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South Dakota Public Utilities Commission Meeting
September 10, 2013, 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 Monday, September 9, 2013. 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

Consumer Reports

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

Electric

1. EL13-027 In the Matter of the Filing by MidAmerican Energy Company for Approval of Revisions to its Tariff Section No. 3 (Staff Analyst: Eric Paulson; Staff Attorney: Karen Cremer)

On August 6, 2013, MidAmerican Energy Company (MidAmerican) filed revised tariff pages. This filing proposes to update Rider No. 54 – Qualifying Cogeneration and Small Power Production Purchases tariff for its current avoided costs for a 12-month period. MidAmerican seeks an effective date of September 15, 2013.

TODAY, shall the Commission approve the proposed tariff revisions?

2. EL13-028 In the Matter of the Application of Montana-Dakota Utilities Co. and Otter Tail Power Company for a Permit to Construct the Big Stone South to Ellendale 345 kV Transmission Line (Staff Analysts: Brian Rounds, Darren Kearney; Staff Attorney: Karen Cremer)

On August 23, 2013, Montana-Dakota Utilities Co., a division of MDU Resources and Otter Tail Power Company filed an application for a permit to construct a 345 kV transmission line of approximately 150 to 160 miles in Brown, Day, and Grant counties to the Big Stone South Substation in Grant County, South Dakota, near Big Stone City.

TODAY, shall the Commission assess a filing fee not to exceed \$360,000 with an initial deposit of \$8,000?

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3. EL13-029 In the Matter of the Petition of Otter Tail Power Company for Approval of its 2014 Transmission Cost Recovery Eligibility and Rate Adjustment (Staff Analysts: Brittany Mehlhaff, Patrick Steffensen; Staff Attorney: Karen Cremer)

On August 30, 2013, Otter Tail Power Company (OTP) filed a petition for approval of its 2014 Transmission Cost Recovery (TCR) Rider. OTP's TCR rate has been adjusted to reflect the TCR revenue requirements for the next recovery period (calendar year 2014). The update includes the tracker balance estimated for the end of the current recovery period so that no over or under-recovery of TCR costs occurs. The update also includes the costs of one new transmission project that is not currently in base rates and has not previously been approved for inclusion in the TCR Rider.

TODAY, shall the Commission assess a filing fee in the amount of \$50,000 to account for actual expenses incurred in review of this filing commencing from the filing date? AND, shall the Commission suspend the imposition of the tariff for 180 days beyond August 30, 2013? AND, shall the Commission give the Executive Director authority to enter into necessary consulting contracts?

Pipeline Safety

1. PS13-007 In the Matter of the Filing by Commission Pipeline Safety Staff for Approval of a Penalty for a Pipeline Safety Violation by Montana-Dakota Utilities Co. (Staff Analyst: Mary Zanter; Staff Attorney: Kristen Edwards)

On August 6, 2013, Pipeline Safety Staff (Staff) filed a Complaint requesting penalties be assessed against Montana-Dakota Utilities Co. (MDU) for a violation of 47 CFR 192.723(b)(1) and 47 CFR 192.723(b)(2). On August 22, 2013, a Notice of Appearance of Brett Koenecke was filed by MDU. Staff filed a Motion to Withdraw Complaint on September 3, 2013, requesting the Complaint be withdrawn and the docket be closed.

TODAY, shall the Commission grant the Motion to Withdraw Complaint?

Telecommunications

1. TC11-087 In the Matter of the Application of Native American Telecom, LLC for a Certificate of Authority to Provide Interexchange Telecommunications Services and Local Exchange Services in South Dakota (Staff Analyst: Patrick Steffensen; Staff Attorney: Karen Cremer)

On October 11, 2011, Native American Telecom, LLC (NAT) filed an application for a certificate of authority to provide local exchange and interexchange service within the study area of Midstate Communications, Inc. NAT stated that it is a tribally-owned full service telecommunications carrier operating on the Crow Creek Sioux Tribe Indian Reservation pursuant to an Order Granting Approval to Provide Telecommunications Service by the Crow Creek Sioux Tribe Crow Creek Utility Authority dated October 28, 2008. NAT seeks to expand its authority to include areas within Midstate's study area off of the Crow Creek reservation. On January 27, 2012, NAT filed a revised Application for Certificate of Authority. In its revised application, NAT stated that it seeks to provide local exchange and interexchange service within the Crow Creek Sioux Tribe Reservation which is within the study area of Midstate. On June 3, 2013, NAT filed an Amended Application for Certificate of Authority. On August 9, 2013, NAT filed a Notice of Taking Deposition of Randy Farrar and a Notice of Taking Deposition of Sprint. On August 20, 2013, Sprint filed a Motion to Quash Deposition Notices. On August 23, 2013, NAT filed a Notice of Change in Corporate Structure. On August 30, 2013, Sprint filed Randy Farrar's direct testimony. On September 4, 2013, NAT notified the Commission it will file its response to Sprint's Motion to Quash Deposition Notices on September 5, 2013.

TODAY, shall the Commission grant Sprint's Motion to Quash Deposition Notices?

2. TC13-062 In the Matter of the Filing by Northern Valley Communications, LLC for

Approval of Revisions to its Access Service Tariff No. 1 (Staff Analyst: Brian Rounds; Staff Attorney: Karen Cremer)

On June 26, 2013, Northern Valley Communications, LLC (NVC) filed revised tariff pages to its Access Service Tariff No. 1 in order to implement the Federal Communication Commission's (FCC), November 18, 2011, Intercarrier Compensation Reform Order (FCC 11-161). The filing is a decrease in terminating intrastate switched access rates in order to bring terminating intrastate switched access rates and structure to parity with the currently effective interstate terminating switched access rates. NVC requests an effective date of July 2, 2013.

TODAY, shall the Commission approve the requested tariff revisions?

3. TC13-069 In the Matter of the Filing by Broadvox-CLEC, LLC for Approval of Revisions to its Access Services Tariff No. 1 (Staff Analyst: Eric Paulson; Staff Attorney: Karen Cremer)

On June 26, 2013, Broadvox-CLEC, LLC (Broadvox) filed revised tariff pages. This filing proposes to modify Broadvox's switched exchange access tariff, Tariff No. 1, to comply with the Federal Communications Commission's (FCC) Intercarrier Compensation Reform Order, the November 18, 2011, Report and Order and Further Notice of Proposed Rulemaking, in WC Docket No. 10-90, et al., FCC 11-161. Broadvox seeks an effective date of July 1, 2013. On August 21, 2013, Broadvox filed its responses to Staff's data requests.

TODAY, shall the Commission approve the requested tariff revisions?

4. TC13-104 In the Matter of the Filing by Sprint Communications Company L.P. for Approval of Revisions to its Access Services P.U.C. Tariff No. 3 (Staff Analyst: Eric Paulson; Staff Attorney: Karen Cremer)

On July 31, 2013, Sprint Communications Company L.P. (Sprint) filed revised tariff pages. This filing proposes to modify Sprint's switched exchange access tariff, P.U.C. Tariff No. 3, to be at or below that of the ILEC, CenturyLink. Sprint seeks an effective date of September 1, 2013. On August 29, 2013, Sprint filed its responses to Staff's data request. On August 30, 2013, Sprint filed revised tariff pages.

TODAY, shall the Commission approve the requested tariff revisions?

Items for Commission Discussion

Announcements

1. PUC Commissioners and staff will meet with representatives of MidAmerican Energy Co. on Wednesday, September 4, 2013, at 2 p.m. CDT, in Room 412 at the State Capitol Building, Pierre, S.D. The agenda is to discuss natural gas hedging and review hedging activities related to the electric energy cost adjustment.
2. PUC Commissioners will meet with representatives of Midcontinent Communications on Thursday, September 5, 2013, at 1 p.m. CDT, at Midcontinent's office, 3901 N. Louise Ave., Sioux Falls, S.D. The agenda is to discuss a company update. A tour of Midcontinent's Sioux Falls operations center will follow the meeting. Security clearance is required to tour the facility.
3. A hearing will be held in Docket **PS13-002** on Tuesday, September 10, 2013, at 1:30 p.m. CDT in Room 413 of the State Capitol Building, Pierre, S.D.
4. A hearing will be held in Docket **EL12-062** on September 16-20, 2013. The hearing begins at 1 p.m. CDT September 16 and 8:30 a.m. CDT each following day. The hearing will be held in Room 414 of the State Capitol Building, Pierre, S.D. on September 16, 18, 19 and 20; and in Room 413 on September 17.

5. The next regularly scheduled commission meeting will be Tuesday, September 24, 2013, at 9:30 a.m. CDT in Room 414 at the State Capitol Building, Pierre, S.D.
6. Commission meetings are scheduled for October 7 and 22, 2013.
7. The PUC offices will be closed Monday, October 14, 2013, in observance of Native American Day.

/S/Cindy Kemnitz
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Finance Manager
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September 4, 2013