



**MOORHEAD PUBLIC SERVICE**

**DATA PRACTICES POLICY FOR  
MEMBERS OF THE PUBLIC**

## **Your Right to See and Access Public Data**

The Minnesota Government 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 means all recorded information a government entity has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

The Government Data Practices Act also provides that this government entity 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 Government 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 Request Public Data**

You can ask to look at (inspect) data at our offices, or ask for copies of public data that we keep. Data requests must be in writing, and must be mailed or emailed to MPS's Data Practices Compliance Official ("DPCO") or another appropriate designee listed in the Data Practices Contacts on page 3. If you have any questions about making a data request, contact our DPCO.

We recommend using the sample **Data Request Form** on page 5. If you do not use the data request form, your request should:

- Say that you are making a request for public data under the Government Data Practices Act (Minnesota Statutes, Chapter 13).
- Include whether you would like to inspect the data, have copies of the data, or both.
- Provide a clear description of the data you would like to inspect or have copied.

You are not required to identify yourself or explain the reason for your data request. However, you may need to provide us with some personal information for practical reasons (for example: if you want us to mail copies to you, you need to provide us with an address or P.O. Box). If we do not understand your request and have no way to contact you, we cannot respond to your request.

## **How We Will Respond to Your Data Request**

Upon receiving your data request, we will review it and work to process it.

- We may ask you to clarify what data you are requesting.
- If we do not have the data, we will notify you in writing as soon as reasonably possible.
- If we have the data, but we are not allowed under the governing law to give it to you, we will notify you in writing as soon as reasonably possible and identify the specific law that prevents us from providing you with the data.
- 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 for you to inspect data at our offices, without charge, if your request is to look at/inspect the data, or
  - Tell you the amount you owe for copy costs, and then provide you with copies of the data as soon as reasonably possible after you pay for them. You may choose to pick up your copies, or we will mail or email them to you. We will provide electronic copies (such as

email or CD-ROM) upon request, if we keep the data in that format and we can reasonably make a copy.

Information about copy charges is on page 4.

We also will arrange for you to prepay for the copies.

- Response time may be impacted by the size and/or complexity of your request, and also by the number of requests you make in a given period of time.
- If you do not arrange to inspect the data or pay for the copies within 15 business days after we tell you the data are ready, we will conclude that you no longer want the data and will consider your request closed.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please tell the person who provided the data to you. 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, 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.

We are also not required to respond to questions that are not about your data requests, or requests for government data.

### **Requests for Summary Data**

Summary data are statistical records or reports created by removing identifying information about individuals from entirely private or confidential data. We will create summary data if you request it in writing and pre-pay for the cost of creating the data.

You may use the Data Request Form on page 5 to request summary data. We will respond to your request within ten business days with the data or details of when the data will be ready and how much we will charge you.

## **Data Practices Contacts**

### **Responsible Authority**

Travis Schmidt, General Manager  
500 Center Avenue, Second Floor  
P.O. Box 779  
Moorhead, MN 56561-0779  
Tel: 218-477-8084  
Fax: 218-477-8020  
Email: [tschmidt@mpsutility.com](mailto:tschmidt@mpsutility.com)

### **Data Practices Compliance Official**

Human Resources  
500 Center Avenue, Second Floor  
P.O. Box 779  
Moorhead, MN 56561-0779  
Email: [records@mpsutility.com](mailto:records@mpsutility.com)

## Copy Costs – When You Request Public Data

This government entity 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.

We do not charge for copies if the cost is less than \$5.

- **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 or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we will include 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 copy or 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 (hourly rate) to search for data, retrieve data, and make copies will be calculated based on the wages/salary (may include benefits) of the lowest-paid entity employee who could complete the task.

Notwithstanding the foregoing, 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.

If possible, and upon request, we will provide you with an estimation of the total cost of supplying copies.

# Data Request Form

## A. To be Completed by Requester (optional for the sole purpose of facilitating access to data)

Requester Name (Last, First, M.):

Phone Number:

Street Address:

Fax Number:

City, State, Zip Code:

Email Address:

Signature:

Date of Request:

*Note: According to Minn. Stat. § 13.05, subd. 12, persons are not required to identify themselves, or state a reason for, or justify a request for public data.*

### I am requesting access to data in the following way:

Inspection Copies

Copies

Both inspection and copies

*Note: Minn. Stat. § 13.03 and 13.04 authorize MPS to charge fees to recover costs to provide copies of data. Prepayment is required. There is no charge for inspection or for separating not public data from public data. MPS may charge the actual cost for searching and retrieving data, except for requests made by data subjects.*

*Note: MPS will respond within a reasonable time for all requests, except for requests by data subjects, which shall be responded to within 10 business days of the date of the request.*

Description of the Data Requested (attach additional pages if needed):

## B. To be Completed by MPS

Handled by (Name): \_\_\_\_\_

Copying Charges (Minn. Stat. §§ 13.03 and 13.04):

None

Members of the Public (100 or fewer copies):

\_\_\_\_\_ Pages x \$.25 per Black/White Page = \_\_\_\_\_

Members of the Public (more than 100 copies) and Data subjects:

Employee time: \$\_\_\_\_/hr x \_\_\_\_\_ Hours = \_\_\_\_\_

\_\_\_\_\_ Pages x \$\_\_\_\_ per Black/White Page = \_\_\_\_\_

Other Charges (e.g. CDs, postage): \_\_\_\_\_ = \_\_\_\_\_

Total Charges = \_\_\_\_\_

Proof of Identity Verified of Requester of Private Data as the Data Subject:

Valid Identification: Driver's License, State ID, Military ID, Passport, Etc.

Comparison with Signature on File

Personal Knowledge

Informed Consent form signed by data subject in person

Other: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_