



## **DATA PRACTICES POLICY**

### **A.25a - Guide for Members of the Public Requesting Information**

This document is required by Minnesota Statutes, section 13.025, subdivision 2.

## **Right to Access Public Data**

The Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, CD-ROMs, photographs, etc.

The Data Practices Act also provides that Elk River Municipal Utilities must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

## **How to Make a Data Request**

To look at data or request copies of data that Elk River Municipal Utilities keeps, make a written request. Make your written request for data to the appropriate individual listed in the Data Practices Contacts document on page 4. You may make your written request for data by fax, mail, email, or in person, using the data request form on page 6.

If you choose not to use the data request form, your written request should include:

- that you, as a member of the public, are making a request for data under the Data Practices Act, Minnesota Statutes, Chapter 13;
- whether you would like to look at the data, get copies of the data, or both; and
- a clear description of the data you would like to inspect or have copied.

Elk River Municipal Utilities cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

## **How We Respond to a Data Request**

Upon receiving your written request, we will work to process it.

- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you in writing as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
  - arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
  - provide you with copies of the data as soon as reasonably possible. You may

choose to pick up your copies, or we will mail or fax them to you. If you want us to send you the copies, you will need to provide us with an address or fax number. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format. Information about copy charges is on page 5. We also will arrange for your to pre-pay for the copies.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request.) If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, the Data Practices Act does not require us to answer questions that are not requests for data.

### **Requests for Summary Data**

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. Elk River Municipal Utilities will prepare summary data if you make your request in writing and pre-pay for the cost of creating the data. Upon receiving your written request (you may use the data request form on page 6) we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

## **Data Practices Contacts**

### **Responsible Authority**

Mark Hanson, General Manager  
13069 Orono Parkway  
P.O. Box 430  
Elk River, MN 55330  
763.441.2020  
Fax: 763.441.8099  
Email: [mhanson@ermumn.com](mailto:mhanson@ermumn.com)

### **Data Practices Compliance Official**

Tony Mauren, Governance & Communications Manager  
13069 Orono Parkway  
P.O. Box 430  
Elk River, MN 55330  
763.441.2020  
Fax: 763.441.8099  
Email: [tmauren@ermumn.com](mailto:tmauren@ermumn.com)

### **Data Practices Designees**

Customer Service Department – Sara Youngs, Administrations Director  
Conservation and Key Accounts – Sara Youngs, Administrations Director  
Electric Department – Chris Sumstad, Electric Superintendent  
Engineering Department – Chris Kerzman, Engineering Manager  
Finance Department – Melissa Karpinski, Finance Manager  
Technical Services Department – Mike Tietz, Technical Services Superintendent  
Water Department – Dave Ninow, Water Superintendent

## **Copy Costs – Members of the Public**

Elk River Municipal Utilities charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

You must pay for the copies before we will give them to you.

### **For 100 or Fewer Paper Copies – 25 Cents per Page**

100 or fewer pages of black and white, letter or legal size paper copies cost 25¢ for a one-sided copy, or 50¢ for a two-sided copy.

### **Most Other Types of Copies – Actual Cost**

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data and making the copies.

In determining the actual cost of making paper or electronic copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to search for data, retrieve data, and make copies is set annually in the Elk River Municipal Utilities Fee Schedule. If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.



<b>REQUESTER NAME (LAST, FIRST, M):</b>	<b>DATE OF REQUEST:</b>
<b>STREET ADDRESS:</b>	<b>PREFERRED METHOD OF CONTACT:</b> <input type="checkbox"/> PHONE <input type="checkbox"/> MAIL <input type="checkbox"/> EMAIL <input type="checkbox"/> FAX
<b>CITY, STATE, ZIP CODE:</b>	<b>PHONE NUMBER:</b>
<b>SIGNATURE:</b>	<b>FAX NUMBER:</b>
	<b>EMAIL:</b>
<i>Note: Elk River Municipal Utilities cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request, we may need some information about you. Please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.</i>	
<b>DESCRIPTION OF THE INFORMATION REQUESTED</b> - please describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form or attach additional sheets:	

<b>DEPARTMENT NAME:</b>	<b>HANDLED BY:</b>
<b>INFORMATION CLASSIFIED AS:</b> <input type="checkbox"/> Public <input type="checkbox"/> Non-Public <input type="checkbox"/> Private <input type="checkbox"/> Protected Non-Public <input type="checkbox"/> Confidential	<b>ACTION:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Approved in Part (explain below) <input type="checkbox"/> Denied (explain – include statute)
<b>REMARKS OR BASIS FOR DENIAL, INCLUDING STATE STATUTE:</b>	
<i>Note: According to MS § 13-03, subd. 3, authorizes us to charge fees to recover costs to provide copies of data, including costs associated with searching, compiling, copying, mailing, or otherwise transmitting data. Prepayment is required prior to receiving copies of data. We do not charge for inspection of data or for separating not public data from public data.</i>	
<b>COPY CHARGES:</b>  <input type="checkbox"/> None  <input type="checkbox"/> ____ Pages x .25¢ per page (per side) = \$_____  <input type="checkbox"/> Employee Time (only charge if over 100 pg) = \$_____ (15 min minimum)  <input type="checkbox"/> Other Charges: _____ = \$_____  <input type="checkbox"/> Special Rate: (attach explanation) = \$_____  <div style="text-align: right;"><b>Total Charges: \$_____</b></div>	<b>IDENTITY VERIFIED FOR PRIVATE INFORMATION:</b>  <input type="checkbox"/> Identification: Driver's License, State ID, Etc.  <input type="checkbox"/> Comparison with Signature on File  <input type="checkbox"/> Personal Knowledge  <input type="checkbox"/> Other: _____
<b>AUTHORIZED SIGNATURE:</b>	<b>DATE:</b>