

Don,

Thanks for your email. I don't yet know if the request is "outrageous." I don't yet know if BHP has shown the need for this increase or not. Those are decisions that can't be made until after all of the facts are known. Witnesses need to be called and cross-examined, evidence needs to be introduced, numbers have to be examined and tested, costs have to be subjected to prudence review, and thousands of hours of work have to be done by people on all sides of this case before we have a complete record. At the PUC we can't rush to judgment. We are the judges of these cases, and we have to follow the laws and the process.

Maybe at the end I will agree with you, but I can't begin to say what I believe right now. I don't know.

As far as commissioners and staff attending functions paid for by Black Hills Power, I'm not sure what you mean. In 2008 BHP did donate money to reduce the cost of conference registration for an energy conference that was organized by the PUC (that was done to keep the registration fee reasonable so that normal people not employed by utilities or developers could afford to attend). I agree with you that even that practice can raise some concerns, so months ago we changed our policy to not allow such a sponsorship for a utility company like Black Hills Power that is undergoing a rate case.

Thanks for taking the time to write, Don. I will make sure your comments are entered into the docket of this proceeding.

Thanks,  
Dusty

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

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

**From:** Beanfinger@aol.com  
**Sent:** Friday, November 20, 2009 8:56 AM  
**To:** Johnson, Dustin (PUC)  
**Subject:** BHP

This proposed rate increase by BHP is outrageous! Your primary responsibility is to protect South Dakotans from these types of practices. BHP has NOT shown the need for this increase and it will only hurt South Dakota's families and working people. They waste tons of money and energy. They should have to demonstrate that they have cut their own costs before jacking up rates!

You should also voluntarily impose a ban on SDPUC commissioners and staff from attending functions paid for by those you are supposed to regulate. I know this practice is currently legal but it reeks of corruption and sure looks like you are getting bribes. You're the commissioner, you don't have to wait until a law is passed stopping this awful practice. Do the right thing.

Don Atyia  
Deadwood