

Commission Minutes | [previous page](#)

South Dakota Public Utilities Commission Meeting
May 15, 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: Gary Hanson and Chris Nelson; Commission Attorneys: Karen Cremer and Adam de Hueck; Staff Attorney: Kristen Edwards; Staff Analysts: Darren Kearney, Brittany Mehlhaff, Joseph Rezac, Eric Paulson, Patrick Steffensen, and Lorena Reichert; Consumer Affairs Manager: Deb Gregg; and Staff: Katlyn Gustafson.

Present were:

Margo Northrup, Riter, Rogers, Wattier & Northrup, LLP, representing South Dakota Rural Electric Association; Cary Stephenson, Pete Beithon, Matt Olsen, Stuart Tommerdahl and Bruce Gerhardson, Otter Tail Power Company; and Jason Keil, Nick Gardner, Todd Brink and Kyle White, Black Hills Power, Inc. dba Black Hills Energy.

Joining the meeting by telephone were:

Mutch Usera, Black Hills Power, Inc. dba Black Hills Energy; Ted Smith, Sioux Valley Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy; Mark Mauersberger, Apex Clean Energy Holdings, LLC, representing Dakota Range I, LLC and Dakota Range II, LLC; and Mollie Smith, Fredrikson & Byron, P.A., representing Dakota Range I, LLC and Dakota Range II, LLC.

Administration

1. Approval of the minutes of the Commission meetings held on April 20, and May 1, 2018. (Staff: Joy Lashley)

Commissioner Nelson moved to approve the minutes of the Commission meetings held on April 20, and May 1, 2018. Motion carried 3-0.

Consumer Reports

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

The Commission received a total of 49 contacts since the last report was prepared for the May 1, 2018, Commission meeting.

Four contacts involved telecommunication services, 20 contacts were related to electrical services, six contacts were related to natural gas service, six contacts were related to wireless service, eight contacts were related to the Do Not Call Registry and five contacts were related to issues not regulated by the PUC.

Complaints received in 2014: 1,914 of the 1,916 have been resolved.

Complaints received in 2018: 476 of the 489 have been resolved.

Electric

1. EL17-006 In the Matter of the Application of Black Hills Power, Inc. dba Black Hills Energy for Approval of 2017 Transmission Facility Adjustment (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen, Jon Thurber; Staff Attorney: Kristen Edwards)

In dockets, EL17-006 and EL17-008, Mr. Jason Keil, Black Hills Power, Inc. dba Black Hills Energy (BHE), asked that the Commission grant the Joint Motion for Approval of Amendment to Settlement Stipulation and approve the terms and conditions stipulated therein. Ms. Brittany Mehlhaff, staff analyst, recommended that the Commission approve BHE's requests.

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

2. EL17-008 In the Matter of the Application of Black Hills Power, Inc. dba Black Hills Energy for Approval of Its 2017 Environmental Improvement Adjustment (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen, Jon Thurber; Staff Attorney: Kristen Edwards)

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

3. EL17-024 In the Matter of the Commission Approval of Stray Voltage Training Programs (Staff Analyst: Darren Kearney; Staff Attorney: Amanda Reiss)

Mr. Darren Kearney, staff analyst, recommended that the Commission approve the stray voltage training programs offered by the University of Wisconsin and Midwest Rural Energy Council.

Commissioner Fiegen moved to approve the stray voltage training programs offered by the University of Wisconsin and Midwest Rural Energy Council. Motion carried 3-0.

4. 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 (Staff Analysts: Darren Kearney, Jon Thurber; Staff Attorneys: Kristen Edwards, Amanda Reiss)

Ms. Kristen Edwards, staff attorney, recommended that the Commission grant withdrawal to Dan Seurer, Christian Reimche, Paul Nelson, and Derek Nelson. Ms. Mollie Smith, Fredrikson & Byron, P.A., representing Dakota Range I, LLC and Dakota Range II, LLC, stated Dakota Range I, LLC and Dakota Range II, LLC, did not object to the request.

Commissioner Hanson moved to grant withdrawal of party status to Dan Seurer, Christian Reimche, Paul Nelson, and Derek Nelson. Motion carried 3-0.

5. EL18-009 In the Matter of the Application of Black Hills Power, Inc. dba Black Hills Energy for Approval of its 2017 Economic Development Report and 2018 Economic Development Plan (Staff Analyst: Lorena Reichert; Staff Attorney: Kristen Edwards)

Mr. Jason Keil, Black Hills Power, Inc. dba Black Hills Energy (BHE), asked that the Commission approve BHE's 2017 Economic Development Report and its 2018 Economic Development Plan. Ms. Lorena Reichert, staff analyst, recommended that the Commission approve BHE's request.

Commissioner Nelson moved to approve BHE's 2017 Economic Development Report and its 2018 Economic Development Plan. Motion carried 3-0.

6. EL18-018 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Madison Municipal Electric and Sioux Valley-Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy (Staff Analyst: Joseph Rezac; Staff Attorney: Amanda Reiss)

Mr. Joseph Rezac, staff analyst, recommended that the Commission approve the electric service territory boundary agreement between Madison Municipal Electric and Sioux Valley Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy. Mr. Ted Smith, Sioux Valley Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy, asked that the Commission approve the request.

Commissioner Fiegen moved to approve the proposed electric service territory boundary agreement. Motion carried 3-0.

7. EL18-020 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Brookings Municipal Utilities and Sioux Valley-Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy (Staff Analyst: Joseph Rezac; Staff Attorney: Kristen Edwards)

Mr. Joseph Rezac, staff analyst, recommended that the Commission approve the electric service territory boundary agreement between Brookings Municipal Utilities and Sioux Valley Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy. Mr. Ted Smith, Sioux Valley Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy, asked that the Commission approve the request.

Commissioner Hanson moved to approve the proposed electric service territory boundary agreement. Motion carried 3-0.

8. EL18-021 In the Matter of the Application of Otter Tail Power Company for Authority to Increase Its Electric Rates (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen, Eric Paulson, Joseph Rezac, Lorena Reichert; Staff Attorney: Kristen Edwards)

A lengthy discussion took place for docket EL18-021. An audio of the discussion can be found on the PUC website under Commission Actions, Commission Meeting Archives, 2018, May 15, 2018, recording located at: <http://puc.sd.gov/commission/media/2018/puc05152018.mp3>.

Commissioner Hanson moved to suspend the imposition of the tariff for 180 days beyond the Application filing date of April 20, 2018 and deny the Company's request to implement interim rates effective May 21, 2018. Motion carried 3-0.

Commissioner Fiegen moved to assess a filing fee to account for actual expenses incurred from the date of filing, not to exceed \$250,000, and give the executive director authority to enter into consulting contracts as necessary. Motion carried 3-0.

There being no further business, at the hour of 10:39 a.m., the South Dakota Public Utilities Commission meeting adjourned.

1. EL17-006 In the Matter of the Application of Black Hills Power, Inc. dba Black Hills Energy for Approval of 2017 Transmission Facility Adjustment (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen, Jon Thurber; Staff Attorney: Kristen Edwards)

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/s/Joy Lashley
Joy Lashley

Administrative Assistant

[PUC Email](#)

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