

CHAPTER 99—H.F.No.337

[Coded in Part]

An act relating to public utilities; customers service option on electric service in certain instances; amending Minnesota Statutes 1976, Section 216B.40; and Chapter 216B, by adding a section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 216B.40, is amended to read:

216B.40 PUBLIC UTILITIES; ELECTION OF CUSTOMER SERVICE AREAS; EXCLUSIVE SERVICE RIGHTS. Except as provided in ~~section~~ sections 216B.42 and 2, of this act, each electric utility shall have the exclusive right to provide electric service at retail to each and every present and future customer in its assigned service area and no electric utility shall render or extend electric service at retail within the assigned service area of another electric utility unless the electric utility consents thereto in writing; provided that any electric utility may extend its facilities through the assigned service area of another electric utility if the extension is necessary to facilitate the electric utility connecting its facilities or customers within its own assigned service area.

Sec. 2. Minnesota Statutes 1976, Chapter 216B, is amended by adding a section to read:

~~[216B.421] ELECTRIC SERVICE; HOMESTEAD, LOCATED IN MORE THAN ONE ASSIGNED SERVICE AREA; ELECTION OF SERVICE. Subdivision 1. Notwithstanding the establishment of assigned service areas for electric utilities provided for in section 216B.39, when a customer requires electric service for buildings or other structures located on land constituting his homestead and the buildings or structures are located within more than one assigned service area, the customer may elect to contract for or purchase his entire electric service requirements from either of the electric utilities providing him with electric service. An electric utility may extend its facilities through the assigned service area of another electric utility if the extension is necessary to facilitate the electric utility connecting a customer who elects to purchase or contract for service from it pursuant to this section.~~

Subd. 2. SELECTION OF SERVICE RESTRICTED. The provisions of subdivision 1 shall only apply to the provision of electric service to buildings and other structures that were under construction on April 11, 1974.

Approved May 18, 1977.

Changes or additions indicated by underline deletions by strikeout