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South Dakota Public Utilities Commission Meeting

October 31, 2018, at 1:30 P.M. CDT

Room 413, Capitol Building

Pierre, South Dakota

NOTE: Docket participants who wish to join this meeting by conference call, should contact the Commission at 605-773-3201 by 5:00 p.m. CDT on Tuesday, October 30, 2018, to reserve a phone line. Lines are limited and assigned 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 docket discussion at 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 webcast 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 October 16, 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. A public input meeting was held on July 12, 2018. On August 9, 2018, the Commission issued an order granting intervention to six individuals and one county government. One individual filed a late application for party status, which was granted by the Commission. An evidentiary hearing (Hearing) was held October 9–12, 2018. During the Hearing, Applicant made an oral motion to strike all testimony of Richard James and Jerry Punch as the testimonies related to health. The hearing examiner sustained the motion, finding the two witnesses were not qualified to testify on health issues. Applicant was directed to submit redacted versions of the proffered Intervenor exhibits.

TODAY, shall the Commission admit exhibits I-1 and I-2 as redacted? AND, shall the Commission strike certain oral testimony from the record? OR, how shall the Commission proceed?

2. EL18-031 In the Matter of the Filing by Otter Tail Power Company for Approval of Tariff Revisions to Facilitate Implementation of a New Customer Information System (Staff Analyst: Lorena Reichert; Staff Attorney: Amanda Reiss)

On July 2, 2018, the Commission received an application from Otter Tail Power Company (Otter Tail) requesting the Commission to approve tariff schedule changes of the rate code format and of billing tariff changes. The tariff changes are requested to facilitate the implementation of a new Customer Information System and billing system. On August 20, 2018, Otter Tail filed revisions to reflect suggested changes by Commission staff. On August 21, 2018, Otter Tail filed revisions to clarify the proration section of the tariff and to retract a proposed change to the tariff. On October 18, 2018, Otter Tail filed revisions to incorporate a new effective date, to reflect the interim rate tariff changes from EL18-021, and to clarify certain sections.

TODAY, shall the Commission approve Otter Tail's revised tariff sheets with an effective date of January 1, 2019?

3. EL18-039 In the Matter of the Application of Flying Cow Wind, LLC for a Facility Permit to Construct a 345 kV Transmission Line and Associated Facilities in Deuel County (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorney: Amanda Reiss)

On September 27, 2018, the Commission received an Application for a facility permit from Flying Cow Wind, LLC, a wholly-owned subsidiary of Roaring Fork Wind, LLC, to construct an approximately 10.42-mile 345 kV overhead transmission line, a substation, and associated facilities (Project) in Deuel County, South Dakota. The starting point for the Project is proposed to be located in Government Lot 2 of Section 34 in Township 114N, Range 47W, Norden Township. The ending point will be in the NW ¼ of Section 22, Township 113N, Range 48 West, Scandinavia Township. On October 24, 2018, Flying Cow Wind filed a letter requesting to withdraw the Application.

TODAY, shall the Commission grant Flying Cow Wind, LLC's request to withdraw the Application and close the docket? OR, how shall the Commission proceed?

4. EL18-042 In the Matter of the Joint Request for Service Rights Exception between Central Electric Cooperative, Inc. and Southeastern Electric Cooperative, Inc. (Staff Analyst: Joseph Rezac; Staff Attorney: Kristen Edwards)

On October 12, 2018, the Commission received a Joint Request for Service Rights Exception between Central Electric Cooperative, Inc. (Central) and Southeastern Electric Cooperative, Inc. (Southeastern) to allow Central to provide single-phase electric service to a residence in Southeastern's assigned area.

TODAY, shall the Commission approve the requested service rights exception between Central Electric Cooperative, Inc. and Southeastern Electric Cooperative, Inc.?

5. EL18-045 In the Matter of the Application of Flying Cow Wind, LLC for a Facility Permit to Construct a 345 kV Transmission Line and Associated Facilities in Deuel County (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorney: Amanda Reiss)

On October 24, 2018, the Commission received an Application for a facility permit from Flying Cow Wind, LLC, a wholly-owned subsidiary of Roaring Fork Wind, LLC, to construct an approximately 10.42-mile 345 kV overhead transmission line, a substation, and associated facilities (Project) in Deuel County, South Dakota. The starting point for the Project is proposed to be located in Government Lot 2 of Section 34 in Township 114N, Range 47W, Norden Township. The ending point will be in the NW ¼ of Section 22, Township 113N, Range 48 West, Scandinavia Township. The Project is expected to be in service by the third quarter of 2020. FCW estimates the total construction cost of the proposed Project to be approximately \$19.85 million.

TODAY, shall the Commission assess a filing fee not to exceed \$49,625 with an initial deposit of \$8,000? OR, shall the Commission grant Flying Cow Wind, LLC's request to transfer the \$8,000 initial deposit made in Docket EL18-039 to this Docket? AND, shall the Commission authorize the

executive director to enter into necessary consulting contracts? OR, how shall the Commission proceed?

Natural Gas

1. NG18-014 In the Matter of the Filing by NorthWestern Corporation dba NorthWestern Energy for Approval of a Contract with Deviations with Valero Renewable Fuels Company, LLC (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen; Staff Attorney: Amanda Reiss)

On October 12, 2018, NorthWestern Corporation dba NorthWestern Energy (NorthWestern) filed for approval of a contract with deviations with Valero Renewable Fuels Company, LLC (Valero). Valero has reached the expiration date of its initial contract. NorthWestern desires to provide this customer with continuing natural gas service and has negotiated a new contract with deviations. NorthWestern states the new rate will allow NorthWestern to maintain Valero as a customer, which will benefit not only Valero but also NorthWestern and its natural gas customers, through recovery of administrative and general costs and common costs from this customer. NorthWestern requests approval on less than thirty days' notice with an effective date for the tariff revisions of November 1, 2018.

TODAY, shall the Commission approve NorthWestern Energy's contract with deviations with Valero Renewable Fuels Company, LLC and the associated tariff revisions on less than 30 days' notice with an effective date of November 1, 2018?

Items for Commission Discussion

Public Comment

Individuals who wish to make public comments to the commission may do so in person during this time. All who offer public comment are requested to sign in at the commission meeting. Time limits for comments may be determined at the discretion of the chairperson.

Announcements

1. Commissioners and staff will meet with representatives of Montana-Dakota Utilities Co. on Friday, October 26, 2018, at 9:00 a.m. CDT in Room 413 at the State Capitol, Pierre, S.D. The agenda is to discuss a company informational update.
2. Commissioners will attend the Critical Consumer Issues Forum's Annual Kickoff Forum on Saturday, November 10, 2018, at the Loews Royal Pacific Orlando, Orlando, Florida.
3. Commissioners will attend the National Association of Regulatory Utility Commissioner's Annual Meeting and Education Conference, November 11-14, 2018, at the Loews Royal Pacific Orlando, Orlando, Florida.
4. The PUC office will be closed Monday, November 12, 2018, in observance of the Veterans Day holiday.
5. The next regular commission meeting will be Thursday, November 15, 2018, at 1:30 p.m. CST in Room 413 at the State Capitol Building, Pierre, South Dakota.
6. Commission meetings are scheduled for November 27 and December 11, 2018.

/s/Cindy Kemnitz

Cindy Kemnitz
Finance Manager

[PUC Email](#)

October 25, 2018