

FORM 10

MINUTES OF PUBLIC HEARING SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

The South Dakota Public Utilities Commission convened at 9:30 a.m., on March 24, 2021, in Room 413, 4th floor, State Capitol, Pierre, South Dakota.

The purpose of the meeting was to conduct a public hearing on the proposed rules of the South Dakota Public Utilities Commission numbered §§ 20:10:01:41, 20:10:01:41.1, 20:10:13:17, 20:10:13:19, 20:10:21:04, 20:10:21:22, 20:10:22:01, 20:10:22:05, 20:10:22:33.01, 20:10:22:33.02, 20:10:32:54, 20:10:35:08, 20:10:37:10, 20:10:37:17, 20:10:37:18, 20:10:37:19, 20:10:39:07, 20:10:39:08, adopted under the authority of SDCL 49-1-9.

Hearing Officer: Chris Nelson

Members of the Board in Attendance: Chris Nelson, Kristie Fiegen, Gary Hanson.

Others in Attendance: Commission Advisors: Adam de Hueck and Karen Cremer; Brett Koenecke, MidAmerican Energy Company, NorthWestern Energy, and Montana-Dakota Utilities Co.; Kara Semmler, SDTA; Lindsey Riter-Rapp, Basin Electric and SDREA.

Written Testimony

- Brett Koenecke
 - MidAmerican Energy Company, NorthWestern Energy, and Montana-Dakota Utilities Co.
 - Proponent*
 - Pierre, SD
 - March 23, 2021
 - 20:10:37:10
 - The testimony proposed alternate language in lieu of the one-hour requirement and the addition of a definition for the term, "confirmed discovery".
 - The Commission offered a counterproposal for review that took into consideration the written testimony.
 - The Commission will continue the comment period until April 6, 2021 and finalize the rule April 13, 2021.

Oral Testimony

- Kara Semmler
 - South Dakota Telecommunications Association
 - Proponent*
 - Pierre, SD
 - 20:10:32:54
 - The testimony supported eliminating the reporting requirements proposed under subsections (8) and (9) of that rule. SDTA asks the Commission to also consider certain other revisions to the annual ETC certification requirements.
 - The Commission confirmed it will consider and work with SDTA in future rulemaking.

*Did not self-identify.

- The Commission will continue the comment period until April 6, 2021 and finalize the rule April 13, 2021.
- Lindsey Riter-Rapp
 - Basin Electric and South Dakota Rural Electric Association
 - Proponent*
 - 20:10:21:04 and 20:10:39:07.
 - The testimony was generally not opposed to providing decommissioning plans to the Commission in advance of such activities, but Basin Electric thinks a 10-year time frame is too long of a time period for such planning activity. SDREA supports reducing the required hours of stray voltage training for electricians from 48 hours to 40.
 - The Commission confirmed it will consider the testimony and work with the forthcoming written testimony of Basin.
 - The Commission will continue the comment period until April 6, 2021 and finalize the rule April 13, 2021.
- Brett Koenecke
 - MidAmerican Energy Company, NorthWestern Energy, and Montana-Dakota Utilities Co.
 - Proponent*
 - Pierre, SD
 - March 23, 2021
 - 20:10:37:10
 - The testimony proposed alternate language in lieu of the one-hour requirement and the addition of a definition for the term, "confirmed discovery".
 - The Commission offered a counterproposal for review that took into consideration the oral and written testimony.
 - The Commission will continue the comment period until April 6, 2021 and finalize the rule April 13, 2021.

Summary of Changes to Proposed Rules on Account of the Public Hearing

- Commission Counsel directed to prepare updated rules prior to the April 13, 2021, meeting.
 - Updated rules to include LRC's comments, Chris Nelson's amendments based on 2019 public comments, and consideration of the written testimony received after the hearing and before April 6, 2021.
 - Preparing updated rules prior to the April 13, 2021, meeting gives testifiers opportunity to respond to the hearing and further share input for Commission consideration.

Adjournment: At 10:09 a.m., Commissioner Hanson moved to adjourn. Motion carried 3-0.

Respectfully submitted,

Adam de Hueck
 Commission Counsel
 South Dakota Public Utilities Commission

*Did not self-identify.