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South Dakota Public Utilities Commission Meeting

July 9, 2019, 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, July 8, 2019, 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 Minutes of the Commission Meetings Held on June 11 and 25, 2019 (Staff: Joy Lashley)

Consumer Reports

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

Electric

1. **EL18-048 In the Matter of the Petition of Otter Tail Power Company for Approval of the Transmission Cost Recovery Rider Rate** (Staff Analysts: Patrick Steffensen, Joseph Rezac; Staff Attorney: Kristen Edwards)

On October 31, 2018, Otter Tail Power Company (OTP) filed a petition for approval of its 2019 Transmission Cost Recovery (TCR) Rider. On February 20, 2019, the Commission issued an Order Approving 2019 Transmission Cost Recovery Rate Adjustment for rates effective March 1, 2019. On July 1, 2019, OTP and Commission staff (Parties) filed a Joint Motion for Approval of Stipulation on Correcting Electric Plant In Service – Transmission Rate Base Total. This Stipulation was prepared and executed by the Parties for the purpose of equitably and efficiently addressing a mistake in OTP's reported rate base in Docket EL18-021. The Parties agree that this error, arising from a rate base adjustment for the Big Stone Area Transmission to Brookings project, should be corrected and the most appropriate vehicle for achieving this end is OTP's TCR Rider. The Stipulation specifies the Parties agree that OTP will file an update to the TCR Rider at a time to permit the rates reflecting the correction to go into effect on October 1, 2019.

TODAY, shall the Commission grant the Joint Motion for Approval of Stipulation? OR, how shall the Commission proceed?

2. **EL19-003 In the Matter of the Application by Crowned Ridge Wind, LLC for a Permit of a Wind Energy Facility in Grant and Codington Counties** (Staff Analysts: Darren Kearney, Jon Thurber, Eric Paulson; Staff Attorneys: Kristen Edwards, Amanda Reiss, Mikal Hanson)

On January 30, 2019, Crowned Ridge Wind, LLC (Crowned Ridge or Applicant) filed an application for a permit to construct a wind energy conversion facility to be located in Grant County and Codington County, South Dakota (Project). The Project would be situated on approximately 53,186-acres in the townships of Waverly, Rauville, Leola, Germantown, Troy, Stockholm, Twin Brooks, and Mazeppa, South Dakota. The total installed capacity of the Project would not exceed 300 megawatts of nameplate capacity. The proposed Project includes up to 130 wind turbine generators, access roads to turbines and associated facilities, underground 34.5-kilovolt (kV) electrical collector lines, underground fiber-optic cable, a 34.5-kV to 345-kV collection substation, one permanent meteorological tower, and an operations and maintenance facility. The Project will utilize the Crowned Ridge 34-mile 230-kV generation tie line and a new reactive power compensation substation to transmit the generation from the Project's collector substation to the Project's point of interconnection located at the Big Stone South 230-kV Substation, which is owned by Otter Tail Power Company. Applicant has executed a power purchase agreement with Northern States Power Company (NSP) to sell NSP the full output of the Project. The Project is expected to be completed in 2020. Applicant estimates the total cost of the Project to be \$400 million. The Commission has granted party status to five individuals (Intervenors). On June 11 and 12, 2019, an evidentiary hearing was held. Testimony from witness David Hessler was heard on June 6, 2019.

TODAY, shall the Commission grant, deny, or grant with conditions, a permit for the construction of a wind energy facility to Crowned Ridge Wind, LLC pursuant to SDCL 49-41B-25? OR, how shall the Commission proceed?

3. EL19-007 In the Matter of the Application by Triple H Wind Project, LLC for a Permit of a Wind Energy Facility in Hyde County, South Dakota (Staff Analysts: Darren Kearney, Jon Thurber, Joseph Rezac; Staff Attorneys: Kristen Edwards, Amanda Reiss, Mikal Hanson)

On February 6, 2019, Triple H Wind Project, LLC (Triple H) filed for a permit to construct Triple H Wind Project (Project), a wind energy facility located on approximately 27,247 acres of land in Hyde County, South Dakota, approximately 3.2 miles southwest of Highmore, South Dakota. The total installed capacity of the Project would not exceed 250.24 MW nameplate capacity. The proposed Project includes up to 92 wind turbine generators, access roads to turbines and associated facilities, underground electrical power collector lines connecting the turbines to the collection substation, and operations and maintenance facility, a Sonic Detection Ranging Unit, and temporary construction areas, including crane paths, public road improvements, a laydown yard, and a concrete batch plant (s) (as needed), and one permanent meteorological tower. The Project would interconnect to the existing Leland Olds to Fort Thompson transmission line via a new 500-foot transmission interconnection line within the Project area. Triple H has entered into an agreement with Walmart and another undisclosed buyer for the electricity generated by the Project. The remaining 52 MW will be sold on a merchant basis. On March 19, 2019, the Commission held a public input hearing in Highmore. No applications for Party Status were received by the Commission. On May 21, 2019, Commission staff (staff) and Triple H filed a Joint Motion for Approval of Settlement Stipulation and a Settlement Stipulation resolving all issues except for the funding for the decommissioning of the Project and the risks associated with ice throw. On May 28, 2019, the Commission voted to grant the Joint Motion for Approval of Settlement Stipulation and approve the Settlement Stipulation with the exceptions of proposed conditions 35 and 38. On June 27, 2019, an evidentiary hearing was held on the remaining issues.

TODAY, shall the Commission grant, deny, or grant with conditions, a permit for the construction of a wind energy facility to Triple H Wind Project, LLC pursuant to SDCL 49-41B-25? OR, how shall the Commission proceed?

4. EL19-012 In the Matter of the Application by Sweetland Wind Farm, LLC for Facility Permits for a Wind Energy Facility and a 230-kV Transmission Facility in Hand County, South Dakota for the Sweetland Wind Farm Project (Staff Analysts: Darren Kearney, Jon Thurber, Eric Paulson; Staff AttorneyS: Kristen Edwards, Mikal Hanson)

On March 6, 2019, Sweetland Wind Farm, LLC (Applicant) filed an application for facility permits to construct Sweetland Wind Farm, a wind energy facility located on approximately 20,979 acres of land in Hand County, South Dakota, in the townships of Pearl, Hulbert, and Rose Hill, South Dakota, and a 230-kV transmission line (Project). The total installed capacity of the Project would be approximately 200 MW nameplate capacity. The proposed Project includes up to 71 wind turbine generators, access roads to turbines and associated facilities, underground electrical power

collector lines connecting the turbines to the Project substation, an operations and maintenance facility, and temporary construction areas, including crane paths, pull sites, access roads, a laydown yard, and a concrete batch plant(s) (as needed), and four permanent meteorological towers. The Project would interconnect to the regional electric grid along the Western Area Power Administration's existing Fort Thompson to Huron transmission line via a new switchyard located in Rose Hill Township. The Project will result in the installation of approximately 7 miles of 230-kV overhead transmission line. The Applicant does not currently have a purchase agreement for the Project but is currently in discussions with interested parties. A public input hearing to take public comments regarding the Project was held on April 25, 2019, in Miller, South Dakota. An evidentiary hearing is scheduled for July 31-August 2, 2019. Party status has been granted to one individual, Theresa Lichty. On June 26, 2019, Applicant filed a Settlement Stipulation and Joint Motion for Approval of Settlement Stipulation (Stipulation) between Applicant and Theresa Lichty.

TODAY, shall the Commission grant the Joint Motion for Approval of Settlement Stipulation between the Applicant and Theresa Lichty? OR, how shall the Commission proceed?

Telecommunications

1. TC19-012 In the Matter of the Approval of an Intercarrier Compensation Bill and Keep Amendment to an Interconnection Agreement between Qwest Corporation dba CenturyLink QC and XO Communications Services, LLC (Staff Analyst: Patrick Steffensen; Staff Attorney: Amanda Reiss)

On June 6, 2019, the Commission received a filing pursuant to 47 U.S.C. § 252, for approval of a Reciprocal Compensation Bill and Keep Amendment to the Interconnection Agreement between Qwest Corporation dba CenturyLink QC and XO Communications Services, LLC for the State of South Dakota.

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

2. TC19-013 In the Matter of the Request of Citizens Telecommunications Company of Minnesota, LLC for Certification Regarding its Use of Federal Universal Service Support (Study Area 361123) (Staff Analyst: Patrick Steffensen; Commission Attorney: Karen Cremer)

On June 10, 2019, the Commission received an application from Citizens Telecommunications Company of Minnesota, LLC (Company) requesting the Commission grant a waiver of the Commission's ETC filing requirements pursuant to ARSD 20:10:32:56, on grounds that the reporting requirements in support of ETC certification are unduly burdensome and unnecessary. The Company also requests that the Commission 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 June 17, 2019, the Company responded to staff's data request.

TODAY, shall the Commission grant the waiver and certify Citizens Telecommunications Company of Minnesota, LLC?

3. In the Matter of Request for Certification Regarding the Use of Federal Universal Service Support in Dockets TC19-014, TC19-015, TC19-016 and TC19-017.

TC19-014 In the Matter of the Request of Venture Communications Cooperative for Certification Regarding Its Use of Federal Universal Service Support (Study Areas: Venture Communications Cooperative 391680 and Western Telephone Co. 391688) (Staff Analyst: Lorena Reichert; Commission Attorney: Adam de Hueck)

On June 18, 2019, the Commission received an application from Venture Communications Cooperative (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 June 28, 2019, the Company responded to staff's data request and amended the filing to include Study Area Code 391688.

TC19-015 In the Matter of the Request of RT Communications, Inc. for Certification Regarding its Use of Federal Universal Service Support (Study Area 512251) (Staff Analyst: Patrick Steffensen; Commission Attorney: Karen Cremer)

On June 18, 2019, 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 June 26, 2019, the Company responded to staff's data request.

TC19-016 In the Matter of the Request of Interstate Telecommunications Cooperative, Inc. for Certification Regarding Its Use of Federal Universal Service Support (Study Areas: Interstate Telecommunications Cooperative–391654 and Stockholm Strandburg–391679) (Staff Analyst: Lorena Reichert; Commission Attorney: Adam de Hueck)

On June 18, 2019, the Commission received an application from Interstate 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 June 24, 2019, the Company responded to staff's data request.

TC19-017 In the Matter of the Request of Interstate Telecommunications Cooperative, Inc., fka SSTELECOM, Inc. for Certification Regarding Its Use of Federal Universal Service Support (Study Area: 399013) (Staff Analyst: Lorena Reichert; Commission Attorney: Karen Cremer)

On June 18, 2019, the Commission received an application from Interstate Telecommunications Cooperative, Inc., fka SSTELECOM, 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 June 24, 2019, 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

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 chairman.

Announcements

1. The PUC office will be closed July 4 and 5, 2019, in observance of Independence Day.
2. Commissioners will attend the Governor's Agricultural Summit, July 10-11, 2019, at the Denny Sanford Premier Center, Sioux Falls, South Dakota.
3. Commissioners and staff will attend the National Association of Regulatory Utility Commissioners' Summer Policy Summit July 21-24, 2019, at the J.W. Marriott Indianapolis, Indianapolis, Indiana.
4. The next regular commission meeting will be Thursday, July 25, 2019, at 1:30 p.m. CDT in Room 413 at the State Capitol Building, Pierre, South Dakota.
5. Commissioners and staff will attend the National Association of Regulatory Utility Commissioners' Summer Policy Summit, July 21-24, 2019, at the J.W. Marriott Indianapolis, Indianapolis, Indiana.
6. Commission meetings are scheduled for August 6 and 21, 2019.

/s/Cindy Kemnitz
Cindy Kemnitz

Finance Manager

[PUC Email](#)

July 2, 2019