

## Logan, Lyndy (DLI)

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

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**From:** Hunter, Dean (DLI) <[dean.hunter@state.mn.us](mailto:dean.hunter@state.mn.us)>  
**Sent:** Monday, March 18, 2024 12:04 PM  
**To:** RAYMOND ZERAN <[raymond@rayelectricmn.com](mailto:raymond@rayelectricmn.com)>  
**Cc:** Lebowski, Jeffrey F (DLI) <[jeffrey.f.lebowski@state.mn.us](mailto:jeffrey.f.lebowski@state.mn.us)>; Duane Hendricks <[djh@eganco.com](mailto: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 30<sup>th</sup> and February 1<sup>st</sup>, 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](mailto: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](http://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.

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**From:** RAYMOND ZERAN <[raymond@rayelectricmn.com](mailto:raymond@rayelectricmn.com)>  
**Sent:** Thursday, February 1, 2024 1:52 PM  
**To:** Hunter, Dean (DLI) <[dean.hunter@state.mn.us](mailto: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](mailto: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](mailto: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](http://www.dli.mn.gov)

 **DEPARTMENT OF  
LABOR AND INDUSTRY**



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**From:** RAYMOND ZERAN <[raymond@rayelectricmn.com](mailto:raymond@rayelectricmn.com)>

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

**To:** Duane Hendricks <[djh@eganco.com](mailto:djh@eganco.com)>

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

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