

Meeting Minutes: Board of Electricity

Date: April 9, 2024
Time: 9:00 a.m.
Location: DLI, 443 Lafayette Road No., St. Paul, MN 55155 | WebEx | Phone

Members Present

1. Alfreda Daniels Juasemai – WebEx
2. Thomas Fletcher
3. Cole Funseth
4. Sarah Gudmunson
5. Steve Haiby
6. Jeff Heimerl
7. Duane Hendricks – Chair
8. Dean Hunter – CO’s Designee
9. Travis Thul
10. Trevor Turek
11. Desiree Weigel – Secretary

Members Absent

Mike Hanson

DLI Staff & Visitors

Jeff Lebowski (Board Counsel) – WebEx
Lyndy Logan (DLI)
Neil Furman (DLI) – WebEx
John McNamara (DLI)
Sean O’Neil (DLI)
Clara Albert (Electrical Assn) – WebEx
Michelle Dreier (Electrical Assn)
Nick Erickson (Housing First)
Megan Fink (Electrical Assn) – WebEx
David Fisch (MNESTA)
Dan Moynihan (City of St. Paul) – WebEx
Kyle Parsons
Andy Snope (IBEW)
Gary Thaden (NECA)
John Williamson – WebEx

1. **Call to Order**

- A. **Roll Call:** Chair Hendricks called the meeting to order at 9:01 a.m. Roll call was taken by Secretary Weigel and a quorum was declared with 11 of 12 voting members.
- B. **Announcements/Introductions – Chair Hendricks**
 - Everyone present in person and remotely are able to hear all discussions.
 - All votes will be taken by roll call if any member is attending remotely.
 - All handouts discussed and WebEx instructions are posted on the [Board’s website](#).
- C. WebEx instructions/procedures were explained.

2. **Approval of Meeting Agenda**

A motion was made by Heimerl, seconded by Weigel, to approve the agenda as presented. The roll call vote was unanimous with 11 votes in favor of the motion; the motion carried.

3. **Approval of Previous Meeting Minutes**

A motion was made by Fletcher, seconded by Heimerl, to approve the Jan. 9, 2024, regular meeting minutes as presented. The vote was unanimous with 11 votes in favor of the motion; the motion carried.

4. **Regular Business**

- A. **Expense Approval** – Expense reports will be forwarded to Financial Services for payment.
- B. **Enforcement & licensing update** – Sean O’Neil
 - Electrical Enforcement Actions can be found on the department’s website at: <http://www.dli.mn.gov/business/electrical-contractors/electrical-enforcement-actions>

South metro unlicensed contractor fined \$14,500

- An unlicensed contractor operating out of Apple Valley and Burnsville was found to have engaged in residential remodeling, electrical and plumbing work without a license. The contractor was ordered to cease and desist from the unlicensed activities and fined \$14,500.
- An Alexandria-based registered electrical employer was found to have engaged in unlicensed electrical work at work sites it does not own/lease. The contractor was ordered to cease and desist from the unlicensed activity, to hire a licensed electrical contractor to review and correct its electrical work, and fined \$20,000, of which \$12,000 was stayed contingent on future compliance.
- An unlicensed Maplewood contractor was found to have engaged in plumbing work without having the appropriate contractor license. The contractor was ordered to cease and desist from the unlicensed activity and fined \$4,000, which was stayed contingent on future compliance.
- A licensed Plymouth high pressure piping (HPP) contractor allowed their registered unlicensed pipefitters to perform HPP work without being directly supervised by a licensed HPP pipefitter. The contractor was censured and ordered to ensure that their registered unlicensed pipefitters are appropriately supervised. The contractor was censured and fined \$7,500, of which \$3,750 was stayed contingent on future compliance.
- A licensed Wyoming, Minnesota, residential building contractor was found to have engaged in unlicensed electrical work. The contractor was censured and fined \$8,000, of which \$5,000 was stayed contingent on future compliance.

C. **Inspection update** – Dean Hunter – see **Attachment A**.

5. Special Business

A. **2026 NEC update** – Dean Hunter

Hunter said the first draft will be available early June and he will provide highlights at the July meeting.

6. Committee Reports

Construction Codes Advisory Council (CCAC) | Hendricks (rep)/Daniels (alt) – [Presentation Feb. 29, 2023](#)

7. Complaints and Correspondence

A. Raymond Zeran Correspondence – Dean Hunter – see **Attachment B**.

8. Open Forum

None

9. Board Discussion

None

10. Announcements

Regularly scheduled meetings occur on the second Tuesday of each quarter at 9:00 a.m., in person at DLI with WebEx/Phone options

- July 9, 2024 (annual meeting – election of officers)
- Oct. 8, 2024

11. Adjournment

A motion was made by Turek, seconded by Haiby, to adjourn the meeting at 9:30 a.m. The roll call vote was unanimous with 11 votes in favor of the motion; the motion carried.

Respectfully Submitted,

Desiree Weigel

Desiree Weigel
Secretary

Green meeting practices

The State of Minnesota is committed to minimizing environmental impacts by following green meeting practices. DLI is minimizing the environmental impact of its events by following green meeting practices. DLI encourages you to use electronic copies of handouts or to print them on 100% post-consumer processed chlorine-free paper, double-sided.



DEPARTMENT OF
LABOR AND INDUSTRY

Electrical Permit and Inspection History

State Inspection Areas

CALENDAR YEAR	Permit Information			Inspection Information		
	Total Permits Issued	Permits Completed	Permits Closed but Not Finaled	Final "Final" Insp.*	All other Insp.**	Total Inspections
2021	130,192	126,931	7,547	117,168	60,654	177,822
2022	138,027	128,229	7,072	121,882	61,188	183,070
2023	132,491	97,673	3,637	128,308	62,966	191,274
2024	26,171	10,125	287	30,382	16,783	47,165

The "**Permit Information**" and the "**Inspection Information**" do not necessarily represent the same permits. The "Permit Information" represents permits issued that Calendar Year. The "Inspection Information" represents the inspections performed that calendar year. The inspections may be for permits that were issued in previous calendar years.

"Total Permits Issued" means the permits Issued in the calendar year indicated. Includes permits in status (milestone) 'Abandon', 'Closed', 'Expired', 'Finaled', 'Issued', or 'Hold'. Does not include any other milestone such as "Out of state Inspected Area", "Refunded", etc.

"Permits Completed" means the "Total Permits Issued" for the calendar year, this is the number of permits placed into 'Closed', 'Expired', 'Abandon', or 'Finaled' status .

"Permits Closed but Not Finaled" means of the "Permits Completed" for the year, this is the number of those permits placed by procedural policy into 'Closed', 'Expired', or 'Abandon' status .

"Final "Final" Insp." represents the number of inspections completed that calendar year that caused the permits to be placed into "Finaled" status or milestone. The permits were not necessarily issued that year.

"All other Insp." represents the number of inspections completed that calendar year that did not result in a ""Finaled" status or milestone. The permits were not necessarily issued that year.

"Total Inspections" represents the total (Finals and Others) number of inspections completed that calendar year. The permits were not necessarily issued that year.

Electrical Permits Issued Summary

Issued from 1/1/2024 to 4/1/2024

ELE Permit Type	New Structure or Existing and/or Other Assoc. Items	Number of Permits Issued	% of Permit Type	% of Total
Multi-Family Dwelling	Existing Building or Other Items	527	93.94%	2.03%
	New Building	34	6.06%	0.13%
	Total	561		2.17%
Non-Dwelling	Total	6,241		24.09%
One-Family Dwelling	Existing Dwelling or Other Items	13,817	88.16%	53.32%
	New Dwelling	1,855	11.84%	7.16%
	Total	15,672		60.48%
One-Family Home (Homeowner Issued Permit)	Existing Home or Other Items	1,560	87.15%	6.02%
	New Home	230	12.85%	0.89%
	Total	1,790		6.91%
Technology Systems	Total	245		0.95%
Transitory (Carnival, etc.)	Total	50		0.19%
Two-Family Dwelling	Existing Building or Other Items	121	84.03%	0.47%
	New Building	23	15.97%	0.09%
	Total	144		0.56%
Utility Load Management Device	New Device	91	7.53%	0.35%
	Replacement Device	1,117	92.47%	4.31%
	Total	1,208		4.66%
Total		25,911		

Total Active	Date Range Activity			Issued Permits	Aging of Expired Permits			
Current Count	IN Count	OUT Count	Net Change Count	< 12 Months Count	12-18 Months Count	18-36 Month Count	> 36 Months Count	> 12 Months Count
64,720	26,175	33,848	(7,673)	48,335	5,639	9,148	1,032	15,819
Percentage of Current Active Permits								
	40%	52%	-12%	75%	9%	14%	2%	24%

	<u># of Inspections Performed</u>	<u>Inspection Reports</u>	<u>AFBs</u>	<u>Refunds</u>	<u>License Checks</u>	<u>Violation Reports</u>
For Date Range:	47,336	5,442	5,419	1,487	266	0
Year to Date Total:	47,336	5,442	5,419	1,487	266	0

"Total Active": The total current active permits ("Issued", "Expired" or "Hold" status).

"Date Range Activity": The permits that were Issued and permits closed out and the net change for the selected date range.

"Issued Permits": Represents the number of permits that are currently less than 12 months old.

"Expired Permits": Permits for installations filed with inspection fees of \$250 or less are void 12 months from the original filing date regardless of whether the wiring is completed. Permits filed with inspection fees of \$250 or less are not refundable after 12 months from the original filing date. The authority to install electrical wiring associated with a specific permit is void at the time of a final inspection or expiration, whichever occurs first. The authority to inspect wiring covered by a permit continues until the installation is approved at a final inspection.

"Aging of Expired Permits": Represents the age of expired permits that are still active. This does not include any permits that have a value over \$250.

"For Date Range:" Represents the numbers in the respective columns during that date range. Violation reports are yet to be counted by this report.

"Year to Date Total:" Represents the numbers for the calendar year beginning January 1st.

"%": Represents the percentage compared to "Current".

"AFBs": Additional Fees for Billings (invoices for inspection fee shortages)

Electrical Permits Issued Summary

Issued from 1/1/2023 to 4/1/2023

ELE Permit Type	New Structure or Existing and/or Other Assoc. Items	Number of Permits Issued	% of Permit Type	% of Total
Multi-Family Dwelling	Existing Building or Other Items	482	91.63%	2.02%
	New Building	44	8.37%	0.18%
	Total	526		2.20%
Non-Dwelling	Total	5,746		24.08%
One-Family Dwelling	Existing Dwelling or Other Items	12,857	89.19%	53.88%
	New Dwelling	1,558	10.81%	6.53%
	Total	14,415		60.41%
One-Family Home (Homeowner Issued Permit)	Existing Home or Other Items	1,287	88.33%	5.39%
	New Home	170	11.67%	0.71%
	Total	1,457		6.11%
Technology Systems	Total	228		0.96%
Transitory (Carnival, etc.)	Total	29		0.12%
Two-Family Dwelling	Existing Building or Other Items	100	90.91%	0.42%
	New Building	10	9.09%	0.04%
	Total	110		0.46%
Utility Load Management Device	New Device	446	33.01%	1.87%
	Replacement Device	905	66.99%	3.79%
	Total	1,351		5.66%
Total		23,862		

Permit Type Type of Dwelling or Non-Dwelling	Permit Variant Dwelling New or Existing	Solar Systems Grouped by Size	No of permits	Percentage of Group
Multi-Family Dwelling			16	2.52% Of Total
	Existing Building or Other Items		12	75.00% of Type
		10K to 40K	8	66.67% of Variant
		40K to 1 meg	4	33.33% of Variant
	New Building		4	25.00% of Type
		10K to 40K	1	25.00% of Variant
40K to 1 meg		3	75.00% of Variant	
Non-Dwelling			88	13.86% Of Total
	Non-Dwelling		88	100.00% of Type
		1 Meg to 5 Meg	2	2.27% of Variant
		10K or <	14	15.91% of Variant
		10K to 40K	38	43.18% of Variant
		40K to 1 meg	32	36.36% of Variant
		Unknown	2	2.27% of Variant
		One-Family Dwelling		
Existing Dwelling or Other Items			476	92.97% of Type
	10K or <		285	59.87% of Variant
	10K to 40K		133	27.94% of Variant
	40K to 1 meg		4	0.84% of Variant
	Unknown		54	11.34% of Variant
New Dwelling			36	7.03% of Type
	10K or <		17	47.22% of Variant
	10K to 40K	19	52.78% of Variant	
One-Family Home (Permit Issued to Homeowners)			15	2.36% Of Total
	Existing Home or Other Items		9	60.00% of Type
		10K or <	2	22.22% of Variant
		10K to 40K	5	55.56% of Variant
		Unknown	2	22.22% of Variant
	New Home		6	40.00% of Type
10K or <		6	100.00% of Variant	

Solar Systems Grouped by Size	No of permits	% of Total
1 Meg to 5 Meg	2	0.31%
10K or <	328	51.65%
10K to 40K	204	32.13%
40K to 1 meg	43	6.77%
Unknown	58	9.13%
Total	635.00	
Solar Systems Grouped by Size	Watts	% of Total
1 Meg to 5 Meg	56,280,000	73.01%
10K or <	1,913,040	2.48%
10K to 40K	4,055,292	5.26%
40K to 1 meg	14,837,088	19.25%
Unknown	Unknown	
Total	77,085,420	
Average	133,597	

Two-Family Dwelling			4	0.63% Of Total
	Existing Building or Other Items		4	100.00% of Type
		10K or <	4	100.00% of Variant
Total			635	

Logan, Lyndy (DLI)

From: Logan, Lyndy (DLI)
Sent: Monday, March 18, 2024 2:01 PM
To: Logan, Lyndy (DLI)
Subject: RE: Department response regarding municipal electrical inspections

From: Hunter, Dean (DLI) <dean.hunter@state.mn.us>
Sent: Monday, March 18, 2024 12:04 PM
To: RAYMOND ZERAN <raymond@rayelectricmn.com>
Cc: Lebowski, Jeffrey F (DLI) <jeffrey.f.lebowski@state.mn.us>; Duane Hendricks <djh@eganco.com>
Subject: Re: Department response regarding municipal electrical inspections

Mr. Zeran,

Attached is the department response to the email that you sent January 30th and February 1st, 2024, regarding municipal inspection areas. Again, thank you for your correspondence. The Board of Electricity's next regular meeting is scheduled for 9:00 a.m. on April 9, 2024. If you wish to address the full board concerning any of the issues discussed in the attached document, then please submit a request to be heard and placed on the agenda by contacting Lyndy Logan at (651) 284-5912 or lyndy.logan@state.mn.us.

I have cc'd the Board of Electricity legal representative, Jeff Lebowski, and Board chair, Duane Hendricks.

Thank you,

Dean
Dean Hunter
 Chief Electrical Inspector

Minnesota Department of Labor and Industry
 443 Lafayette Road N., St. Paul, MN 55155
 Phone: Office (651) 284-5314 Cell (218) 770-1263 | Web: www.dli.mn.gov



Approval as a result of an inspection shall not be construed to be an approval of a hidden, concealed, undetected or other violation of the provisions of the code or of the laws and rules of the state. Electrical inspections only include readily accessible systems and components. Latent and concealed defects, deficiencies and violations are excluded from inspections.

If you are not the intended recipient of this message, or the person responsible for delivering it to the intended recipient, please notify the sender immediately by replying to this message. Destroy all copies of this message and any attachments.

From: RAYMOND ZERAN <raymond@rayelectricmn.com>
Sent: Thursday, February 1, 2024 1:52 PM
To: Hunter, Dean (DLI) <dean.hunter@state.mn.us>
Subject: Re: municipal electrical inspections

Mr. Dean Hunter,

The city of Maple Grove issued a homeowner permit to Thomas Fugate 763-439-3056 tdeanfugate@hotmail.com for 10280 Bayless Circle North, Maple Grove. Thomas in fact did not have ownership nor did he have a contract to obtain ownership as he claimed, He was in fact a straw man for a home investor named Dwayne Meier, 517 west river road, Champlin, MN (612) 750-7731. They never had the intention of occupancy as Thomas claimed but rather for them to make money on the sale by fraud. Dwayne perpetrated this fraud with several different straw men in several different homes. This is the only one I have first hand experience with. Maple Grove didn't do their due diligence. Maple Grove is not focused on finding gross violations like this, but rather will ask me to come back and install more screws in a box for support, when one 1/4" engineered screw that can easily hold 100 pounds is not enough for a 5 pound box.

The City of Bloomington. I was hired to install wiring for the "Bright Health" sign in Bloomington on the top of a tall building 8000 Norman Center Drive. The building engineer (Cushman Wakefield) and his buddy electrician who worked for Ben Franklin Electric, were upset for getting the work re-assigned away from them, then made the claim that the sign was not listed and labeled. This was a completely false accusation, the inspector immediately took their side in this matter and ordered a work stoppage, then started citing code that did not apply in this situation, thus created a delay in the project and ultimately after he realized he couldn't bully me off the job, they approved my work. I do not blame the Inspector for investigating but rather he started from the perspective that I was guilty of a violation. After that experience they made sure to go over every inspection very closely. They made corrections orders and I made the corrections on everything they ordered even items that were existing problems that I did not work on, the attitude that we are "out to get you" is still there. I have declined work in Bloomington because of their out to "get you attitude."

The City of St Paul on Thomas Ave apartment building (don't have the address in my records) with a property management company. In this case, the building management company contracted with some other electrical contractor to install electric heat throughout the building, abandoning the central boiler. The inspections properly flagged this project as a violation because the service was not large enough to support the load. I was consulted by the property management company to assess the situation. I informed the property manager that the service needed to be updated and upgraded. The property manager then yelled at me and told me I was unprofessional and stopped returning my calls. In researching this project I had a robust conversation with St Paul inspections about this violation. More than a year later I called about a different situation and I happened to ask about the Thomas Ave building, I was informed that they did not refer enforcement of the electrical contractor that was first involved to the state for disciplinary action for not making the corrections and did nothing to force the building owner to correct the same issue.

Of all the Cities that are responsible for so much work involved, they do not have a web portal to schedule inspections but rather require a voice conversation between the inspector and myself in a very small window morning window of operation, and don't leave a message because they will not call back. I have called several days in a row, to get an inspection schedule. One time, the inspector went on a week long vacation and didn't reset his voicemail to reflect this and didn't forward his phone number to someone else. Again when they have ordered corrections, I have made the corrections. They do not investigate the handyman, (every neighborhood has one), but then has a heavy hand on me, the contractor who got the permit that asks for an inspection. The permit application tab on the general city website is not there and you can only find it if you know how to navigate it. I think this is because they don't want homeowners to use the webform but rather want home owners to use a more difficult process of downloading a PDF and then delaying issuance of the permit. They have no portal for scheduling inspection. So I generally will say that St Paul is the most difficult metro city to navigate an electrical permit and get inspected. This is not a code grievance as it's just a lack of responsiveness to their duty. They do provide a hidden web portal for contractors to apply for an electrical permit, but no such option for inspections. They still collect the extra fee but don't provide the same level of website experience that the State does for handling permitting and inspections.

In conclusion, these grievances do not rise to the same level as the City of Rochester's but they all can certainly could do better. These four cities do have a common undelying protectionist attitude that is not focused on protecting the public but protecting their power and authority.

I really hesitate to name names in an email that may become public information.

Sincerely,

RZ

On Thu, Feb 1, 2024 at 8:08 AM Hunter, Dean (DLI) <dean.hunter@state.mn.us> wrote:

Hello Raymond,

Thanks for contacting the Board and the Department. I will put together a meeting to discuss these issues with the local municipalities. I have the alleged violations mentioned in your initial email regarding the Rochester municipal inspections, however, in that same email to the Board, you mention St. Paul, Maple Grove, and Bloomington. These cities have called me on occasion regarding code interpretation when the comment is made on a job site "that isn't the way the state enforces it". So, I feel like I need to know more about the specific interpretations that are different so I can address them.

In addition, I have no comment on the "call in" requirements required by the utility. As much as we think the procedure is flawed, it is outside of the NEC and our regulatory authority, as I mentioned on the phone. In my opinion, the utility can set policies in place for their system interconnection. Although some smaller utilities are not so rigid in what they allow the electrical contractors to do or don't do, interconnection to the utility in larger cities can be problematic when you have multiple electrical contractors, or homeowners asking for power. I do agree it can be cumbersome, but again, I feel that issue needs to be taken up with the utility involved and isn't for the Board to manage.

I will work to get these issues resolved, so please provide me a list of the code issues. After I receive the list, I will schedule a meeting.

Have a good day~

Dean

Dean Hunter

Chief Electrical Inspector

Minnesota Department of Labor and Industry

443 Lafayette Road N., St. Paul, MN 55155

Phone: Office (651) 284-5314 Cell (218) 770-1263 | Web: www.dli.mn.gov

 **DEPARTMENT OF
LABOR AND INDUSTRY**



From: RAYMOND ZERAN <raymond@rayelectricmn.com>

Sent: Thursday, February 1, 2024 7:31 AM

To: Duane Hendricks <djh@eganco.com>

Cc: Hunter, Dean (DLI) <dean.hunter@state.mn.us>; Logan, Lyndy (DLI) <lyndy.logan@state.mn.us>

Subject: Re: municipal electrical inspections

Mr. Hendricks,

Thank you for your response.

Dean and I have been in consistent contact on this issue with emails and phone calls. I do understand the limitations of the board's authority but bringing these issues into greater light can only result in a more transparent industry. I think the board could go on record by passing a resolution, although be it outside of its authority, that the "call in" process is flawed and not a needed cumbersome process that needs to be addressed by the utility companies.

The state is responsible for enforcement actions against contractors but if a municipal that is violating the law. The state not only has the right to step in, they have the responsibility to do so. A resolution stating this by the state board of electricity would give the state more direction and a stronger mandate to regulate municipals who are clearly violating the statutes by taking more liberties with the code and calling violations out that are not violations. This might not be criminal but is certainly a civil violation. I have taken on a State wide contract for electrical work and it's really important to me that the code is enforced the same across the state.

I thank you for your service and response to this matter.

Sincerely,

Raymond Zeran

On Wed, Jan 31, 2024 at 9:13 PM Duane Hendricks <djh@eganco.com> wrote:

Ray,

Thank you for sharing your concern.

Dean Hunter was on your original email and copied on this email. Dean's group would be the best place to start for a response/action due to the Board's lack of authority with this issue. Of course, you are always welcome to attend the next regular board meeting to discuss this matter further, if you wish.

Thank you and have a great day!

On Tue, Jan 30, 2024, 5:01 PM RAYMOND ZERAN <raymond@rayelectricmn.com> wrote:

Dear Dean Hunter and the State Board of Electricity,

Since becoming an electrical contractor in the State of Minnesota, I have made some observations and have found a pattern amongst municipal inspections in Minnesota and I would like to inform you about my experiences.

I have found that the state website for filing an application and for paying for the application to be far superior to any City run webs`ite. Each city has a different page and slogging through the different pages and the location of the tab as well as the locations of the history are all different and creates frustration at the least and a hardship at the most when navigating. The State system automatically identifies me as qualified whereas all the city run sites require

someone to look at the permit application and decide if they are going to issue the request for payment or not. The municipalities have the right and duty to check qualifications, but they do not update their systems unless they have an application. Just today, I received an email from the City of Brooklyn Center asking for me to upload a new contractor's license, I responded by asking them to go to the State website and download the entire database and make corrections to their information. They don't get to increase the fee schedule and do nothing more in return but create more administrative burden for my business.

What is more burdensome is when each city decides to enforce the NEC in their own way, that is not recognized by the State inspections. In particular, the city of Rochester cited me for needing to sleeve a #6 GEC going to a ground rod on the side of the house. This location is not recognized as a location needing protection from physical damage. The inspector also cited the Rochester Public Utility rules in his correction order, he does not have authority to order corrections for the Utility. He cited 804.1 that the rule requires using 3" aluminum conduit to be strong enough to hold up the overhead service point. When reading the RPU rule it says 2" iron galvanized or 3" aluminum must be used. Iron galvanized is not electrical conduit and manufacturers do not make a 3" hub that attaches to a 100 amp meter main. Their rules are clearly missing context. This section also references needing to comply with 803.1. Which requires compliance with the NEC. These are conflicting and circular rules..

I maintain that article 230 does not specify the size or material of the conduit only that it has sufficient strength. I installed 2" rigid aluminum conduit. This satisfies the NEC requirement.

When walking down the job with the city inspector, he said I would have to remove the nm connectors from the top of my load center and install the metal two set screw type connectors. I pushed back on this, the connectors are UL listed and labeled for the application. "You can't require me to remove them just because you don't like them." He did not cite this in his report.

I believe this is a local protectionist attitude that needs to be addressed. I have an agreement with Kohler Services to support the state wide sales of their hydrotherapy walk in bathtubs. I need the certainty that every jurisdiction in the State of Minnesota is enforcing the NEC the same way. There are other jurisdictions that enforce rules differently from the state are Bloomington, St Paul and Maple Grove.

Rochester and Minneapolis are both "call in Cities." This means that once the permit is issued on a service update the utility refuses to re-energize the service until the electrical inspector has had a chance to inspect it. This is done with public safety in mind but you already have an electrical permit issued to an electrical contractor that has proven qualifications. The Utility does not trust the electrician to do it right. So this is how I deal with it. I get the permit issued and send the permit in an email to Xcel and ask for a disconnect reconnect date. Then we schedule the inspection on the same day, Many times the inspector shows up before the work is done. But if we don't schedule it the homeowner will be without power until this is done. (In Rochester the electrical inspector decided to not show up and inspect, then unannounced showed up the next day) This "Call in Rule" needs to go away. This creates an onerous situation that keeps contractors from being able to upgrade and fix electrical services on the customer's time frame. Xcel claims this is a City of Minneapolis rule, but I know better it's their rule.

In conclusion, I would recommend a conference with the municipal inspections and remind them of their obligations. The State board of electricity has the right and responsibility to remove municipal inspection if the cities are violating the law themselves.

I also ask the State Board of electricity to study the "Call in Rule" and take a position through a resolution to end this practice. This rule does not make anyone any safer and makes the already congested inspection schedules even more congested. And leaves customers with uncertainty when the power goes out during storm damage as to when the power will be restored to their home. Just to be clear, I want inspections to happen, but allow the contractor to schedule this after the work is completed and the power is restored. We can provide pictures of the connections inside the meter sockets so this does not have to be reopened for inspection.

Raymond Zeran owner
Raymond Electric LLC EA775029
612-564-5324
FB handle @rayelectricmn
www.rayelectricmn.com

March 3, 2024

Raymond Zeran
Raymond Electric LLC
2689 130th Circle NW
Coon Rapids, MN 55448
Via email only: raymond@rayelectricmn.com

RE: January 30, 2024, correspondence

Dear Mr. Zeran:

Thank you for your January 30, 2024, correspondence submitted to the Board of Electricity and myself. Your correspondence outlines many issues you have had with several municipalities regarding uniform electrical code enforcement. I have discussed your concerns with the Board of Electricity's Duane Hendricks, and we agreed that the concerns you raise are outside of the Board's jurisdiction and authority. Therefore, Chair Hendricks has requested that the Department respond to your concerns directly.

On behalf of the Department and the Board, I will address the circumstances identified in your correspondence and the actions that were taken by the Department, if any, concluding with a summation of the Department's role moving forward.

Actions:

Sleeving of the 6 AWG Grounding Electrode Conductor:

NEC 250.64(B)(1) Not Exposed to Physical Damage.

A 6 AWG or larger copper, copper-clad aluminum, or aluminum grounding electrode conductor not exposed to physical damage shall be permitted to be run along the surface of the building construction without metal covering or protection.

Comment: The position of Rochester's inspection staff is that #6 AWG grounding electrode conductor installed on the exterior of a building is subject to physical damage and therefore requires protection. The Department's position is that "subject to physical damage" is a subjective call and is up to the discretion of the authority having jurisdiction ("AHJ") and should depend on the facts and specifics of the installation involved.

2" Iron/galvanized vs. a 3" Aluminum service mast:

NEC 230.28 Service Masts as Supports.

(A) Strength.

The service mast shall be of adequate strength or be supported by braces or guy wires to withstand safely the strain imposed by the service-drop or overhead service conductors. Hubs intended for use with a conduit that serves as a service mast shall be identified for use with service-entrance equipment.

Comment: The Rochester inspection team cited that installers need to have a 2" rigid or 3" aluminum conduit for an overhead mast based on a Rochester Public Utility policy. The NEC requires the service mast to be of adequate strength. Again, this requirement for a larger size conduit to meet the NEC would be subjective and dependent upon the particular facts of the installation. In determining the adequate strength of the conduit, it would be determined by the overhead conductor length and size. However, many utilities have requirements for the mast conduit size and treat those requirements as a condition to receive electrical service. The inspector should direct the installer to contact the local utility for resolution of the issue if their requirements are above the NEC required minimum standard.

Romex connector violation:

NEC 312.5 Cabinets, Cutout Boxes, and Meter Socket Enclosures.

Cable assemblies and insulated conductors entering enclosures within the scope of this article shall be protected from abrasion and shall comply with 312.5(A) through (C).

(C) Cables.

Where cable is used, each cable shall be secured to the cabinet, cutout box, or meter socket enclosure.

Comment: The city inspection team noted the violation because the connector being used didn't secure the cable to the enclosure. It was mentioned that the cable connector could have possibly been compromised prior to the cable installation. The Department agrees with the requirement as noted.

General Uniformity in Enforcement of Code Requirements:

A meeting with the electrical authorities in the cities of St. Paul, Bloomington, and Maple Grove was conducted to follow up on your comment "there are other jurisdictions that enforce rules differently". When I asked about the specific compliance problems in these cities, you responded with licensing compliance matters, and a sign listing issue. When I met with these city officials we discussed the ways the Department can assist with licensing compliance and NEC code interpretations. These cities have used our licensing and enforcement teams for licensing and code compliance in the past and will continue to do so. In addition, the city officials agreed that code enforcement between the state and municipal inspection areas are as good as they can be and when issues arise they know they can contact the Department.

Municipal Inspections Areas:

The Board has no authority over whether a municipality can perform electrical inspections or not. **Minnesota Statutes, section 326B.36, subdivision 6 (Powers of political subdivisions)** states that "any political subdivision or the University of Minnesota may make provision for inspection of electrical

installations within its jurisdiction, in which case it shall keep on file with the commissioner copies of its current inspection ordinances and codes.” The statutes are changed through the legislative process, not through Board action.

Call Line:

Neither the Board of Electricity nor the Department have authority over the “call line”. As much as we think the procedure is flawed, it is outside of the NEC and our regulatory authority. The utilities can set policies in place to monitor and organize their system interconnections. Although some smaller utilities are not so rigid in what they allow the electrical contractors to do or don’t do, because of sheer volume interconnection to the utility in larger cities can be problematic. I do agree it can be cumbersome, but again, I feel that issue needs to be taken up with the utility involved and isn’t for the Board or Department to manage.

Conclusion:

In summary, the Department is always striving to provide excellent customer service for both our contractors and homeowners, and I believe our municipal inspection authorities are providing the best service possible. That being said, we will continue to work hard to ensure public safety and recognize the challenges faced for all our contractors. As such, the Department will continue to provide support to any jurisdiction that requests assistance.

Again, thank you for your correspondence. The Board of Electricity’s next regular meeting is scheduled for 9:00 a.m. on April 9, 2024. If you wish to address the full board concerning any of the issues discussed above, then please submit a request to be heard and placed on the agenda by contacting Lyndy Logan at (651) 284-5912 or lyndy.logan@state.mn.us.

In safety,



Dean Hunter
Manager, CCLD Electrical Inspections

Cc: MN Board of Electricity
Todd Green, Director (CCLD)
Lyndy Logan, Administrative Assistant