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South Dakota Public Utilities Commission Meeting

February 13, 2015, at 9:30 A.M. CST

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. CST on Thursday, February 12, 2015. 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 February 2, 2015 (Staff: Joy Lashley)

Consumer Reports

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

Electric

1. **EL14-090 In the Matter of the Petition of Otter Tail Power Company for Approval of its 2015 Transmission Cost Recovery Eligibility and Rate Adjustment (Staff Analyst: Patrick Steffensen; Staff Attorney: Karen Cremer)**

On October 31, 2014, Otter Tail Power Company (OTP) filed a petition for approval of its 2015 Transmission Cost Recovery (TCR) Rider. The update includes the tracker balance estimated for the end of the current recovery period so that no over-or under-recovery of TCR costs occurs. The update also includes the costs of two new transmission projects that are not currently in base rates and have not previously been approved for inclusion in the TCR Rider. OTP's petition proposed a March 1, 2015, effective date. On February 2, 2015, OTP filed a Supplemental Filing with revised Attachments 1 through 20.

TODAY, shall the Commission grant OTP's request that all costs associated with the North American Electric Reliability Corporation's Compliance project be eligible for inclusion in the TCR rider? AND, shall the Commission approve a TCR revenue requirement and rates with an effective date of March 1, 2015? OR, how shall the Commission proceed?

2. **EL15-006 In the Matter of the Filing by Otter Tail Power Company for Approval of**

001848

Petition of Tariff Revisions to its Rates for Small Power Production and Cogeneration (Staff Analyst: Eric Paulson; Staff Attorney: Karen Cremer)

On January 16, 2015, the Commission received a Petition of Otter Tail Power Company (OTP). This filing proposes updates to OTP's Small Power Producer Riders, Sections 12.01, 12.02 and 12.03 in OTP's tariff book. In the listed sections OTP proposes to update the energy and capacity payments as well as the renewable energy credit values. These payments are made to qualifying facilities within the OTP service area. OTP requests an effective date for these rates with billings on or after March 1, 2015.

TODAY, shall the Commission approve the proposed revisions to OTP's rates for Small Power Production and Cogeneration for Qualifying Facilities?

Pipeline Safety

1. PS13-001 In the Matter of the Filing by Commission Pipeline Safety Staff for Approval of a Penalty for a Pipeline Safety Violation by Humboldt Municipal Gas Utilities Gas (Staff Analyst: Mary Zanter; Staff Attorney: Kristen Edwards)

On May 7, 2013, Pipeline Safety Staff (Staff) of the Public Utilities Commission filed a complaint, alleging violations of pipeline safety regulations by Humboldt Municipal Gas Utilities (Humboldt). Staff filed an amended complaint on July 23, 2013. On December 9, 2013, the parties filed a Stipulation and Request for Dismissal without Prejudice. On December 18, 2013, the Commission entered an Order Approving Stipulation and Dismissing Complaint without Prejudice. As per the Stipulation, the parties agreed and the Commission ordered that Humboldt will employ or contract with a Utility Manager and employ administrative personnel who will dedicate a minimum of 20 hours per week to natural gas. On October 16, 2014, Staff filed a Second Amended Complaint, alleging Humboldt had been out of compliance with the Order since January 2014.

TODAY, Shall the Commission establish a procedural schedule? OR, how shall the Commission proceed?

Telecommunications

1. TC15-002 In the Matter of the Application of Boomerang Wireless LLC dba enTouch Wireless for Designation as an Eligible Telecommunications Carrier in Certain Exchanges within the State of South Dakota (Staff Analyst: Eric Paulson; Staff Attorney: Kristen Edwards)

On January 22, 2015, the Commission received a Petition for Designation as an Eligible Telecommunications Carrier from Boomerang Wireless LLC dba enTouch Wireless for the purpose of offering Lifeline services on a wireless basis in certain rural areas of South Dakota. On February 3, 2015, the South Dakota Telecommunications Association (SDTA) filed a Petition to Intervene.

TODAY, shall the Commission grant intervention to any parties that may have filed?

Hydrocarbon Pipeline

1. HP14-002 In the Matter of the Application of Dakota Access, LLC for an Energy Facility Permit to Construct the Dakota Access Pipeline (Staff Analysts: Brian Rounds, Darren Kearney; Staff Attorney: Kristen Edwards)

On December 15, 2014, Dakota Access, LLC (Company) filed a siting permit application pursuant to SDCL 49-41B-4 to construct the South Dakota portion of the proposed Dakota Access Pipeline (Pipeline). The Pipeline will begin in North Dakota and terminate in Patoka, Illinois, traversing 13 counties in South Dakota. The proposed 12- to 30-inch diameter pipeline will have an initial capacity of 450,000 barrels of oil per day with a total potential of up to 570,000 barrels per day. The proposed route will enter South Dakota in Campbell County at the North Dakota/South Dakota border and will

extend in a southeasterly direction, exiting the state at the South Dakota/Iowa border in Lincoln County. The length of the Pipeline through South Dakota is approximately 272.3 miles. The Pipeline also includes one pump station in South Dakota, located in Spink County. As per state law, the Commission has one year from the date of application to render a decision on this application. On December 17, 2014, the Company filed a Motion for Waiver of ARSD 20:10:22:39. On December 23, 2014, Dakota Access filed a revised Application and revised Exhibits A and C. On January 21, 2015, the Commission held public input hearings in Bowdle and Redfield, S.D. On January 22, 2015, the Commission held public input hearings in Iroquois and Sioux Falls, S.D. As required by ARSD 20:10:22:39, a deadline for filing a request for party status was set for February 13, 2015. Several parties have filed applications for party status.

TODAY, shall the Commission grant the Company's Motion for Waiver of ARSD 20:10:22:39.
AND, shall the Commission grant intervention to any parties that may have filed?

Items for Commission Discussion

Announcements

1. The PUC will host an open house for legislators Thursday, February 12, 2015, 7:30-11:00 a.m. in the PUC office, first floor of the State Capitol Building, Pierre, S.D.
2. Commissioners and staff will attend the Winter Committee Meetings of the National Association of Regulatory Utility Commissioners, February 15-18, 2015, at the Renaissance Washington Hotel, Washington, D.C.
3. The PUC offices will be closed Monday, February 16, 2015, in observance of the Presidents' Day holiday.
4. The next regularly scheduled commission meeting will be Monday, March 2, 2015, at 1:30 p.m. CST in Room 413 at the State Capitol Building, Pierre, S.D.
5. PUC commissioners and staff will meet with consumers at the Sioux Empire Home Show, March 6-8, 2015, at the Sioux Falls Convention Center & Arena, Sioux Falls, S.D.
6. Commission meetings are scheduled for March 17 and 31, 2015.

/s/Cindy Kemnitz

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February 6, 2015