

Commission Minutes | [previous page](#)

South Dakota Public Utilities Commission Meeting
October 31, 2018, at 1:30 P.M. CDT
Room 413, Capitol Building
Pierre, South Dakota

MINUTES OF THE COMMISSION MEETING

Chairperson Kristie Fiegen called the meeting to order. Present were: Commissioner: Chris Nelson; Commission Attorneys: Karen Cremer and Adam de Hueck; Staff Attorneys: Kristen Edwards and Amanda Reiss; Staff Analysts: Darren Kearney, Jon Thurber, Patrick Steffensen, Brittany Mehlhaff, Joseph Rezac, Eric Paulson and Lorena Reichert; Consumer Affairs Manager: Deb Gregg; and Staff: Joy Lashley.

Present were:

Kara Semmler, May, Adam, Gerdes & Thompson LLP, representing Flying Cow Wind, LLC.; and Bob Mercer, reporter.

Joining the meeting by telephone were:

Commissioner: Gary Hanson; Brad Schardin, Southeastern Electric Cooperative, Inc.; Ken Schlingem, Central Electric Cooperative, Inc.; Reece Almond, Davenport, Evans, Hurwitz & Smith LLP, representing landowners; Jeff Decker, NorthWestern Corporation dba NorthWestern Energy; Paul Schoenfelder, landowner; Kelli Pazour, landowner; Cary Stephenson, Otter Tail Power Company; Mollie Smith, Fredrikson & Byron, P.A., representing Prevailing Wind Park, LLC; and Gregg Hubner, landowner.

Administration

1. Approval of the minutes of the Commission meeting held on October 16, 2018. (Staff: Joy Lashley)

Commissioner Nelson moved to approve the minutes of the Commission meeting held on October 16, 2018. Motion carried 3-0.

Consumer Reports

1. Status Report on Consumer Utility Inquiries (Consumer Affairs: Deb Gregg)

The Commission received a total of 60 contacts since the last report was prepared for the October 16, 2018, Commission meeting.

Ten contacts involved telecommunication services, 21 contacts were related to electrical services, two contacts were related to natural gas service, five contacts were related to wireless service, ten contacts were related to the Do Not Call Registry, one contact was related to One Call and 11 contacts were related to issues not regulated by the PUC.

Contacts received in 2018: 1,162 of the 1,176 have been resolved.

Electric

1. EL18-026 In the Matter of the Application by Prevailing Wind Park, LLC for a Permit of a Wind Energy Facility in Bon Homme County, Charles Mix County and Hutchinson County, South Dakota, for the Prevailing Wind Park Project (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorney: Kristen Edwards)

Commissioner Nelson moved to admit exhibits I-1 and I-2 as redacted by the hearing officer and strike certain oral testimony from the record as designated by the hearing officer. Motion carried 3-0

2. EL18-031 In the Matter of the Filing by Otter Tail Power Company for Approval of Tariff Revisions to Facilitate Implementation of a New Customer Information System (Staff Analyst: Lorena Reichert; Staff Attorney: Amanda Reiss)

Mr. Cary Stephenson, Otter Tail Power Company (Otter Tail), asked that the Commission approve Otter Tail's revised tariff sheets with an effective date of January 1, 2019. Ms. Lorena Reichert, staff analyst, recommended that the Commission approve Otter Tail's request.

Commissioner Fiegen moved to approve Otter Tail's revised tariff sheets with an effective date of January 1, 2019. Motion carried 3-0

3. EL18-039 In the Matter of the Application of Flying Cow Wind, LLC for a Facility Permit to Construct a 345 kV Transmission Line and Associated Facilities in Deuel County (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorney: Amanda Reiss)

Ms. Kara Semmler, May, Adam, Gerdes & Thompson LLP, representing Flying Cow Wind, LLC (Flying Cow), asked that the Commission grant Flying Cow's request to withdraw the application and close the docket. Ms. Amanda Reiss, staff attorney, stated staff didn't object to the request.

Commissioner Nelson moved to grant Flying Cow Wind, LLC's request to withdraw the Application and close the docket. Motion carried 3-0

4. EL18-042 In the Matter of the Joint Request for Service Rights Exception between Central Electric Cooperative, Inc. and Southeastern Electric Cooperative, Inc. (Staff Analyst: Joseph Rezac; Staff Attorney: Kristen Edwards)

Mr. Ken Schlimgen, Central Electric Cooperative, Inc. (Central Electric) and Mr. Brad Schardin, Southeastern Electric Cooperative, Inc. requested approval of the service rights exception between Central Electric and Southeastern Electric. Mr. Joseph Rezac, staff analyst, recommended that the Commission approve the request.

Commissioner Fiegen moved to approve the requested service rights exception between Central Electric Cooperative, Inc. and Southeastern Electric Cooperative, Inc. Motion carried 3-0

5. EL18-045 In the Matter of the Application of Flying Cow Wind, LLC for a Facility Permit to Construct a 345 kV Transmission Line and Associated Facilities in Deuel County (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorney: Amanda Reiss)

Ms. Amanda Reiss, staff attorney, recommended that the Commission assess Flying Cow Wind, LLC (Flying Cow) a filing fee not to exceed \$49,625 with an initial deposit of \$8,000, grant Flying Cow Wind, LLC's request to transfer the remaining balance of the \$8,000 initial deposit made in Docket EL18-039 to this Docket, and requested that the Commission authorize the executive director to enter in to necessary consulting contracts. Ms. Kara Semmler, May, Adam, Gerdes & Thompson LLP, representing Flying Cow, stated Flying Cow had no objection.

Commissioner Hanson moved to assess a filing fee not to exceed \$49,625 with an initial deposit of \$8,000, and grant Flying Cow Wind, LLC's request to transfer the \$8,000 initial deposit made in Docket EL18-039 to this Docket. Motion carried 3-0.

Commissioner Fiegen moved to authorize the executive director to enter into necessary consulting contracts. Motion carried 3-0

Natural Gas

1. NG18-014 In the Matter of the Filing by NorthWestern Corporation dba NorthWestern Energy for Approval of a Contract with Deviations with Valero Renewable Fuels Company, LLC (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen; Staff Attorney: Amanda Reiss)

Mr. Jeff Decker, NorthWestern Corporation dba NorthWestern Energy (NorthWestern), asked that the Commission approve NorthWestern's contract with deviations with Valero Renewable Fuels Company, LLC and the associated tariff revisions on less than 30 days' notice with an effective date of November 1, 2018. Ms. Brittany Mehlhaff, staff analyst, recommended that the Commission approve NorthWestern's request.

Commissioner Nelson moved to approve NorthWestern Energy's contract with deviations with Valero Renewable Fuels Company, LLC and the associated tariff revisions on less than 30 days' notice with an effective date of November 1, 2018. Motion carried 3-0.

There being no further business, at the hour of 2:05 p.m., the South Dakota Public Utilities Commission meeting adjourned.

/s/Joy Lashley .
Joy Lashley
Administrative Assistant
[PUC Email](#)
October 31, 2018