

November 26, 2019

VIA EFILING ONLY

Wendy Wilson Legge
General Counsel
Minnesota Department of Labor and Industry
443 Lafayette Rd
Saint Paul, MN 55155
wendy.legge@state.mn.us

**Re: In the Matter of the Proposed Rules Relating to Chapter 1323 -
Commercial Energy Code
OAH 71-9001-35634; Revisor R-04513**

Dear Ms. Wilson Legge:

Enclosed herewith and served upon you is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.26** in the above-entitled matter. The Administrative Law Judge has determined there are no negative findings in these rules.

The Office of Administrative Hearings has closed this file and is returning the rule record so that the Minnesota Department of Labor and Industry can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. Please ensure that the agency's signed order adopting the rules is filed with our office. The Office of Administrative Hearings will request the finalized rules from the Revisor's office following receipt of that order. Our office will then file the adopted rules with the Secretary of State, who will forward one copy to the Revisor of Statutes, one copy to the Governor, and one to the agency for its rulemaking record. The Department will then receive from the Revisor's office three copies of the Notice of Adoption of the rules.

The Department's next step is to arrange for publication of the Notice of Adoption in the State Register. Two copies of the Notice of Adoption provided by the Revisor's office should be submitted to the State Register for publication. A permanent rule without a hearing does not become effective until five working days after a Notice of Adoption is published in the State Register in accordance with Minn. Stat. § 14.27.

Wendy Wilson Legge
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If you have any questions regarding this matter, please contact Sheena Denny at (651) 361-7881, sheena.denny@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,

A handwritten signature in black ink that reads "Denise S. Collins". The signature is written in a cursive style with a large initial "D".

DENISE COLLINS
Court Administrator

Enclosure

cc: Legislative Coordinating Commission
Revisor of Statutes

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
ADMINISTRATIVE LAW SECTION
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Proposed Rules Relating to Chapter 1323 - Commercial Energy Code	OAH 71-9001-35634 Revisor R-04513
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Denise Collins certifies that on November 26, 2019 she served a true and correct copy of the attached **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.26** by electronic mail addressed to the following individuals:

VIA EFILING ONLY

Wendy Wilson Legge
General Counsel
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Industry
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Legislative Coordinating Commission
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STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed
Rules Governing Adoption of Commercial
Provisions of the International Energy
Conservation Code, Minnesota Rules
Chapter 1323

**ORDER ON REVIEW OF
RULES UNDER
MINN. STAT. § 14.26**

The Minnesota Department of Labor and Industry (Department) seeks review and approval of the above-entitled rules, which the Department adopted pursuant to Minn. Stat. § 14.26 (2018). On November 19, 2019, the Department filed all documents required by Minn. Stat. § 14.26 and Minn. R. 1400.2310 (2019) with the Office of Administrative Hearings.

Based upon a review of the written submissions and filings, Minnesota Statutes, and Minnesota Rules,

IT IS HEREBY DETERMINED:

1. The Department has the statutory authority to adopt the rules.
2. The Department adopted the rules in compliance with the procedural requirements of Minn. Stat. §§ 14.01-.69 (2018); Minn. R. 1400.2000-.8612 (2019).
3. The modifications to the rules made by the Department following publication of the proposed rules in the *State Register* do not result in a substantially different rule within the meaning of Minn. Stat. §§ 14.05, subd. 2, .24 (2018).
4. The record demonstrates the rules are needed and reasonable.

IT IS HEREBY ORDERED THAT:

The rules are **APPROVED**.

Dated: November 26, 2019



JESSICA A. PALMER-DENIG
Administrative Law Judge