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### South Dakota Public Utilities Commission Meeting

June 12, 2018, at 9:30 A.M. CDT

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 10:00 a.m. CDT on Monday, June 11, 2018. 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](http://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 May 29, 2018 (Staff: Joy Lashley)

##### Consumer Reports

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

##### Electric

1. **EL18-026 In the Matter of the Application by Prevailing Wind Park, LLC for a Permit of a Wind Energy Facility in Bon Homme County, Charles Mix County and Hutchinson County, South Dakota, for the Prevailing Wind Park Project (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorney: Kristen Edwards)**

On May 30, 2018, Prevailing Wind Park, LLC filed an application to construct the Prevailing Wind Park Project (Project), a wind energy facility located on approximately 50,364 acres of land in Bon Homme, Charles Mix, and Hutchinson counties, South Dakota, between the towns of Avon, Tripp, and Wagner, South Dakota. The total installed capacity of the Project would not exceed 219.6 MW nameplate capacity. The proposed project includes up to 61 wind turbine generators, access roads to turbines and associated facilities, underground electrical power collector lines connecting the turbines to the collection substation, an operation and maintenance facility, and temporary construction areas, including crane paths, public road improvements, a laydown yard, and a concrete batch plant(s) (as needed), and four permanent meteorological towers. The Project would interconnect at Western Area Power Administration's existing Utica Junction Substation, located approximately 27 miles east of the project.

TODAY, shall the Commission assess a filing fee not to exceed \$348,500 with an initial deposit of \$8,000? And shall the Commission authorize the executive director to enter into necessary consulting contracts?

##### Natural Gas

001217

**1. NG17-009 In the Matter of the Application of South Dakota Intrastate Pipeline Company for Authority to Increase its Natural Gas Rates (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen, Eric Paulson; Staff Attorneys: Kristen Edwards, Amanda Reiss)**

On June 1, 2017, South Dakota Intrastate Pipeline Company (SDIP) filed with the Commission a Letter of Transmittal requesting authority to increase its natural gas rates. On June 22, 2017, Montana-Dakota Utilities Co. (MDU) filed a Petition to Intervene. The Commission issued an Order Granting Intervention on July 6, 2017. On June 29, 2017, SDIP filed a confidential application for authority to increase its natural gas rates. On July 11, 2017, MDU filed a Motion for Commission Review requesting the Commission strike SDIP's claim of confidentiality made in its June 29, 2017, letter and open the docket submissions to MDU and the public for review. The Commission issued an Order Granting Motion for Commission Review and Making the Application Public on August 8, 2017. On October 2, 2017, staff filed a Motion for Adoption of Procedural Schedule in the docket. On October 4, 2017, staff filed a letter regarding the Motion for Adoption of Procedural Schedule Evidentiary Hearing Dates. On October 16, 2017, the Commission issued an Order Establishing Partial Procedural Schedule; Order Requiring Discovery Responses Within Ten Business Days. On October 30, 2017, the Commission issued an Order Establishing Procedural Schedule. On March 2, 2018, the Commission issued an Order Granting Late Filed Intervention; Amending Procedural Schedule, granting intervention to Ring-neck Energy & Feed, LLC dba Ring-neck Energy, LLC. On March 27, 2018, staff filed a letter requesting that the procedural schedule be suspended. On May 29, 2018, staff filed a Motion for a Second Procedural Schedule.

TODAY, shall the Commission grant the Motion for Second Procedural Schedule?

**Telecommunications**

**1. TC18-010 In the Matter of the Filing by Ionex Communications North, LLC dba Birch Communications for Approval of its Switched Access Services Tariff No. 7 (Staff Analyst: Lorena Reichert; Staff Attorney: Amanda Reiss)**

On March 9, 2018, the Commission received a letter from Ionex Communications North, Inc. dba Birch Communications requesting approval of its Switched Access Services Tariff No. 7 to reflect the change of its company name to Ionex Communications North, LLC dba Birch Communications (Birch). This Switched Access Services Tariff No. 7 issued by Birch cancels and replaces in its entirety, Switched Access Services Tariff No. 6. On April 17, 2018, Birch filed revisions to the tariff addressing concerns from staff. Birch requests an effective date of March 12, 2018. The matter was deferred at the May 1, 2018, meeting. The company submitted its calendar year 2017 intrastate revenue report on May 31, 2018.

TODAY, shall the Commission approve Ionex Communications North, LLC's Switched Access Services Tariff No. 7?

**2. TC18-011 In the Matter of the Application of Time Clock Solutions, LLC for a Certificate of Authority to Provide Local Exchange and Interexchange Long Distance Services in South Dakota (Staff Analyst: Eric Paulson; Staff Attorney: Amanda Reiss)**

On April 24, 2018, the Commission received a filing from Time Clock Solutions, LLC (Time Clock) for a Certificate of Authority to provide local exchange and interexchange long distance services in South Dakota. Time Clock intends to provide local exchange services in the non-rural areas of CenturyLink's areas and interchange service on a statewide basis. On May 11, 2017, Time Clock responded to staff's data request.

TODAY, shall the Commission grant Time Clock Solutions, LLC's request for a Certificate of Authority to Provide Local Exchange and Interexchange Long Distance Services in South Dakota?

**3. TC18-013 In the Matter of the Petition by Department of Public Safety/9-1-1 Coordination Board for a Declaratory Ruling Determining Competitive Local Exchange Carrier Processes for Requesting 9-1-1 Traffic Delivery from Rural Local Exchange Carriers (Staff Analysts: Joseph Rezac, Patrick Steffensen; Staff Attorney: Amanda Reiss)**

On May 11, 2018, the Commission received a Petition for a Declaratory Ruling from the South Dakota Department of Public Safety, 911 Coordination Board, to resolve the following issue: Does South Dakota law require bona fide requests as a prerequisite to determining if rural local exchange

carrier (RLEC) exemptions do or do not apply when a competitive local exchange carrier (CLEC) is requesting delivery of 9-1-1 traffic from an RLEC, assuming voluntary agreements are not feasible? On May 31, 2018, the South Dakota Telecommunications Association filed a petition to intervene in the docket. On June 1, 2018, the NextGen Communications, Inc. filed a petition to intervene in the docket. On June 1, 2018, South Dakota Network, LLC filed comments.

TODAY, shall the Commission grant intervention to any party that may have filed? And, how shall the Commission proceed?

**4. TC18-018 In the Matter of the Filing by Qwest Corporation dba CenturyLink QC for Approval of Revisions to its Access Service Tariff (Staff Analyst: Patrick Steffensen; Staff Attorney: Amanda Reiss)**

On May 23, 2018, Qwest Corporation dba CenturyLink QC filed for approval of revisions to its Access Service Tariff. This filing is the seventh step in implementing the Transitional Intrastate Access Service reductions mandated by the Federal Communications Commission's November 18, 2011, Report and Order and Further Notice of Proposed Rulemaking in WC Docket Nos. 10-90, etc. (FCC 11-161). A July 3, 2018, effective date is requested.

TODAY, shall the Commission approve the proposed tariff revisions?

**Items for Commission Discussion**

**Announcements**

1. An ad hoc commission meeting will be held Friday, June 8, 2018, at 9:00 a.m. CDT in Room 413 at the State Capitol Building, Pierre, S.D.
2. An evidentiary hearing in Docket [EL18-003](#) – In the Matter of the Application by Dakota Range I, LLC and Dakota Range II, LLC for a Permit of a Wind Energy Facility in Grant County and Codington County, South Dakota, for the Dakota Range Wind Project is scheduled for June 12-15, 2018, beginning at 1:00 p.m. CDT on Tuesday, June 12, in Room 413 at the State Capitol Building, Pierre, S.D.
3. The next regular commission meeting will be Tuesday, June 26, 2018, at 9:30 a.m. CDT in Room 413 at the State Capitol Building, Pierre, S.D.
4. Commission meetings are scheduled for July 10 and 26, 2018.

/s/Cindy Kemnitz

Cindy Kemnitz  
Finance Manager

[PUC Email](#)

June 5, 2018