

Commission Minutes | [previous page](#)

**South Dakota Public Utilities Commission Meeting**  
**September 18, 2018, at 9:30 A.M. CDT**  
**Room 413, Capitol Building**  
**Pierre, South Dakota**

#### MINUTES OF THE COMMISSION MEETING

Chairperson Kristie Fiegen called the meeting to order. Present were: Commissioners: Chris Nelson and Gary Hanson; Commission Attorneys: Karen Cremer and Adam de Hueck; Commission Advisor: Greg Rislov; Staff Attorney: Amanda Reiss; Staff Analysts: Jon Thurber, Patrick Steffensen, Brittany Mehlhaff, Joseph Rezac, Eric Paulson and Lorena Reichert; and Staff: Katlyn Gustafson.

Present were:

Cheri Whittler, court reporter; Bob Mercer, reporter; Pam Bonrud, Kristi Wallman, Tim Olson and Jeff Decker, NorthWestern Corporation dba NorthWestern Energy; and Brian Rounds, AESL Consulting.

Joining the meeting by telephone were:

Pipeline Safety Manager: Mary Zanter; Staff Attorney: Kristen Edwards; Staff Analyst: Darren Kearney; Kelli Pazour, self; Lisa Agrimonti, Fredrickson & Byron, P.A., representing Prevailing Wind Park, LLC; Steve Kolbeck, Northern States Power Company dba Xcel Energy; Crystal Lail, Melissa Baruth, Aaron Bjorkman and Brian Bird, NorthWestern Corporation dba NorthWestern Energy; Dave Peterson, Chesapeake Regulatory Consultants, Inc, representing PUC Staff; Gary Marek, Law Office of Meachum, Boyle & Trafman, representing Lisa Kukuzke; and William Taylor, Taylor Law Firm, LLC, representing Consolidated Edison Development, Inc.

(NOTE: For the purpose of continuity, these minutes are not necessarily in chronological order.)

#### Administration

##### **1. Approval of the minutes of the Commission meeting held on September 4, 2018. (Staff: Joy Lashley)**

**Commissioner Nelson moved to approve the minutes of the Commission meeting held on September 4, 2018. Motion carried 3-0.**

#### Electric

##### **1 EL14-106 In the Matter of the Application of NorthWestern Corporation dba NorthWestern Energy for Authority to Increase its Electric Rates (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen, Eric Paulson, Joseph Rezac; Staff Attorney: Amanda Reiss)**

Mr. Jeff Decker, NorthWestern Corporation dba NorthWestern Energy (NorthWestern), asked that the Commission grant the Joint Motion for Approval of Amendment to Revised Settlement Stipulation and approve the terms and conditions stipulated therein. Ms. Amanda Reiss, staff attorney, recommended that the Commission approve NorthWestern's request.

**Commissioner Nelson moved to grant the Joint Motion for Approval of Amendment to Revised Settlement Stipulation and approve the terms and conditions stipulated therein. Motion carried 3-0.**

##### **2. 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)**

A lengthy discussion took place regarding docket EL18-026. An audio of the discussion can be found on the PUC website under Commission Actions, Commission Meeting Archives, 2018, September 18, 2018, recording located at:

<http://puc.sd.gov/commission/media/2018/puc09182018.mp3>.

**Commissioner Hanson moved to grant late intervention to Kelli Pazour.** Motion carried 2-1. Commissioner Nelson dissented.

**3. EL18-034 In the Matter of the Filing by NorthWestern Corporation dba NorthWestern Energy for Approval of Tariff Revisions to Its Small Qualifying Facility Rider (Rates 73 and 74) (Staff Analysts: Darren Kearney, Jon Thurber, Eric Paulson; Staff Attorney: Kristen Edwards)**

Mr. Jeff Decker, NorthWestern Corporation dba NorthWestern Energy (NorthWestern) asked that the Commission approve tariff revisions effective October 1, 2018. Mr. Jon Thurber, staff analyst, recommended that the Commission approve NorthWestern's request.

**Commissioner Fiegen moved to approve NorthWestern's tariff revisions with an effective date of October 1, 2018.** Motion carried 3-0.

**4. EL18-036 In the Matter of the Petition of Northern States Power Company dba Xcel Energy for Approval of Its 2019 Transmission Cost Recovery Eligibility and Rate Adjustment (Staff Analyst: Patrick Steffensen; Staff Attorney: Kristen Edwards)**

Mr. Patrick Steffensen, staff analyst, recommended that the Commission assess Northern States Power Company dba Xcel Energy (Xcel), a filing fee in the amount of up to \$50,000 to account for actual expenses incurred in review of this filing commencing from the filing date. Mr. Steve Kolbeck, Xcel, stated Xcel did not object to the request.

**Commissioner Nelson moved to assess a filing fee in the amount of up to \$50,000 to account for actual expenses incurred in review of this filing commencing from the filing date.** Motion carried 3-0.

**Gas and Electric**

**1. GE17-003 In the Matter of Staff's Request to Investigate the Effects of the Tax Cuts and Jobs Act on South Dakota Utilities (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen; Staff Attorneys: Kristen Edwards, Amanda Reiss)**

A lengthy discussion took place regarding docket GE17-003. An audio of the discussion can be found on the PUC website under Commission Actions, Commission Meeting Archives, 2018, September 18, 2018, recording located at:  
<http://puc.sd.gov/commission/media/2018/puc09182018.mp3>.

**Commissioner Hanson moved to grant the Joint Motion for Approval of Settlement Stipulation and approve the terms and conditions stipulated therein.** Motion carried 3-0.

**Natural Gas**

**1. NG18-012 In the Matter of the Filing by NorthWestern Corporation dba NorthWestern Energy for Approval of a Contract with Deviations with Prairie AquaTech Manufacturing, LLC (Staff Analyst: Eric Paulson; Staff Attorney: Amanda Reiss)**

Mr. Jeff Decker, NorthWestern Corporation dba NorthWestern Energy (NorthWestern), asked that the Commission approve NorthWestern's contract with deviations with Prairie AquaTech Manufacturing, LLC and the associated tariff revisions. Mr. Eric Paulson, staff analyst, recommended that the Commission approve NorthWestern's request effective October 1, 2018.

**Commissioner Fiegen moved to approve NorthWestern's contract with deviations with Prairie AquaTech Manufacturing, LLC and the associated tariff revisions effective October 1, 2018.** Motion carried 3-0.

**2. NG18-013 In the Matter of the Filing by NorthWestern Corporation dba NorthWestern Energy for Approval of its Gas Transportation Tariff Revisions Regarding Fuel Retention Percentage (Staff Analyst: Patrick Steffensen; Staff Attorney: Amanda Reiss)**

Mr. Jeff Decker, NorthWestern Corporation dba NorthWestern Energy (NorthWestern), asked that the Commission approve the proposed tariff revisions effective October 1, 2018. Mr. Patrick Steffensen, staff analyst, recommended that the Commission approve NorthWestern's request.

Commissioner Hanson moved to approve the proposed tariff revisions effective October 1, 2018. Motion carried 3-0.

**Pipeline Safety**

**1. PS18-001 In the Matter of Staff's Request for Release to Liberty Mutual Insurance Company a Segment of Pipe Involved in a February 6, 2018, Incident (Pipeline Safety Program Manager: Mary Zanter, Pipeline Safety Inspector: Boice Hillmer; Staff Attorney: Kristen Edwards)**

Commissioner Fiegen deferred the docket.

**Rulemaking**

**1. RM13-002 In the Matter of the Consideration of Standards to Govern Avoided Cost Determinations (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorney: Karen Cremer)**

Mr. Jon Thurber, staff analyst, asked that the Commission dismiss and close the rulemaking docket.

Commissioner Nelson moved to dismiss the rulemaking docket. Motion carried 3-0.

There being no further business, at the hour of 10:47 a.m., the South Dakota Public Utilities Commission meeting adjourned.

/s/Joy Lashley .

Joy Lashley

Administrative Assistant

[PUC Email](#)

September 18, 2018