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South Dakota Public Utilities Commission Meeting
August 7, 2018, at 9:30 A.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 Monday, August 6, 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

Consumer Reports

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

Electric

1. EL11-011 In the Matter of the Joint Request for an Electric Service Rights Exception between Northern States Power Company dba Xcel Energy and Central Electric Cooperative, Inc. (Staff Analyst: Lorena Reichert; Staff Attorney: Amanda Reiss)

On May 23, 2011, Northern States Power Company dba Xcel Energy (Xcel Energy) and Central Electric Cooperative (Central Electric) jointly filed a request for Commission approval of an electric service territory exception. The Commission approved the service rights exception at its regularly scheduled meeting on June 28, 2011. On April 23, 2018, Central Electric filed a letter into the docket agreeing to allow Xcel Energy to provide three phase service to a shop located next to a grain bin site that is served by Xcel Energy from the 2011 service rights exception. A formal agreement regarding Xcel Energy serving the new shop was submitted into the docket on July 11, 2018.

TODAY, shall the Commission approve the requested service rights exception between Xcel Energy and Central Electric Cooperative?

2. EL17-055 In the Matter of the Application by Crocker Wind Farm, LLC for a Permit of a Wind Energy Facility and a 345 kV Transmission Line in Clark County, South Dakota, for Crocker Wind Farm (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorneys: Kristen Edwards, Amanda Reiss)

On December 15, 2017, Crocker Wind Farm, LLC (Crocker) filed with the South Dakota Public Utilities Commission (Commission) an Application for an energy facility permit and a 345 kV Transmission Line (Projects) to construct the Crocker Wind Farm, a wind energy facility located on approximately 29,331 acres of privately owned land in Clark County, South Dakota, approximately 8 miles north of Clark, South Dakota. The proposed projects include up to 120 wind turbines, associated access roads, a new collector substation, an operations and maintenance facility, and associated 345 kilovolt (kV) transmission in Clark County, South Dakota. The projects will result in the installation of approximately 5.2 miles of overhead transmission that will be wholly located within

the wind farm's boundary. The transmission line route will run from a substation in Section 30 of Township 119N, Range 58W to the Point-of-Interconnect (POI), which is located approximately 2 miles north of the town of Crocker in Section 9 of Township 119N, Range 58W. Two routing options from the substation in Section 30 are under consideration. At the POI, the power will transfer to the Basin Electric Groton-to-Watertown 345 kV transmission line, part of the Southwest Power Pool, Inc./Western Area Power Administration transmission line portfolio in Clark County, South Dakota. On May 9-11, 2018, an evidentiary hearing was held regarding this matter. On May 29, 2018, Crocker Wind Farm, LLC, staff and the Intervenor filed post-hearing briefs to the Commission. On June 12, 2018, the Commission issued a Final Decision and Order Granting Permit to Construct Facilities (Permit). Condition 40 of the Permit requires Crocker to provide a public liaison officer, approved by the Commission. The Condition provides that Crocker must file a proposal for a public liaison and receive Commission approval prior to commencement of construction. Crocker intends to file its proposal prior to August 3, 2018.

TODAY, shall the Commission approve Crocker's proposal for public liaison? OR, how shall the Commission proceed?

3. 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. Applications for party status can be viewed in the docket at: <http://puc.sd.gov/Dockets/Electric/2018/EL18-026partystatus.aspx>. A public input meeting was held on July 12, 2018. On July 20, 2018, staff filed a Motion for Adoption of Procedural Schedule.

TODAY, shall the Commission grant intervention to any person that may have filed? AND, shall the Commission grant the Motion for Adoption of Procedural Schedule? OR, how shall the Commission proceed?

4. EL18-030 In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions to its Rates for Cogeneration and Small Power Production Facilities (Staff Analyst: Brittany Mehlhaff; Staff Attorney: Amanda Reiss)

On July 2, 2018, MidAmerican Energy Company (MidAmerican) filed a request for approval of tariff revisions to update its Rate QF – Cogeneration and Small Power Production Facilities tariff (Rate QF). This filing updates Rate QF energy and capacity credits based on MidAmerican's current avoided costs. MidAmerican requests an effective date of August 15, 2018.

TODAY, shall the Commission approve MidAmerican's tariff revisions with an effective date of August 15, 2018?

5. EL18-032 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between West Central Electric Cooperative, Inc. and City of Pierre (Staff Analyst: Darren Kearney; Staff Attorney: Amanda Reiss)

On July 6, 2018, Commission staff filed an Electric Service Territory Boundary Agreement between West Central Electric Cooperative, Inc. and the City of Pierre. 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 requests 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. EL18-033 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Oahe Electric Cooperative, Inc. and City of Pierre (Staff Analyst: Darren Kearney; Staff Attorney: Amanda Reiss)

On July 6, 2018, Commission staff filed an Electric Service Territory Boundary Agreement between Oahe Electric Cooperative, Inc. and the City of Pierre. 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 requests 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?

Grain

1. GW17-002 In the Matter of the Grain Buyer Bond of H & I Grain of Hetland, Inc. (Grain Warehouse Manager: James Mehlhaff; Staff Attorneys: Kristen Edwards, Amanda Reiss)

The Commission revoked H & I Grain of Hetland, Inc.'s (Buyer) license on July 24, 2017, in Docket GW17-001. Upon the revocation, Commission staff sent claim forms to all persons that staff determined to have sold grain to Buyer. Included with each claim form was a description of staff's finding of what was owed to each seller. Upon the expiration of the statutory time for submitting claims to the Commission, staff drafted a recommendation for distribution of the \$400,000 grain bond, along with a memorandum supporting staff's recommendation. Staff filed its recommendation on March 8, 2018. On April 12, 2018, the Commission issued an Order for Distribution of Bond Proceeds. On April 13, 2018, the Commission received from several sellers a Petition to Appoint South Dakota Public Utilities Commission as Receiver. The matter was taken up at both the April 20, May 1, and July 26, 2018, Commission meetings and deferred for additional information.

TODAY, shall the Commission grant the petition to take receivership? OR, how shall the Commission proceed?

Natural Gas

1. NG18-010 In the Matter of the Filing by NorthWestern Corporation dba NorthWestern Energy for Approval of a Contract with Deviations with Dakota Ethanol, LLC (Staff Analyst: Lorena Reichert; Staff Attorney: Amanda Reiss)

On May 10, 2018, NorthWestern Corporation dba NorthWestern Energy (NorthWestern) filed for approval of a contract with deviations with Dakota Ethanol, LLC (Dakota Ethanol). Dakota Ethanol, a large ethanol customer on NorthWestern's natural gas system, is potentially expanding its plant and desires additional capacity. The company's current contract with deviations for this customer was approved in docket NG99-004.

TODAY, shall the Commission approve NorthWestern Energy's contract with deviations with Dakota Ethanol, LLC and the associated tariff revisions?

Telecommunications

1. TC18-016 In the Matter of the Approval of a Third-Party Transit Provider Amendment to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Peerless Network of South Dakota, LLC (Staff Analyst: Joseph Rezac; Staff Attorney: Kristen Edwards)

On May 17, 2018, the Commission received a filing pursuant to 47 U.S.C. § 252 for approval of a Third-Party Transit Provider Amendment to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC (CenturyLink) and Peerless Network of South Dakota, LLC. The purpose of the amendment is to provide the conditions under which CenturyLink and Peerless Network of South Dakota, LLC may use a Third-Party Transit Provider to indirectly exchange traffic between their networks. On July 9, 2018, a new Third-Party Transit Provider Amendment to the Interconnection Agreement between CenturyLink and Peerless Network of South Dakota, LLC was filed.

TODAY, shall the Commission approve the Amendment to the Interconnection Agreement?

2. TC18-020 In the Matter of the Application of ComApp Technologies LLC for a Certificate of Authority to Provide Interexchange Long Distance Services as an Alternative Operator Service (Staff Analyst: Eric Paulson; Staff Attorney: Amanda Reiss)

On June 4, 2018, the Commission received a filing from ComApp Technologies LLC (ComApp) requesting a Certificate of Authority to Provide Interexchange Long Distance Services as an Alternative Operator Service. ComApp requests a waiver of ARSD 20:10:24:05(3), 20:10:24:05(5), 20:10:24:05(6). On July 3, 2018, ComApp responded to staff's data request. On July 26, 2018, ComApp filed its South Dakota sales tax number.

TODAY, shall the Commission grant ComApp Technologies LLC a Certificate of Authority to provide interexchange long distance services as an alternative operator service? AND shall the Commission grant the requested waivers?

3. TC18-055 In the Matter of the Filing by Midcontinent Communications for Approval of Revisions to its Access Services Tariff (Staff Analyst: Patrick Steffensen; Staff Attorney: Kristen Edwards)

On July 18, 2018, Midcontinent Communications (Midco) filed a request for approval of revisions to its Access Services Tariff. Midco is submitting this filing to maintain compliance with the Federal Communications Commission's, November 18, 2011, Intercarrier Compensation Reform Order (FCC 11-161). Midco requests that the tariff revisions become effective on July 3, 2018.

TODAY, shall the Commission approve the revisions to Midcontinent Communication's Access Services Tariff?

4. In the Matter of Request for Certification Regarding the Use of Federal Universal Service Support in Dockets TC18-027, TC18-029, TC18-033, TC18-034, TC18-036, TC18-043, TC18-046 and TC18-053.

TC18-027 In the Matter of the Request of RC Technologies for Certification Regarding Its Use of Federal Universal Service Support (Study Area: 391674) (Staff Analyst: Eric Paulson; Staff Attorney: Kristen Edwards)

On June 15, 2018, the Commission received an application from RC Technologies (Company) requesting the Commission to issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to the Company. On July 13, 2018, the Company responded to staff's data request.

TC18-029 In the Matter of the Request of Golden West Telecommunications Cooperative, Inc. for Certification Regarding Its Use of Federal Universal Service Support (Study Areas: Armour-391640, Golden West Telecom-391659, Kadoka-391667, Sioux Valley-391677, Union-391684, Vivian-391686) (Staff Analyst: Eric Paulson; Staff Attorney: Kristen Edwards)

On June 22, 2018, the Commission received an application from Golden West Telecommunications Cooperative, Inc. (Company) requesting the Commission to issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to the Company. On July 13, 2018, the Company responded to staff's data request.

TC18-033 In the Matter of the Request of RT Communications, Inc. Study Area: 512251 for Certification Regarding its Use of Federal Universal Service Support (Staff Analyst: Patrick Steffensen; Staff Attorney: Kristen Edwards)

On June 25, 2018, the Commission received an application from RT Communications, Inc. (Company) requesting the Commission to issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to the Company. On July 24, 2018, the Company responded to staff's data request.

TC18-034 In the Matter of the Request of West River Telecommunications Cooperative Study Area: Mobridge-391671 for Certification Regarding its Use of Federal Universal Service Support (Staff Analyst: Patrick Steffensen; Staff Attorney: Kristen Edwards)

On June 27, 2018, the Commission received an application from West River Telecommunications Cooperative, Mobridge, (Company) requesting the Commission to issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to the Company. On July 24, 2018, the Company responded to staff's data request.

TC18-036 In the Matter of the Request of Kennebec Telephone Co., Inc. Study Area: 391668 for Certification Regarding its Use of Federal Universal Service Support (Staff Analyst: Patrick Steffensen; Staff Attorney: Kristen Edwards)

On June 28, 2018, the Commission received an application from Kennebec Telephone Co., Inc. (Company) requesting the Commission to issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to the Company. On July 25, 2018, the Company responded to staff's data request

TC18-043 In the Matter of the Request of Santel Communications Cooperative Inc. for Certification Regarding Its Use of Federal Universal Service Support (Study Area 391676) (Staff Analyst: Eric Paulson; Staff Attorney: Kristen Edwards)

On June 29, 2018, the Commission received an application from Santel Communications Cooperative Inc. (Company) requesting the Commission to issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to the Company. On July 13, 2018, the Company responded to staff's data request.

TC18-046 In the Matter of the Request of Fort Randall Telephone Company for Certification Regarding Its Use of Federal Universal Service Support (Study Area 391660) (Staff Analyst: Eric Paulson; Staff Attorney: Kristen Edwards)

On June 29, 2018, the Commission received an application from Fort Randall Telephone Company (Company) requesting the Commission to issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to the Company. On July 19, 2018, the Company responded to staff's data request.

TC18-053 In the Matter of the Request of Midcontinent Communications for Certification Regarding Its Use of Federal Universal Service Support (Study Area: 399005) (Staff Analyst: Eric Paulson; Staff Attorney: Kristen Edwards)

On July 13, 2018, the Commission received an application from Midcontinent Communications (Company) requesting the Commission to issue a certification to the FCC and USAC indicating it is in compliance with 47 U.S.C. Section 254(e) and should receive all federal universal service support determined for distribution to the Company. On July 18, 2018, the Company responded to staff's data request.

TODAY, shall the Commission provide a certification to the Federal Communications Commission and to the Universal Service Administration Company regarding the use of Federal Universal Service Support in each of the above dockets?

Items for Commission Discussion

Staff received some questions regarding sample forms in the tariff, specifically what sample forms are required to be in the tariff, and whether a link to forms on the company website would be sufficient? The applicable administrative rule provides:

20:10:13:12. Sample forms used by public utilities to be filed. Sample copies of printed forms that are normally used in connection with customers' services, such as applications for service, regular bills for service, contract forms, delinquency notices, disconnect notices, deposit receipts, and similar forms, shall be considered a part of a utility's tariff schedules. Each form shall be mounted on a regularly numbered tariff schedule sheet showing the name or title of the form. Such forms shall be maintained currently up to date in the same manner as tariff schedules insofar as changes in them affect rates and conditions of service.

Following a discussion with representatives from each utility, staff is comfortable with the concept that the tariff would include copies of the forms and a list of approved forms with a link to the company's website where the most current forms can be found. The form in the tariff and the current version will be materially the same, however, minor edits, such as grammatical corrections could be made. Staff suggests the companies notify staff via email when changes are made to the forms so staff can review the update on the website and determine that we agree the changes do not require a tariff change. The company would need to file for approval when the change affects rates or conditions of service. Additionally, the most current forms should be filed, at the very least, at the time of a rate case.

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 attend the South Dakota Telecommunications Association Annual Meeting, August 19-21, 2018, at the Swifel Center, Brookings, S.D.
2. The next regular commission meeting will be Wednesday, August 22, 2018, at 1:30 p.m. CDT in Room 413 at the State Capitol Building, Pierre, S.D.
3. Commission meetings are scheduled for September 4 and 18, 2018.

/s/Cindy Kemnitz

Cindy Kemnitz
Finance Manager
[PUC Email](#)
July 31, 2018