gillette, Jr., Commissioner

PFA V/64-1

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LABELS CONTAINING THE NAMES AND ADDRESSES LISTED BELOW WERE PRODUCED ON THIS DATE AND DELIVERED FOR MAILING NOTICE OF A RULES HEARING

LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Kathe	Richard	Grand Rapids Chamber of Commerce	1 Third St. N.W.	Grand Rapids	MN	55744
Jensen	James		Box 459	Rushford	MN	55971
Schmid	Otto	Upper Minn. Valley Reg.Dev.Comm(6W)	323 Schlieman Ave. W.	Appleton	MN	56208
Ostrem	John	Headwaters Regional Devel. Comm (2)	722 15th St.-Box 906	Bemidji	MN	56601
Graham	Gary	Southwest Regional Devel. Comm (8)	2524 Broadway Ave.-Box 265	Slayton	MN	56172
Hippe	Eugene	Regional Development Commission(6E)	333 Sixth St. S.W.	Willmar	MN	56201
		Bemidji Chamber of Commerce	Box 806	Bemidji	MN	56601
Unmacht	David		420 Main St. E.	Belle Plaine	MN	56011
Hahn	Douglas	Hormel & Company	Box 800	Austin	MN	55912
Flannery	James	Austin Community College	1600 Eighth Ave. N.W.	Austin	MN	55912
Weivoda	Clyde	Albany City of		Albany	MN	56307
		Bemidji Chamber of Commerce	Box 850	Bemidji	MN	56601
Kirchner	Robert	Anoka City Hall	2015 First Ave.	Anoka	MN	55303
Deely	Ann	State & Federal Assn.-Reg. Serv.Div	1101 King St.-Suite 600	Alexandria	VA	22314
Taddel	James	Alexandria City of	114 Seventh Ave. W.-Box 369	Alexandria	MN	56308
Read	Larry	Zenk Engineering	Box 689	Albert Lea	MN	56007
Lansdowne	Peter	Southern Minn. Reg. Legal Services	Medical Arts Bldg.-Room 310	Albert Lea	MN	56007
Berg	Gary	Brooklyn Park City of	5800 85th Ave. N.	Brooklyn Park	MN	55430
Deml	Bernard		Box 76	Carlos	MN	56319
Johnson	Leslie	Blaine City of	9150 Central Ave. N.E.	Blaine	MN	55434
Casper	M.D.	Breckenridge City of	420 Nebraska Ave.	Breckenridge	MN	56520
Sjolund	Walter	Brainerd Light & Water Dept.	501 Laurel St.-Box 373	Brainerd	MN	56401
Gasterland	Jan	Bloomington Building & Inspec. Div.	2215 Old Shakopee Rd. W.	Bloomington	MN	55431
Frazior	Douglas	Branerd Area Chamber of Commerce	Sixth & Washington St.	Brainerd	MN	56401

LABELS CONTAINING THE NAMES AND ADDRESSES LISTED BELOW WERE PRODUCED ON THIS DATE AND DELIVERED FOR MAILING NOTICE OF A RULES HEARING

LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Brekke	Curtis	Brainerd Comm. Devel. Admin.	City Hall	Brainerd	MN	56401
Meyer	Herbert	Bloomington City Managers Office	2215 Old Shakopee Rd. W.	Bloomington	MN	55431
Creme	Francine	Barr Engineering Co.	7803 Glenray Rd.	Bloomington	MN	55435
Frank	Richard	Houston County Offices	Courthouse	Caledonia	MN	55921
		Frundt Frundt & Johnson	117 Fifth St. W.-Box 95	Blue Earth	MN	56013
Martin	Scott	Chanhassen City of	690 Coulter Dr.	Chanhassen	MN	55317
Hill	James	James R. Hill Inc.	9401 James Ave. S.-Suite 140	Bloomington	MN	55431
Dullinger	Gil	Brooklyn Park City of	5800 85th Ave. N.	Brooklyn Park	MN	55443
Shukle	Edward	Benson City of	1411 Pacific Ave.	Benson	MN	56215
Schlenvogt	William	Cloquet City of	508 Cloquet Ave.	Cloquet	MN	55720
Raimo	David	Duluth Chamber of Commerce	325 Harbor Dr.	Duluth	MN	55802
Jeronimus	David		4808 Tioga St.	Duluth	MN	55802
		Bass Brook Town of	Box 146	Cohasset	MN	55721
Rowe	Bruce	Duluth Community Health Service	325 Lake Ave. S.-Suite 604	Duluth	MN	55802
Mategko	Michele	Duluth Chamber of Commerce	325 Harbor Dr.	Duluth	MN	55802
		Trommald City of	Route 3-Box 160	Crosby	MN	56441
Nelson	Douglas	Duluth City of	City Hall-Room 409	Duluth	MN	55802
Turnquist	P. Jerome	Carlton County Offices	Courthouse-Box 316	Cloquet	MN	55720
Grabow	Richard	Detroit Lakes City of	1025 Roosevelt Ave.-Box 647	Detroit Lakes	MN	56501
Hansmeyer	Len	Minn. Power Company	30 Superior St. W.	Duluth	MN	55802
Roberts	James	Minn. Power Company	30 Superior St. W.	Duluth	MN	55802
DeBeir	Elaine	Minn. Power Company	30 Superior St. W.	Duluth	MN	55802
Powers	John	Arrowhead Regional Devel. Comm.	721 16th Ave. N.E.	Duluth	MN	55812
Stutz	Todd	Columbia Heights HRA	590 40th Ave.	Columbia Hts.	MN	55421
Crassweller	Donald	Donovan McCarthy Crassweller Larson	Alworth Bldg.-Room 1000	Duluth	MN	55802
Cordes	Al	Interstate Power Company	1000 Main St.	Dubuque	IA	52001
France	Alfred	Lake Superior Industrial Bureau	306 Superior St. W.-Rm. 1408	Duluth	MN	55802
Honjell	Sharon	S H Cartography	2802 Roberg Rd.	Duluth	MN	55804

LABELS CONTAINING THE NAMES AND ADDRESSES LISTED BELOW WERE PRODUCED ON THIS DATE AND DELIVERED FOR MAILING NOTICE OF A RULES HEARING

LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Salo	Jack	Salo Inc.	15 First St. E.	Duluth	MN	55802
Rapp	Craig	Circle Pines Utilities	200 Civic Hts. Circle	Circle Pines	MN	55014
Holien	Jerry	Yellow Medicine Planning Offices	Box 675	Clarkfield	MN	56223
Johnson	Mark	St. Louis County Planning & Zoning	Courthouse	Duluth	MN	55802
Virkus	Theresa		1031 Sixth St. E.	Duluth	MN	55805
Fure	Eric	Greater Duluth COACT	2904 Third St. W.	Duluth	MN	55806
Fitzpatrick	Leo		8138 Henslowe Ave. S.	Cottage Grove	MN	55016
Olsen	Dale	U of M Duluth-Political Science Dpt	Home Ec. Bldg.-Room 242	Duluth	MN	55812
Harris	Virginia	Carver County Offices	600 Fourth St. E.	Chaska	MN	55318
Myster	Jay	Ottertail Power Company	215 Cascade St. S.	Fergus Falls	MN	56537
Kroeger	Charles	Q S S Incorporated	Box 838	Faribault	MN	55021
Ambrose	Robert	Cooperative Power Association	14615 Lone Oak Rd.	Eden Prairie	MN	55344
Steffey	Kathy	Effective Business Systems	6750 France Ave.-Suite 149	Edina	MN	55435
Hauschulz	Bruce	United Power Association		Elk River	MN	55330
Grenn	John	U of M-Geology Dept.	10550 Old North Shore Rd.	Duluth	MN	55812
Enger	Chris	Eden Prairie City of	8950 Eden Prairie Rd.	Eden Prairie	MN	55344
Hedges	Thomas	Eagan City of	3830 Pilot Knob Rd.	Eagan	MN	55123
Peterson	Dale	Eagan Building Inspec. Dept.	3795 Pilot Knob Rd.-Box 21 199	Eagan	MN	55121
Janicke	Judy	Lyman Blueprint	Box 40	Excelsior	MN	55331
Mussell	Ade	Cooperative Power Association	14615 Lone Oak Rd.	Eden Prairie	MN	55344
Robinson	James	Fridley City of	6431 University Ave. N.E.	Fridley	MN	55432
Wieber	Stanley	Fergus Falls Chamber of Commerce	202 Court St. S.-Box 724	Fergus Falls	MN	56537
Barthelemy	Al	Benton County Land Use Tech.	Courthouse	Foley	MN	56329
Rahko	Reynold	United Power Association	Hwy. 10 East	Elk River	MN	55330
Ireland	Donald	U of M-Business & Economics School		Duluth	MN	55812
Foth	Daniel	Associated Builders & Contractors	6989 Washington Ave. S.-Suite 200	Edina	MN	55435
Olson	Roland		5416 70th St. W.-Room 2	Edina	MN	55435

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LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Flohrs	Wayne		Courthouse-Room 105	Fairmont	MN	56031
Licke	W.J.	Blandin Paper Company	115 First St. S.W.	Grand Rapids	MN	55744
Ruth	Helmer	Hermantown City of	3161 Maple Grove Rd.	Hermantown	MN	55811
Becker	Lloyd	Golden Valley City of	7800 Golden Valley Rd.	Golden Valley	MN	55427
Slater	James	Bechtel Power Company	15740 SHADY GROVE RD	Gaithersburg	MD	20877
Mitchell	Rusty	Inver Hills Comm. College	8445 College Trail	Inver Grove Hts.	MN	55075
Troska	Gregory	Glencoe Public Library	804 11th St. E.	Glencoe	MN	55336
Hennemuth	William	Rieke Carroll Muller Assoc.	1011 First St. S.-Box 130	Hopkins	MN	55343
Barker	Bruce	Boise Cascade Woodland	Box 1152	Int'l. Falls	MN	56649
Lie	Gregory	Hopkins Environment/Energy Dept.	320 Washington Ave. S.	Hopkins	MN	55343
Gerlock	Frank	Hastings City of	100 Sibley St.	Hastings	MN	55033
Kennedy	Tim	Grand Marais City of	Courthouse	Grand Marais	MN	55604
Dial	Albert	Dairyland Power Cooperative	Box 817	LaCrosse	WI	54601
Sexton	Mark	Tri County Comm. Action Prog.	404 Second Ave. N.E.	Little Falls	MN	56345
Leifer	John	Dairyland Power Cooperative	2615 East Ave. S.	LaCrosse	WI	54601
		Mankato Area Chamber of Commerce	Box 999	Mankato	MN	56001
Melena	Thomas	Mankato Comm. Devel. Office	202 Jackson St. E.	Mankato	MN	56001
Jilk	Stephan	LaCrescent City of	315 Main St.	LaCrescent	MN	55947
Ross	Alfred		6356 Ware Rd.	Lino Lakes	MN	55014
Trahms	Cindi Jo	Janesville City of	219 Main St. N.	Janesville	MN	56048
Pettry	Shelby	National Homes Mfg. Co.	BOX 7680	Lafayette	IN	47903
Guhin	Mary	Luverne City of	203 Main St. E.	Luverne	MN	56156
Brannon	Rod	Edina Community Education	5701 Normandale Rd.	Minneapolis	MN	55424
Nelson	Luther	Hennepin County Environ/Energy Offc	Hennepin County Gov. Ctr.	Minneapolis	MN	55487
Pepin	Richard	Dayton Herman Graham & Getts	10 Fifth St. S.-Suite 930	Minneapolis	MN	55402
Weber	William	Bennet Ringrose Wolsfeld Inc.	700 Third St.	Minneapolis	MN	55415
Hetman	Frank	Devac Inc.	10130 Highway 55	Minneapolis	MN	55441
McGrath	Francis	Devac Inc.	10130 Highway 55	Minneapolis	MN	55441
Dayton	Charles	Dayton Herman Graham & Getts	10 Fifth St. S.-Suite 930	Minneapolis	MN	55402

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LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
		Dorsey & Whitney Library	2200 First Bank Place E.	Minneapolis	MN	55402
Winter	David		822 Third St. S.	Minneapolis	MN	55415
Taylor	William	General Mills Inc.	Box 1113	Minneapolis	MN	55440
Viitala	W.C.	Honeywell Inc.	Honeywell Plaza-Box 524	Minneapolis	MN	55440
Hester	Ralph	Milaca City of	145 Central Ave. S.	Milaca	MN	56353
Lee	A.J.	Hennepin County Offices	300 Sixth St. S.-Rm. A2307	Minneapolis	MN	55487
Brooks	William		405 Second Ave. S.-Room 900	Minneapolis	MN	55401
Herman	John	Dayton Herman Graham & Getts	10 Fifth St. S.-Suite 930	Minneapolis	MN	55402
Pietrus	Joseph	Experience Inc.	527 Marquette Ave.-Room 1930	Minneapolis	MN	55402
Soderberg	Harold	Hessian McKasy & Soderberg	I D S Center-Suite 4700	Minneapolis	MN	55402
Butler	Robert	Butler Research & Engr. Co. Inc.	4900 72nd Ave. S.W.	Miami	FL	33155
Lindberg	Clarence		750 Plaza Dr. S.	Mendota Hts.	MN	55118
Hawk	Jack	Southwest State University	Science & Tech Resource Center	Marshall	MN	56258
Belau	Jane	Control Data Corporation	8100 34th Ave. S.	Minneapolis	MN	55440
Comstock	Becky	Dorsey Windhurst Hannaford Whitney	220 Sixth St. S.-Room 2300	Minneapolis	MN	55402
Broeker	John	Broeker Hartfeldt Hedges & Grant	8500 Normandale Lk. Blvd.-#1510	Minneapolis	MN	55437
Drawz	John		120 Sixth St. S.-Room 2000	Minneapolis	MN	55402
Hoff	Michael	Donohue & Associates Inc.	7200 Hemlock Lane W.	Maple Grove	MN	55369
Strand	Jeffrey	LeFeuere Law Firm	120 Sixth St. S.-Room 2000	Minneapolis	MN	55402
Johnson	Zack	Consulting Engineers Diversified	7200 Hemlock Lane N.-Suite 200	Maple Grove	MN	55369
Schoenecker	Michael	Consulting Engineers Diversified	7200 Hemlock Lane N.-Suite 200	Maple Grove	MN	55369
Osmundson	Michael		240 Georgia Ave. W.	Minneapolis	MN	55427
Johnson	David	Llewellyn Inc.	1930 Hennepin Ave.	Minneapolis	MN	55403
McMillan	John	Hennepin County Offices	300 Sixth St. S.-Rm. A2208	Minneapolis	MN	55487
Waldron	Craig	Regional Development Comm. (9)	410 Fifth St. S.-Box 3367	Mankato	MN	56001
Johnson	Gordon	Lutheran Social Services	2414 Park Ave.	Minneapolis	MN	55404
McMichael	Dale	Henningson Durham & Richardson	5401 Gamble Dr.-Room 300	Minneapolis	MN	55416
Jack	James	Mankato State University	Box 36	Mankato	MN	56001

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LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Bifoss	R. Ben	Montevideo City of	Box 676	Montevideo	MN	56265
Skubic	Mark	Minn. Dept. of Health-Comm. Devel.	717 Delaware St. S.E.	Minneapolis	MN	55440
Meininger	Philip	Minneapolis City Coordinators Offc.	350 Fifth St. S.-Room 210	Minneapolis	MN	55415
Burk	Robert	Popham Haik Schnobrich Kaufman Doty	80 Eighth St. S.-Room 4344	Minneapolis	MN	55402
		Minneapolis Public Library	300 Nicollet Mall	Minneapolis	MN	55401
Olofson	Arthur	Minneapolis Bldg. Owners/Mgrs. Assn	105 Fifth St. S.-Room 927	Minneapolis	MN	55402
		Minnegasco	201 Seventh St. S.	Minneapolis	MN	55402
Ruhle	Sam	Minneapolis Admin. Hearings Office	310 Fourth Ave.-Room 400	Minneapolis	MN	55415
		Minn. Dept. of Health-Comm. Devel.	717 Delaware St. S.E.	Minneapolis	MN	55440
Ahern	Michael	Moss Flaherty Clarkson & Fletcher	200 Sixth St. S.-Suite 1200	Minneapolis	MN	55402
Fieldseth	Henry	Northern Sun Alliance	1519 Franklin Ave. E.	Minneapolis	MN	55404
Lundemo	David	Rainbow Inc.	7324 36th Ave. N.	Minneapolis	MN	55427
Komarek	Luke	Minnegasco	201 Seventh St. S.	Minneapolis	MN	55402
Gostovich	John	Minn. Public Interest ResearchGroup	2512 Delaware St. S.E.	Minneapolis	MN	55414
Newman	Richard	Print Imagery	Box 24416	Minneapolis	MN	55424
Johnson	G. Robert	Popham Haik Schnobrich Kaufman Doty	80 Eighth St. S.-Room 4344	Minneapolis	MN	55402
Horner	John	Minn. Multi Housing Association	4250 Park Glen Road	Minneapolis	MN	55416
Olson	Roger	U.S. Housing & Urban Development	220 Second St. S.	Minneapolis	MN	55401
Eldem	Thomas	Monticello City of	250 Broadway St. E.	Monticello	MN	55362
Matson	Glenn	U.S. Dept. of Commerce	110 Fourth St. S.-Room 108	Minneapolis	MN	55401
Hartranft	Frank	Michaud Cooley Erickson & Assoc.	625 Fourth Ave. S.-Suite 1325	Minneapolis	MN	55415

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LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Bizzano	Joseph	Northern States Power	414 Nicollet Mall	Minneapolis	MN	55401
Welk	G.V.	Northern States Power	414 Nicollet Mall	Minneapolis	MN	55401
Wietecki	Keith	Northern States Power	414 Nicollet Mall	Minneapolis	MN	55403
Maroney	David	Northfield City of	801 Washington St.	Northfield	MN	55057
		West Central Ind. Improvement Corp.	Stevens County Courthouse	Morris	MN	56267
Martin	David	Owatonna Public Utilities	208 Walnut Ave. S.-Box 800	Owatonna	MN	55060
Forsberg	Winfield	Forsberg Agricultural Service	518 Summit Ave.	New Ulm	MN	56073
Donahue	Daniel	New Hope City of	4401 Xylon Ave. N.	New Hope	MN	55428
Olsen	Richard	South St. Paul Chamber of Commerce	Livestock Exch. Bldg.-Room 217	S. St. Paul	MN	55075
Klampe	E.J.	Sun Control Products	431 Fourth Ave. S.E.	Rochester	MN	55904
		Yaggy Associates	717 Third Ave. S.E.	Rochester	MN	55904
Sather	Gordon	Rochester Bldg. & Safety Dept.	1605 Cascade St. N.W.	Rochester	MN	55901
Miller	Roger	Levander Gillen Miller & Magnuson	633 Concord St.-Room 402-Box 298	S. St. Paul	MN	55075
Andre	James	Roseville City of	2024 Cleveland Ave. N.	Roseville	MN	55113
Vanderwall	Jan	Ind. School Dist. 623	1251 County Rd. B2 West	Roseville	MN	55113
Koegler	Mark	VanDoren Hazard Stallings	3030 Harbor Lane N.-Suite 104	Plymouth	MN	55441
Alfers	Mark		2496 145th St. W.	Rosemount	MN	55068
Jopke	Richard	Richfield City of	6700 Portland Ave.	Richfield	MN	55423
		Scott County HRA	16049 Franklin Trail S.E.-Room 104	Prior Lake	MN	55372
Lannes	Eric	Whyt Water Heaters	Box 60129	Reno	NV	89506
Kemp	Loni	Minn. Project-Southeast Office	Box 4	Preston	MN	55965
Welty	Lloyd	Rochester Chamber of Commerce	220 Broadway S.-#100	Rochester	MN	55904
Brommer	Bernie	A F L-C I O	525 Park St.	St. Paul	MN	55103
Langlois	William	3 M Company	2501 Hudson Rd.-Box 225 2N06	St. Paul	MN	55144
Keyes	Ralph		2240 Midland Grove Road	St. Paul	MN	55113
Hallman	W.A.	Association Motor Carriers	302 Chester St.	St. Paul	MN	55107
Shipman	James	Association of Minn. Counties	525 Park St.-Suite 404	St. Paul	MN	55103
Fricke	David	Minn. Townships Association	Box 246	St. Michael	MN	55376
Thibault	William	St. Louis Park City of	5005 Minnetonka Blvd.	St. Louis Park	MN	55416

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LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Hopke	Kenneth	Stearns County Offices	Box 604	St. Cloud	MN	56301
Pfefferle	Robert	Bonnestro & Associates	2335 Hwy. 36 West	St. Paul	MN	55113
Bixby	Robert	St. Cloud State University	Steward Hall-Room 301	St. Cloud	MN	56301
King	Janna	St. Cloud Area Econ Dev. Partnership	Box 1091	St. Cloud	MN	56302
Carlson	Glenn	St. Cloud Area Chamber of Commerce	20 Fourth Ave. S.-Box 487	St. Cloud	MN	56302
Smith	James	Donovan Companies Inc.	1080 Montreal Ave.	St. Paul	MN	55116
Frank	Donald		517 Manor Dr. N.E.	Spring Lake Park	MN	55432
		Union Oil of California	1650 GOLF RD E	Schaumburg	IL	60196
Eller	Christie	Minn. Attorney General's Office	Bremer Tower-Room 1100	St. Paul	MN	55101
Claeson	Louis	Minn. Auto Dealers Association	277 University Ave.	St. Paul	MN	55103
Orsello	Jean	Minn. Board of Aging	121 Seventh St. E.-Rm. 204	St. Paul	MN	55101
Peterson	Vernon	Metro Municipal Association	183 University Ave. E.	St. Paul	MN	55101
Musick	John	Minn. COACT	2395 University Ave. W.	St. Paul	MN	55114
Gardebring	Sandra	Minn. Dept. of Human Services	444 LaFayette Rd.	St. Paul	MN	55155
Hruby	Maryanne	Minn. Admin. Rules Review Committee	State Office Bldg.-Room 55	St. Paul	MN	55155
O'Connell	Raymond	Minn. Commerce & Industry Assn.	480 Cedar St.-Room 300	St. Paul	MN	55109
Hale	Sandra	Minn. Dept. of Administration	50 Sherburne Ave.-Room 200	St. Paul	MN	55155
Slettom	Edward	Minn. Cooperatives Assn.	480 Cedar St.-Room 380	St. Paul	MN	55101
Catania	Thomas	Minn. Attorney General's Office	117 University Ave.-Second Floor	St. Paul	MN	55155
Swanson	Marlene	Minn. Dept. of Transportation	John Ireland Blvd.-Room 161	St. Paul	MN	55155
Huber	Paul	Huber Ltd.	1821 University Ave.	St. Paul	MN	55104
Heil	Gerald	Minn. Dept. of Agriculture	90 Plato Blvd. W.	St. Paul	MN	55107
Roberts	Marilynne	Hamline University School of Law	1536 Hewitt Ave.	St. Paul	MN	55104
Rutford	John	Metro Council	230 Fifth St. E.	St. Paul	MN	55101
Michand	Carl	Metro Council	230 Fifth St. E.	St. Paul	MN	55101

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LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Solem	James	Minn. Housing Finance Agency	400 Sibley St.-Suite 300	St. Paul	MN	55101
Rosenthal	Abe	Minn. Transport Service Assn.	1821 University Ave.-Room 310N	St. Paul	MN	55104
Snyder	Robert	Univ. of Minn.	1994 Buford Ave.-Room 248C	St. Paul	MN	55108
Kazuikewica	Gary	Waldorf Corporation	2250 Wabasha St.	St. Paul	MN	55114
Bjorhus	Russ	U.S. Dept. of Ag.-Farmers Home Adm.	375 Jackson St.-Room 410	St. Paul	MN	55101
Dzugan	Kenneth	St. Paul Port Authority	345 St. Peter St.-Room 1900	St. Paul	MN	55102
Lewis	Bernard	Univ. of Minn.-Forestry Dept.	Green Hall-Room 10	St. Paul	MN	55108
Smith	James	U.S. Dept. of the Interior	400 Sibley St.-Suite 50	St. Paul	MN	55101
Westhoff	Pat	Minn. Taxpayers Association	480 Cedar St.-Suite 175	St. Paul	MN	55101
Sallstrom	Craig	Minn. Plant Food & Chemicals Assn.	1821 University Ave.-Room 253	St. Paul	MN	55104
Morris	Randy	Minn. Retail Merchants Association	405 Sibley St.	St. Paul	MN	55101
Kaufman	Barbara	Minn. Voluntary Soc. Serv. Assn.	1821 University Ave.-Room 141S	St. Paul	MN	55104
Harju	Russ	St. Paul Public Housing Authority	413 Wacouta St.-Room 350	St. Paul	MN	55101
Muckenhirn	Frank	St. Paul T V I	235 Marshall St.	St. Paul	MN	55102
Erickson	Glenn	St. Paul City of	25 Fourth St. W.-Room 445	St. Paul	MN	55102
Baumgarten	Allan	Minn. Legislative Auditor's Office	658 Cedar St.	St. Paul	MN	55155
Knosalla	Larry	Region Five Reg. Devel. Comm.	611 Iowa Ave.	Staples	MN	56479
Knapp	John	Winthrop Weinstine & Sexton	444 Cedar St.-Suite 1800	St. Paul	MN	55101
Frison	Frank	N E C A	200 Robert St. S.-Room 305	St. Paul	MN	55107
Kemp	William	Washington County HRA	455 Broadway Ave.	St. Paul Park	MN	55071
Stanton	Mary	Minn. State University System	555 Park St.-Suite 230	St. Paul	MN	55105
Dawson	Jean	Minn. Government Report	State Capitol Bldg.-Room B2	St. Paul	MN	55155
Ingram	Alan	National Social Worker's Assn.	480 Concordia St.	St. Paul	MN	55103
Karon	Judy	Ramsey County Comm. Board	Courthouse-Suite 316	St. Paul	MN	55102
Ettesvold	Brian	Minn. Service Station Association	1705 Marion St.	St. Paul	MN	55113
Phillips	William	Phillips Legislative Service Inc.	459 Rice St.	St. Paul	MN	55103

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LAST	FIRST	COMPANY	ADDRESS1	CITY	ST	ZIP
Anderson	Herbert		418 Eighth St. S.	Virginia	MN	55792
Lockyear	Robert		14900 61st St. N.	Stillwater	MN	55082
Scharmer	Pat	Northwest Regional Devel. Comm (1)	Box E	Thief River Falls	MN	56701
Quinlivan	John	Thief River Falls City of	City Hall-Box 528	Thief River Falls	MN	56701
Jorgens	Thomas	Northwest Regional Devel. Comm (1)	525 Brooks Ave. S.-Box E	Thief River Falls	MN	56701
Hansen	Lawrence	Waterville City of	Box 9	Waterville	MN	56096
Sahagun	Betsy	State Services Group	1015 15th St. N.W.-Suite 200	Washington	DC	20005
Wischmann	Robert	Lakewood Comm. College	3401 Century Ave. N.	White Bear Lake	MN	55110
Vitalis	George	Vitalis Thomas & Company	344 Bench St.	Taylors Falls	MN	55084
Babiak	Nicholas	State Services Group	1015 15th St. N.W.-Suite 200	Washington	DC	20005
O'Donnell	Dennis	Washington County Planning Dept.	14900 61st St. N.	Stillwater	MN	55082
Edel	Susan		86 Hillsdale Court	Winona	MN	55987
Reardon	Helen	West Central Comm. Serv. Ctr. Inc.	1125 Sixth St. S.E.-Box 787	Willmar	MN	56201
Hoglund	Richard	Willmar City of	333 Sixth St. S.W.-Box 755	Willmar	MN	56201
Picha	Dwight	Woodbury City of	2100 Radio Dr.	Woodbury	MN	55125
Grunig	Farley	Cottonwood County Offices	Courthouse	Windom	MN	56101
Lanz	John	White Earth Reservation	Box 418	White Earth	MN	56591
Wilde	Dennis	Willmar AVTI	Box 1097	Willmar	MN	56201
		White Bear Lake City of	1281 Hammond Rd.	White Bear Lake	MN	55110
Webber	Robert	Kleinschmidt & Webber Inc.	4240 Fifth St.	Winona	MN	55987
Kinn	Paul	Wadena Technical Institute	317 Jefferson St. S.	Wadena	MN	56482

Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Trade and Economic Development

Proposed Permanent Rules Relating to Energy Conservation Investment Loan Program

Notice of Intent to Amend Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Public Facilities Authority 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 Statute* 446A.11, Subdivision 2.

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 request for a public hearing must be submitted to:

Michael Roelofs
Department of Public Service
Energy Division, 9th Floor
American Center Building
150 E. Kellogg Boulevard
St. Paul, MN 55101
(612) 297-2545

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.

A copy of the proposed rule is attached to this notice.

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 Michael Roelofs, Department of Public Service/Energy Division, American Center Building, 9th Floor, 150 E. Kellogg Boulevard, St. Paul, MN 55101, (612) 297-2545 upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of

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.

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 adopted rule, must submit the written request to Michael Roelofs.

Dated: 12 July 1991

E. Peter Gillette, Jr.
Commissioner

Rules as Proposed

7380.0720 MAXIMUM LOAN AMOUNT.

To assure equitable statewide distribution of loan funds, given that loans will be issued on a first-come, first-served basis, the authority shall establish a maximum loan ~~amounts~~ amount of $1,500,000 for each ~~type of~~ municipality.

~~A. School districts with fewer than 900 students and four classroom buildings or less are eligible for up to $250,000 per district. School districts with greater than 5,000 students or more than ten classroom buildings are eligible for up to $1,000,000 per district. All other districts are eligible for up to $500,000 per district. Cooperative vocational centers and any other eligible educational facilities that are not included in school districts are limited to $250,000.~~

~~B. Cities of the first class, as defined in *Minnesota Statutes,* section 410.01, are eligible for up to $1,000,000 per city. Cities of the second class, as defined in *Minnesota Statutes,* section 410.01, are eligible for up to $500,000 per city. All other cities are eligible for up to $250,000 per city.~~

~~C. Counties containing a city of the first class, as defined in *Minnesota Statutes,* section 410.01, are eligible for up to $1,000,000 per county. All other counties are eligible for up to $500,000 per county.~~

~~D. Towns are eligible for up to $100,000 per town.~~

7380.0750 LOAN APPROVAL; DISBURSEMENT OF FUNDS.

Subpart 1. **Authority approval; priority.** The authority shall approve loans that comply with *Minnesota Statutes,* section 216C.37, and with parts 7380.0710 to 7380.0740, on a first-come, first-served basis based on the order in which eligible and complete loan applications are received by the authority. If eligible and complete loan applications received at the same time cannot all be funded due to a lack of available funds, the authority shall first approve loans to school districts. If funds are not available for all eligible applications from school districts, the authority shall approve loans so that each affected district receives an equal percentage of the eligible loan amount request. If the available funds are adequate to fully fund all eligible applications from school districts, but not all other eligible applications, the authority shall approve loans to school districts for the full eligible loan amount request and approve loans to other eligible municipalities so that each affected applicant receives an equal percentage of the eligible loan amount request.

Subp. 2. **Execution of loan contract and disbursement of funds.** Upon approval of a municipal energy loan, the authority shall send a loan contract to the applicant. The authority shall attach to a loan contract a loan repayment schedule based on the approved loan application according to *Minnesota Statutes,* section 216C.37, subdivision 4, paragraph (b). The applicant shall have a duly authorized official execute and return the loan contract to the ~~authority~~ Department of Finance for execution of the loan contract by state officials and for disbursement of the loan funds. Loan funds must be disbursed for the reimbursement of eligible project costs upon execution of and according to the terms of the loan contract.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

Department of Administration

Adopted Permanent Rules Relating to Business

The rules proposed and published at *State Register*, Volume 15, Number 40, pages 2165-2183, April 1, 1991 (15 SR 2165); and Volume 15, Number 41, page 2226, April 8, 1991 (15 SR 2226) are adopted with the following modifications:

CERTIFICATE OF THE
MINNESOTA PUBLIC FACILITIES AUTHORITY
RESOLUTION ADOPTING THE RULE

I, **Krista Sanda**, do certify that I am a member and the Vice Chair of the Minnesota Public Facilities Authority 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 Minnesota Public Facilities Authority, duly and properly called and held on the 13th day of September, 1991, that a quorum was present, and that a majority of those present voted for the resolution which has not been recinded or modified.

RESOLVED, that the rule relating to the Energy Conservation Investment Loan Program is approved and adopted, pursuant to the authority vested in Minnesota Public Facilities Authority by Minnesota Statutes 446A.11, Subpart 2, the Chair or Vice Chair of the Minnesota Public Facilities Authority is authorized to sign the Finding of Fact, Conclusions, and Order adopting the rule and to perform the necessary acts to provide that the rule shall have the force and effect of law.

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

Krista L. Sanda
Vice Chair
Minnesota Public Facilities Authority

Timothy K. Scherkenbach
Member
Minnesota Public Facilities Authority

PFA.GEN V/76-4

STATE OF MINNESOTA

DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT

PUBLIC FACILITIES AUTHORTITY

In the Matter of the Proposed Adoption of the Rule of the State Department of Trade and Economic Development Governing the Energy Conservation Investment Loan Program	FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT A PUBLIC HEARING

(1) Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on August 5, 1991 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, section 14.14, subdivision 1a and 14.22 on July 30, 1991. (2) The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was sent to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

(4) All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. (5) No requests for a public hearing on the rule were received by the agency.

(7) No submissions or comments on the rule were received by the agency. No requests for notice of submission to the attorney general were received by the agency.

Based on the evidence in the record before the agency, I find that the above-captioned rule is needed and reasonable. (8)

NOW, THEREFORE, IT IS ORDERED that the rule identified as 7380.0720 and 7380.0750 Subp. 2 is adopted this 3rd day of October, 1991, pursuant to the authority vested in me by Minnesota Statutes, section 446A.11, Subdivision 2.

(9) Krista L. Sanda

Krista L. Sanda, Vice Chair
Minnesota Public Facilities Authority