

-----Original Message-----

From: Don Atyia

Sent: Friday, May 21, 2010 1:46 AM

To: Johnson, Dustin (PUC)

Subject: Re: Residential Consumers Coalition

I see. Thank you for the explanation and thank you for your reply. That's what I love about South Dakota. I grew up in Texas and the thought of a prompt reply from the PUC was laughable, much less from the commissioner. Good luck and thanks again.

Don

In a message dated 5/20/2010 4:30:00 P.M. Mountain Daylight Time, Dustin Johnson writes:

Don,

The motion was filed by the staff of the PUC and two other parties. The commissioners weren't involved with filing anything. The decision makers are the commissioners, who will have to rule on that motion, but haven't yet. The PUC staff operates independently of the commissioners, much like a states attorney has the same employer as the judge in a criminal case, but operates independently of the judge. It's confusing, I know.

No apology necessary. We all read things too quickly sometimes.

Dusty

[Dustin "Dusty" Johnson](#)
[Public Utilities Commission](#)
[605-773-3201](#)

-----Original Message-----

From: Don Atyia

Sent: Thursday, May 20, 2010 5:12 PM

To: Johnson, Dustin (PUC)

Subject: Re: Residential Consumers Coalition

Perhaps this article is inaccurate but I read this on the RCJournal website...

Residential consumers opposing Black Hills Power's request for an increase in electric rates filed a brief today asserting their right to remain a full party in proceedings before the South Dakota Public Utilities Commission.

The Residential Consumers Coalition is represented by public interest law center Plains Justice and attorney Sam Khorroosi.

The brief is in response to a motion filed by Black Hills Power and PUC staff. "Essentially, staff and BHP are requesting a hearing where the Residential Consumers Coalition would be allowed to comment, but not to participate as a party," Plains Justice staff attorney Nicole Shalla said.

That's where I got the info. Did the PUC file a motion to limit the RCC's participation or not? If so, why?

I apologize for misreading your bio. I know your job is very difficult and I am very happy to hear your comments on the future of the rate hike. My bad.

Don Atyia

In a message dated 5/20/2010 4:01:23 P.M. Mountain Daylight Time,
Dustin Johnson:

Don,

Whatever makes you think I am trying to cut the RCC out of anything? I am absolutely not. Please give me an idea of what you are talking about. I'll be happy to respond.

What makes you think my bio doesn't say anything about keeping rates reasonable? Look at <http://puc.sd.gov/dustysbio/default.aspx>. It talks about "keeping utility rates low and protecting consumers."

Don, I am a bit surprised you allege that I am working, "hand in glove with BHP to help them get this outrageous rate hike passed." That isn't even a little bit true. There is a 0% chance that BHP will get their requested 26.6% increase put into effect, and I'm not working with BHP to do anything. Why would I do that?

Dusty

Dustin "Dusty" Johnson
Public Utilities Commission
605-773-3201

-----Original Message-----

From: Don Atyia
Sent: Thursday, May 20, 2010 4:44 PM
To: Johnson, Dustin (PUC)
Subject: Residential Consumers Coalition

Why are you trying to cut out the RCC from being a full party to these hearings? As far as I can tell you are working hand in glove with BHP to help them get this outrageous rate hike passed.

I noticed your bio says you strongly support economic development. As PUC Commissioner your first priority SHOULD be to protect South Dakotans from being bullied by big utilities like BHP. Your bio doesn't say anything about keeping utility rates reasonable or watching out for consumers.

Don Atyia
Deadwood