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South Dakota Public Utilities Commission Meeting
September 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 Monday, September 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

Administration

1. Approval of the Minutes of the Commission Meeting Held on September 16, 2014 (Staff: Joy Lashley)

Consumer Reports

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

Electric

1. **EL14-077 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Niobrara Electric Association and Black Hills Power (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)**

On August 25, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Niobrara Electric Association and Black Hills Power. 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?

2. **EL14-079 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Northern Electric Cooperative, Inc. and Hecla Municipal**

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Electric (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On August 27, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Northern Electric Cooperative, Inc. and Hecla Municipal Electric. 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. EL14-081 In the Matter of the Joint Request for an Electric Service Territory Boundary Change between Northern States Power Company dba Xcel Energy and Southeastern Electric Cooperative Inc. (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On August 29, 2014, the Commission received a Joint Request for an Electric Service Territory Boundary Change between Northern States Power Company dba Xcel Energy (Xcel) and Southeastern Electric Cooperative, Inc. (Southeastern). This agreement seeks to modify an existing service territory boundary in Section 8 of T100N, R49W in Lincoln County, South Dakota in southeastern Sioux Falls. The propose change follows platted lot lines that will undergo development in the future.

TODAY, shall the Commission Approve the Joint Request for an Electric Service Territory Boundary Change?

Hydrocarbon Pipeline**1. HP14-001 In the Matter of the Petition of TransCanada Keystone Pipeline, LP for Order Accepting Certification of Permit Issued in Docket HP09-001 to Construct the Keystone XL Pipeline (Staff Analysts: Brian Rounds and Darren Kearney; Staff Attorney: Kristen Edwards)**

On September 15, 2014, the Commission received a filing from TransCanada Keystone Pipeline, LP (TransCanada) seeking an order accepting certification of the permit issued in HP09-001. The Commission issued an Amended Final Decision and Order granting a permit to TransCanada on June 29, 2010. On March 31, 2009, the Commission issued an order in HP09-001 assessing a filing fee not to exceed \$660,700. The remaining balance is approximately \$429,930. Because it has been at least four years since the permit was issued, TransCanada now seeks an order accepting certification, per SDCL 49-41B-27.

TODAY, shall the Commission issue an order extending the filing fee ordered in HP09-001 to account for actual expenses incurred in the processing of HP14-001? OR, how shall the Commission proceed?

Natural Gas**1. NG14-006 In the Matter of the Filing by NorthWestern Corporation dba NorthWestern Energy for Approval of its Tariff Revisions (Staff Analyst: Eric Paulson; Staff Attorney: Karen Cremer)**

On August 28, 2014, the Commission received a filing from NorthWestern Corporation dba NorthWestern Energy (NorthWestern). This filing proposes to update Sheet No. 6.2 in Section No. 5 of NorthWestern's filed natural gas tariff. NorthWestern's tariff provides that the Fuel Retention Percentage is to be updated annually and be effective October 1 each year. NorthWestern also proposes to update the fuel rate for customers with an average daily therm usage greater than 30,000. NorthWestern states that customers who fit this high usage criterion are primarily direct

connect customers whose gas system is not subject to the normal losses in a distribution system. NorthWestern seeks an effective date of October 1, 2014.

TODAY, shall the Commission approve the proposed tariff revisions?

Telecommunications

1. TC11-069 In the Matter of the Filing by South Dakota Network, LLC for an Extension of an Exemption from Developing Company Specific Cost-Based Switched Access Rates (Staff Analyst: Brian Rounds; Staff Attorney: Karen Cremer)

On June 7, 2011, South Dakota Network, LLC (SDN) filed an application for waiver of the requirement to file a switched access cost study as required by Commission rule ARSD 20:10:27:07. SDN requests the waiver of the cost study requirement because of the costs and resources involved in producing a study and indicated that a preliminary analysis indicates that a cost study would support higher rates. On July 12, 2011, Sprint Communications Company LP, AT&T Communications of the Midwest, Inc., and MCI Communication Services Inc. dba Verizon Business Services were granted intervention. On September 13, 2013, Sprint filed a Motion to Withdraw, which was granted by the Commission on September 24, 2013. On August 25, 2014, SDN filed a Stipulation stating the remaining Intervenors do not object to granting approval of SDN's Application to grant the waiver of the requirement to file a switched access cost study.

TODAY, shall the Commission grant South Dakota Network, LLC's request for a waiver, pursuant to ARSD 20:10:27:02, of the requirement to perform a switched access cost study?

2. TC14-072 In the Matter of the Application of New Horizons Communications Corp. for a Certificate of Authority to Provide Local Exchange Services in South Dakota (Staff Analyst: Eric Paulson; Staff Attorney: Karen Cremer)

On July 9, 2014, the Commission received a filing from New Horizons Communications Corp. (New Horizons) requesting a Certificate of Authority to Provide Local Exchange Services. On August 11, August 20 and September 8, 2014, New Horizons responded to staff's data requests. On August 25, 2014, New Horizons submitted revised pages 3 and 8 of the application.

TODAY, shall the Commission grant New Horizons Communications Corp.'s request for a Certificate of Authority to Provide Local Exchange Services in South Dakota?

3. TC14-076 In the Matter of the Filing by Native American Telecom, LLC for Approval of its Access Service Tariff No. 2 (Staff Analyst: Robin Meyerink; Staff Attorney: Karen Cremer)

On July 24, 2014, Native American Telecom, LLC (NAT) filed its initial South Dakota Tariff No. 2 for approval. On September 22, 2014, NAT responded to Staff's data request and submitted revised tariff pages.

TODAY, shall the Commission approve the proposed initial access tariff?

4. TC14-078 In the Matter of the Approval of an LIS Facility PVU Amendment to an Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Level 3 Communications, LLC (Staff Analyst: Robin Meyerink; Staff Attorney: Kristen Edwards)

On August 12, 2014, the Commission received a filing from CenturyLink for approval of its LIS Facility PVU Amendment to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Level 3 Communications, LLC for the State of South Dakota.

TODAY, shall the Commission approve the proposed amendment?

Items for Commission Discussion

Announcements

1. The PUC offices will be closed Monday, October 13, 2014, in observance of Native American Day.
2. The next regularly scheduled commission meeting will be Tuesday, October 14, 2014, at 1:30 p.m. CDT in Room 413 at the State Capitol Building, Pierre, S.D.
3. Commission meetings are scheduled for October 28 and November 12, 2014.

/s/Cindy Kemnitz

Cindy Kemnitz

Finance Manager

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September 23, 2014