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South Dakota Public Utilities Commission Meeting

April 30, 2014, at 9:30 A.M. CDT

Room 413, Capitol Building

Pierre, South Dakota

NOTE: If you wish to join this meeting by conference call, please contact the Commission at 605-773-3201 by 5:00 p.m. CDT on Tuesday, April 29, 2014. Lines are limited and are given out on a first come, first served basis, subject to possible reassignment to accommodate persons who must appear in a proceeding. Ultimately, if you wish to participate in the Commission Meeting and a line is not available, you may have to appear in person.

NOTE: To listen to the Commission Meeting live please go to the PUC's website www.puc.sd.gov and click on the LIVE link on the home page. The Commission requests persons who will only be listening to proceedings and not actively appearing in a case listen via the web cast to free phone lines for those who have to appear. The Commission meetings are archived on the PUC's website under the Commission Actions tab, Click on "Commission Meeting Archives," to access the recordings.

NOTE: Notice is further given to persons with disabilities that this Commission meeting is being held in a physically accessible place. If you have special needs, please notify the Commission and we will make all necessary arrangements.

AGENDA OF COMMISSION MEETING

Consumer Reports

1. **Status Report on Consumer Utility Inquiries and Complaints Received by the Commission (Consumer Affairs: Deb Gregg)**

Electric

1. **EL13-028 In the Matter of the Application of Montana-Dakota Utilities Co. and Otter Tail Power Company for a Permit to Construct the Big Stone South to Ellendale 345 kV Transmission Line (Staff Analysts: Brian Rounds, Darren Kearney; Staff Attorney: Karen Cremer)**

On August 23, 2013, Montana-Dakota Utilities Co., a division of MDU Resources, and Otter Tail Power Company filed an application for a permit to construct a 345 kV transmission line of approximately 150 to 160 miles in Brown, Day, and Grant counties to the Big Stone South Substation in Grant County, South Dakota, near Big Stone City. On October 18, 2013, an Application for Party Status was filed by Gerald Pesall. On November 6, 2013, the Commission issued an Order Granting Intervention and Party Status to Gerald Pesall. On January 27, 2014, Applicants filed a First Amendment to Application (Amendment). Due to Applicants having made some route changes in certain areas of the Project which will result in some additional landowners coming within the half-mile Project corridor, Applicants have served notice on such landowners and the Commission has scheduled an additional public input hearing on May 20, 2014, at Aberdeen, S.D. An intervention deadline of April 16, 2014, was set. On April 14, 2014, an Applications for Party Status were filed by James R. McKane III, Clark T. Olson, Schuring Farms, Inc., Bradley R. Morehouse, and Kevin Andersen.

TODAY, shall the Commission grant intervention to any party that may have filed?

2. **EL13-035 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Bon Homme Yankton Electric Association, Inc. and Clay-Union Electric Cooperative, Inc. (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)**

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On November 15, 2013, Commission Staff filed an Electric Service Territory Boundary Agreement between Bon Homme Yankton Electric Association, Inc. and Clay-Union Electric Cooperative, Inc. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

3. EL14-004 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Beresford Municipal Electric and MidAmerican Energy Company (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On January 8, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Beresford Municipal Electric and MidAmerican Energy Company. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

4. EL14-030 In the Matter of the Petition of MidAmerican Energy Company for Extension of Test Period (Staff Analyst: Brittany Mehlhaff; Staff Attorney: Kristen Edwards)

On April 3, 2014, the Commission received a Petition for Extension of Test Period from MidAmerican Energy Company (MidAmerican) requesting extension of time beyond test period to file an application for increase in its electric rates. MidAmerican requests to be allowed to file a general rate increase application in early August 2014, based on a 2013 calendar year test period. ARSD 20:10:13:44 requires the use of a test period consisting of 12 months of actual experience ending no earlier than six months before the date of filing unless good cause for extension is shown.

TODAY, shall the Commission approve the Petition for Extension of a Test Period?

Gas & Electric

1. GE14-001 In the Matter of the Filing by MidAmerican Energy Company for the Approval of Its Reconciliation for 2013 and its Proposed Energy Efficiency Plan for 2014 (Staff Analyst: Darren Kearney; Staff Attorney: Karen Cremer)

On February 27, 2014, the Commission received a filing from MidAmerican Energy Company (MidAmerican) that included its 2013 Energy Efficiency Annual Report, the reconciliation for the 2013 Energy Efficiency Cost Recovery Factor for the 2013 calendar year, and MidAmerican's 2014 Energy Efficiency Plan Update. MidAmerican requested approval of modifications to its 2014 Energy Efficiency Plan and Energy Efficiency Cost Recovery Rider, which includes 2013 reconciliation amounts, the 2013 performance incentive and 2014 budget amounts. On April 15, 2014, the Commission considered the matter and deferred action at that time. On April 17, 2014, a letter from Commissioner Nelson to MidAmerican requesting additional information was filed with the Commission.

TODAY, shall the Commission approve the 2013 reconciliation amounts and the 2013

performance incentive? AND, shall the Commission approve the requested modifications to the 2014 Energy Efficiency Plan? AND, shall the Commission approve the resulting changes to the Energy Efficiency Cost Recovery Rider tariff sheets?

Natural Gas

1. NG14-001 In the Matter of the Filing by NorthWestern Corporation dba NorthWestern Energy for Approval of Its 2014 Economic Development Proposed Budget and 2013 Economic Development Expenses (Staff Analyst: Eric Paulson; Staff Attorney: Kristen Edwards)

On March 31, 2014, the Commission received an application from NorthWestern Corporation dba NorthWestern Energy (NorthWestern) requesting approval of its 2014 Economic Development Proposed Budget and 2013 Economic Development Expenses. On April 9, 2014, NorthWestern responded to staff's data request.

TODAY, shall the Commission approve NorthWestern's 2013 economic development report and 2014 economic development budget?

2. NG14-002 In the Matter of the Petition of MidAmerican Energy Company for Extension of Test Period (Staff Analyst: Brittany Mehlhaff; Staff Attorney: Kristen Edwards)

On April 3, 2014, the Commission received a Petition for Extension of Test Period from MidAmerican Energy Company (MidAmerican) requesting extension of time beyond test period to file an application for increase in its natural gas rates. MidAmerican requests to be allowed to file a general rate increase application in early August 2014, based on a 2013 calendar year test period. ARSD 20:10:13:44 requires the use of a test period consisting of 12 months of actual experience ending no earlier than six months before the date of filing unless good cause for extension is shown.

TODAY, shall the Commission approve the Petition for Extension of a Test Period?

Telecommunications

1. TC11-087 In the Matter of the Application of Native American Telecom, LLC for a Certificate of Authority to Provide Interexchange Telecommunications Services and Local Exchange Services in South Dakota (Staff Analyst: Patrick Steffensen; Staff Attorney: Karen Cremer)

On October 11, 2011, Native American Telecom, LLC (NAT) filed an application for a certificate of authority to provide local exchange and interexchange service within the study area of Midstate Communications, Inc. NAT stated that it is a tribally-owned full service telecommunications carrier operating on the Crow Creek Sioux Tribe Indian Reservation pursuant to an Order Granting Approval to Provide Telecommunications Service by the Crow Creek Sioux Tribe Crow Creek Utility Authority dated October 28, 2008. NAT seeks to expand its authority to include areas within Midstate's study area off of the Crow Creek reservation. On January 27, 2012, NAT filed a revised Application for Certificate of Authority. In its revised application, NAT stated that it seeks to provide local exchange and interexchange service within the Crow Creek Sioux Tribe Reservation which is within the study area of Midstate. On June 3, 2013, NAT filed an Amended Application for Certificate of Authority. A hearing on this matter was held on February 24 and 25, 2014. On April 4, 2014, Sprint filed a Motion Regarding Late Filed Exhibits. Post-hearing briefs were filed by NAT, Sprint, Midstate and SDTA, and Commission Staff. On April 21, 2014, Sprint filed a Motion to Strike NAT's Post-Hearing Reply Memorandum and for Sanctions. On April 23, 2014, NAT filed an Opposition to Sprint's Motion to Strike and for Sanctions.

TODAY, shall the Commission grant Sprint's Motion Regarding Late Filed Exhibits? AND, shall the Commission grant Sprint's Motion to Strike NAT's Post-Hearing Reply Memorandum and for Sanctions?

2. TC14-008 In the Matter of the Request for a Declaratory Ruling by SNET America, Inc. regarding Specifying What the Company Must do to Address the De Minimus Provision of Intrastate Long Distance Service Without a Certificate of Authority (Staff Analyst: Brian Rounds; Staff Attorney: Kristen Edwards)

On March 27, 2014, SNET America, Inc. (SAI) filed a request for declaratory ruling. SAI offers interexchange services to both residential and business customers through post-paid calling cards and intends to discontinue the calling card service in May of 2014. In its request, SAI states it has never obtained a Certificate of Authority from the Commission but received a small amount of revenue as a result of interexchange services it provided its customers in South Dakota between 2007 and 2010. SAI requests a declaratory ruling, "specifying what the company must do to address the de minimus provision of intrastate long distance service without a certificate of authority".

TODAY, how shall the Commission rule?

Items for Commission Discussion

Announcements

1. Commissioners will attend the Heartland Electricity Dialog, April 24-25, 2014, at the Kellogg School of Management, Wieboldt Hall, Northwestern University, Chicago, Ill.
2. The next regularly scheduled commission meeting will be Tuesday, May 13, 2014, at 9:30 a.m. CDT in Room 413 at the State Capitol Building, Pierre, S.D.
3. A public input hearing for docket [EL13-028](#) will be held Tuesday, May 20, 2014, at 6:30 p.m. CDT in Meeting Rooms D & H at the Ramada Conference Center, Aberdeen, S.D.
4. Commission meetings are scheduled for May 27 and June 10, 2014.

/s/Cindy Kemnitz

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April 23, 2014