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South Dakota Public Utilities Commission Meeting

December 23, 2014, 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 Monday, December 22, 2014. 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

Consumer Reports

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

Electric

1. **EL14-094 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Kingsbury Electric Cooperative, Inc. and Otter Tail Power Company (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)**

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Kingsbury Electric Cooperative, Inc. and Otter Tail Power Company. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

2. **EL14-095 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Sioux Valley-Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy and Otter Tail Power Company (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)**

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Otter Tail Power Company and Sioux Valley-Southwestern Electric Cooperative, Inc. dba

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Sioux Valley Energy. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

3. EL14-096 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Traverse Electric Cooperative Inc. and Otter Tail Power Company (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Traverse Electric Cooperative Inc. and Otter Tail Power Company. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

4. EL14-097 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between White Municipal Electric and Otter Tail Power Company (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Otter Tail Power Company and White Municipal Electric. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

5. EL14-098 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Big Stone City Municipal Electric and Otter Tail Power Company (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Big Stone City Municipal Electric and Otter Tail Power Company. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

6. EL14-099 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Badger Municipal Electric and Otter Tail Power Company (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Badger Municipal Electric and Otter Tail Power Company. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

7. EL14-100 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Kingsbury Electric Cooperative, Inc. and NorthWestern Corporation dba NorthWestern Energy (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Kingsbury Electric Cooperative, Inc. and NorthWestern Corporation dba NorthWestern Energy. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

8. EL14-101 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Clay-Union Electric Cooperative and NorthWestern Corporation dba NorthWestern Energy (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Clay-Union Electric Cooperative and NorthWestern Corporation dba NorthWestern Energy. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

9. EL14-102 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Douglas Electric Cooperative, Inc. and NorthWestern Corporation dba NorthWestern Energy (Staff Analyst: David Henry; Staff Attorney: Kristen Edwards)

On December 2, 2014, Commission Staff filed an Electric Service Territory Boundary Agreement between Douglas Electric Cooperative, Inc. and NorthWestern Corporation dba NorthWestern Energy. This filing is made pursuant to current efforts of the PUC to verify electric territory mapping

data for conversion to electronic format and use in a Geographic Information System (GIS) database. With the assistance of the above-referenced utilities, Commission Staff has confirmed the service territory boundary shared by these utilities and has prepared updated mapping information. Commission Staff asks for approval of the agreement to update official mapping data to properly reflect the service territory boundaries shared by the utilities in this docket.

TODAY, shall the Commission approve the proposed electric service territory boundary agreement?

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 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 boarder and will extend in a southeasterly direction, exiting the state at the South Dakota/Iowa boarder in Lincoln County. The length of the Pipeline through South Dakota is approximately 271.6 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.

TODAY, shall the Commission assess a filing fee not to exceed \$610,000 with an initial deposit of \$8,000? AND, shall the Commission authorize the Executive Director to enter into necessary consulting contracts?

Natural Gas

1. NG14-007 In the Matter of the Filing by Montana-Dakota Utilities Co. for Approval of its Conservation Portfolio Plan 2015-2017 (Staff Analysts: Brian Rounds, Darren Kearney; Staff Attorney: Karen Cremer)

On October 3, 2014, Montana-Dakota Utilities Co. (MDU) filed for Commission approval a proposed portfolio of Natural Gas Conservation Programs for calendar years 2015-2017. The proposed portfolio is a continuation of the current portfolio, approved by the Commission in docket NG11-006, with the removal of the Residential Water Heating program. MDU requests approval by January 1, 2015.

TODAY, shall the Commission approve MDU's proposed portfolio of Natural Gas Conservation Programs for calendar years 2015-2017?

Telecommunications

1. TC14-086 In the Matter of the Request of New Horizons Communications Corp. for an Amended Certificate of Authority (Staff Analyst: Joseph Rezac; Staff Attorney: Karen Cremer)

On November 19, 2014, the Commission received a filing from New Horizons Communications Corp. (New Horizons) requesting an Amended Certificate of Authority in order to collect prepayments and deposits. New Horizons submitted a bond in support of its request. New Horizons was granted a Certificate of Authority in Docket TC14-072 with the condition that it not offer any prepaid not offer any prepaid services (including prepaid calling cards) and not accept or require any deposits or advance payments without prior approval of the Commission. On December 8, 2014, New Horizons responded to staff's data request.

TODAY, shall the Commission approve the request for an Amended Certificate of Authority?

2. TC14-087 In the Matter of the Application for Approval of an Amendment to the Certificate of Authority of Venture Communications Cooperative, Inc. and for Waiver of Certain Requirements of ARSD 20:10:32:03 (Staff Analyst: Joseph Rezac; Staff Attorney: Karen Cremer)

On November 24, 2014, the Commission received a filing from Venture Communications Cooperative, Inc. (Venture) to amend its certificate of authority and a request for waiver of the requirements under A.R.S.D. 20:10:32:03. The amendment is in connection with the prospective merger of Western Telephone Company into Venture on January 1, 2015. The amendment will permit Venture to offer local exchange service in the Western Telephone Company Inc. exchanges. On December 4, 2014, Venture responded to staff's data requests.

TODAY, shall the Commission approve the request for an Amended Certificate of Authority?

Items for Commission Discussion

Announcements

1. The PUC offices will be closed Thursday, December 25 and Friday, December 26, 2014, in observance of the Christmas holiday.
2. The PUC offices will be closed Thursday, January 1, 2015, in observance of the New Year holiday.
3. A hearing in dockets TC14-088, TC14-089 and TC14-090 will be held Tuesday, January 6, 2015, at 8:45 a.m. CST in Room 413 at the State Capitol, Pierre, S.D.
4. The next regularly scheduled commission meeting will be Tuesday, January 6, 2015, at 9:30 a.m. CST in Room 413 at the State Capitol, Pierre, S.D.
5. Commissioners and staff will host a briefing for legislators on Wednesday, January 14, 2015, at 4:00 p.m. CST at the Floyd Matthew Training Center in the Foss Building, 523 E. Capitol Ave., Pierre, S.D. The agenda is to discuss the PUC's response to the EPA's proposed plan to reduce carbon emissions from existing power plants and current issues related to telecommunications, wind energy, grain warehouses, pipeline safety and energy regulation.
6. Commission meetings are scheduled for January 20 and February 2, 2015.

/s/Leah Mohr

Leah Mohr

Deputy Executive Director

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December 17, 2014

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