

[Commission Agendas](#) | [previous page](#)**South Dakota Public Utilities Commission Meeting****April 3, 2018, at 9:30 A.M. CDT****Room 413, Capitol Building****Pierre, South Dakota**

NOTE: If you wish to join this meeting by conference call, please contact the Commission at 605-773-3201 by 5:00 p.m. CDT on Friday, March 30, 2018. Lines are limited and are given out 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 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 web cast 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 March 20, 2018 (Staff: Joy Lashley)**

Consumer Reports

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

Administration

1. **AA18-001 In the Matter of Clarification of the Commission's ETC Certification Process (Staff Analyst: Joseph Rezac; Staff Attorney: Kristen Edwards)**

In Docket TC13-027, the Commission waived certain ETC requirements in light of the Federal Communications Commission's (FCC) new annual reporting requirements. The Commission voted to waive the June 1 filing deadline as set forth in ARSD 20:10:32:52 and allow ETCs to file their annual certification petitions on or before July 1. With respect to ARSD 20:10:32:54(1), the Commission found that if an ETC is filing a five-year plan with the FCC and the Commission, that ETC is not required to file a two-year plan pursuant to the Commission's rule. All other ETCs must continue to file their two-year plans. With respect to ARSD 20:10:32:54(2), the Commission found that all ETCs are still required to file progress reports on their previously filed service quality improvement plans; however, the minor differences in this provision as compared to the FCC's similar progress report provision are waived. With respect to ARSD 20:10:32:54(4) and (5), the Commission waived the portions of these subdivisions that are not consistent with the federal requirements. With respect to ARSD 20:10:32:54(8) and (9), the Commission waived these requirements in their entirety. In Docket AA17-001 the Commission voted to not continue the waivers of ARSD 20:10:32:54 (1) and (2) for 2017. On March 12, 2018, PUC Staff filed a letter opening this docket and requesting clarification as to how the companies should proceed in 2018.

TODAY, shall the Commission waive certain Certification requirements as found in ARSD 20:10:32:54 and the filing deadline as found in ARSD 20:10:32:52? OR, how shall the Commission proceed?

Electric

1. EL17-052 In the Matter of the Request for Approval of an Electric Service Territory Boundary Agreement between Oahe Electric Cooperative, Inc. and City of Onida (Staff Analyst: Lorena Reichert; Staff Attorney: Kristen Edwards)

On December 7, 2017, the Commission received a letter of understanding from Oahe Electric Cooperative, Inc. (Oahe Electric) and the City of Onida (Onida) seeking to inform the Commission of their agreement to maintain the current electric service territory boundary after a city annexation of the land. On December 27, 2017, Onida and Oahe Electric responded to Commission staff's (staff) data requests. On March 20, 2018, staff filed an amendment to the previous electric service territory agreement filed in EL14-015, signed by Oahe Electric and Onida.

TODAY, shall the Commission approve the amendment to the agreement from EL14-015?

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 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 February 26, 2018, the Commission issued an Order Granting Intervention and Party Status to 64 individuals. On March 21, 2018, the Commission received a request for withdrawal of party status for 62 of the intervenors.

TODAY, shall the Commission grant withdrawal of party status to those who have filed?

3. 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)

On January 24, 2018, the South Dakota Public Utilities Commission (Commission) received an Application for a Facility Permit for a wind energy facility (Application) from Dakota Range I, LLC, and Dakota Range II, LLC (together Dakota Range or Applicant). Applicant proposes to construct a wind energy facility to be located in Grant County and Codington County, South Dakota, known as the Dakota Range Wind Project (Project). The Project would be situated within an approximately 44,500-acre project area, ten miles northeast of Watertown, South Dakota (Project Area). The total installed capacity of the Project would not exceed 302.4MW nameplate capacity. The proposed Project includes up to 72 wind turbine generators, access roads to turbines and associated facilities, underground 34.5-kilovolt (kV) electrical collector lines connecting the turbines to the collection substation, underground fiber-optic cable for turbine communications co-located with the collector lines, a 34.5 to 345-kV collection substation, up to five permanent meteorological towers, and an operations and maintenance facility. The Project would interconnect to the high-voltage transmission grid via the Big Stone South to Ellendale 345-kV transmission line which crosses the Project site. The Project is expected to be completed in 2021. Applicant estimates the total construction cost to be \$380 million. The deadline to file an application for Party Status is March 26, 2018. All applications for party status may be viewed on the Commission's website at <http://puc.sd.gov/Dockets/Electric/2018/el18-003partystatus.aspx>. Commission staff will file its proposed procedural schedule.

TODAY, shall the Commission grant party status to those who have filed? AND, shall the Commission issue a procedural schedule?

4. EL18-014 In the Matter of the Approval of Stray Voltage Qualified Testing Professionals (Staff Analyst: Darren Kearney; Staff Attorney: Kristen Edwards)

On March 19, 2018, the Commission received a filing from Star Energy Services, LLC requesting approval of stray voltage testing professionals. Specifically, Energy Star Services, LLC requests that the Commission find David Lowell Kvidt and Anthony Albert Kassa possess the knowledge, skill, experience, training, or education that qualifies them as qualified testing professionals. Further, Energy Star Services, LLC requests that the Commission find Alan William Haman, PE, possesses the knowledge, skill, experience, training, or education that qualifies him as a stray voltage testing analyst. This request comes pursuant to ARSD 20:10:39:09.

TODAY, shall the Commission approve David Lowell Kvidt and Anthony Albert Kassa as qualified testing professionals for the purpose of conducting stray voltage investigations in South Dakota? AND, shall the Commission approve Alan William Haman, PE, as a qualified testing analyst for the purpose of conducting stray voltage investigations in South Dakota? OR, how shall the Commission proceed?

Gas & 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)

On December 21, 2017, the Commission received a filing from Commission staff (staff) requesting a docket be opened to investigate the Tax Cuts and Jobs Act on South Dakota utilities. Staff also filed a Motion Requesting Order Requiring Comments and Securing Tax Effects for Customers as of January 1, 2018 (Motion). In the Motion, staff requested the Commission investigate the effect the Tax Cuts and Jobs Act (Act) will have on South Dakota utilities and requested the Commission issue an order requiring utilities to submit comments on the effect the Act will have on each utility. Additionally, staff requested the Commission issue an order that any adjustment to rates due to the Act will be effective on January 1, 2018. On December 29, 2017, the Commission issued an Order Requiring Comments; Order Requiring Rates in Effect January 1, 2018, are Subject to Refund; Order Granting Intervention. On January 29, 2018, NorthWestern Energy submitted initial comments and on February 1, 2018, Black Hills Energy, Montana-Dakota Utilities Co., MidAmerican Energy, Xcel Energy, and Otter Tail Power Co. filed initial comments.

TODAY, shall the Commission give the executive director authority to enter into necessary consulting contracts?

Grain Warehouse

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 No. GW17-001. Upon the revocation, PUC 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.

TODAY, shall the Commission accept staff's recommendation? OR, how shall the Commission proceed?

Telecommunications

1. TC18-007 In the Matter of the Approval of Adoption of the Interconnection Agreement by Native Wireless, LLC of an Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Onvoy Spectrum, LLC (Staff Analyst: Lorena Reichert; Staff Attorney: Amanda Reiss)

On March 1, 2018, the Commission received a filing pursuant to 47 U.S.C § 252 for the approval of an Adoption of the Interconnection Agreement by Native Wireless, LLC, adopting the interconnection agreement between Qwest Corporations dba CenturyLink QC and Onvoy Spectrum, LLC. The original interconnection agreement was approved by the Commission in docket TC16-061 on November 28, 2016.

TODAY, shall the Commission approve the adoption of the interconnection agreement?

2. TC18-008 In the Matter of the Approval of a Wireline Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Wide Voice, LLC (Staff Analyst: Patrick Steffensen; Staff Attorney: Amanda Reiss)

On March 7, 2018, the Commission received a filing pursuant to 47 U.S.C. § 252 for approval of the Wireline Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Wide Voice LLC.

TODAY, shall the Commission approve the interconnection agreement?

3. TC18-009 In the Matter of the Approval of a Carrier Partner for Interconnected VoIP Provider Amendment to an Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Wide Voice, LLC (Staff Analyst: Patrick Steffensen; Staff Attorney: Amanda Reiss)

On March 7, 2018, the Commission received a filing pursuant to 47 U.S.C. § 252 for approval of an Amendment to an Interconnection Agreement between Qwest Corporation dba CenturyLink QC and Wide Voice, LLC.

TODAY, shall the Commission approve the amendment to the interconnection agreement?

Items for Commission Discussion

Announcements

1. The PUC office will be closed on Monday, April 2, 2018.
2. Commissioners will attend the Central Electric Cooperative annual meeting, Tuesday, April 3, 2018, at the Corn Palace, Mitchell, South Dakota.
3. Commissioners will attend the Rushmore Electric Power Cooperative annual meeting, Wednesday, April 4, 2018, at The Lodge at Deadwood, Deadwood, S.D.
4. Commissioners will attend the Center for Public Utilities' Current Issues Forum, April 15-18, 2018, at the Eldorado Hotel, Santa Fe, New Mexico.
5. The next regularly scheduled commission meeting will be Friday, April 20, 2018, at 9:30 a.m. CDT in Room 413 at the State Capitol Building, Pierre, S.D.
6. Commission meetings are scheduled for May 1 and 15, 2018.

/s/Cindy Kemnitz

Cindy Kemnitz

Finance Manager

[PUC Email](#)

March 27, 2018