

Wyoming Public Service Commission

Notice of Commission Activity

Tuesday, August 5, 2008

11:15 a.m.

Commission to receive informational presentation from representatives of the Wyoming Power Producers Coalition, a group of Wyoming independent power producers. Members of the coalition and Robert Pomeroy and Walter Eggers of Holland and Hart will attend.

Commission advisory staff: Chris Petrie.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Tuesday, August 5, 2008

1:30 p.m.

Please Note: Although the Commission will consider all of the items on this agenda, they may not be considered in the exact order listed below.

Copies of Commission advisory staff memos mentioned in this agenda may be obtained on request from Debbie McFerrin at 307-777-7426 or dmcfer@state.wy.us

CONSENT AGENDA ITEMS

Items on this list are deemed to be routine matters not requiring formal presentations and will be considered and voted on as a group by the Commission. Items may be removed from this list by a Commissioner or by the Commission at the request of another interested person. Any item removed from this list will be considered as a regular open meeting item and may be tabled if necessary to allow for full review at a later open meeting. Requests from interested parties for removal of an item from the consent agenda prior to the hearing are encouraged.

1. Docket No. 30022-118-GT-08 (Record No. 11795) Amended application of SourceGas Distribution LLC for authority to adjust its form of Choice Gas Service Supplier Participation Agreement in its tariffs. Commission to consider authorizing an order confirming its decision approving the adjustment to the agreement, made at the July 29, 2008, open meeting. The agenda for the July 29, 2008, open meeting did not state that the proposed adjustment to the Choice Gas Supplier Participation Agreement would apply to the Company's Torrington, Casper and Gillette Divisions. Commission advisory staff: Jess Bottom and Vicky Hansen. (No memo).

REGULAR AGENDA ITEMS

1. Docket No. 30013-205-GP-08 (Record No. 11812) Application of Montana-Dakota Utilities Company for authority to pass on wholesale gas cost increases of \$0.576 per decatherm for residential service customers and \$0.572 per decatherm for optional seasonal customers from the currently effective tariff rates and a petition for confidential treatment of Exhibit 3a to the application. Company representatives will appear via telephone. Commission advisory staff: Tom Wilson and David Lucero. (See memo dated July 31, 2008.)
2. Undocketed. Wexpro Company base rate of return for the periods of August 1, 2006, through July 31, 2007, and August 1, 2007, through July 31, 2008. Commission to consider and act on the calculated base rate of return for each period. Company

representatives will appear by telephone. Commission advisory staff: Marci Norby and Vicky Hansen. (See memo dated August 1, 2008.)

Set date and time for next Open Meeting.

To find more information about the Commission's schedule, please visit <http://psc.state.wy.us>:

- for the latest open meeting agenda, see *Calendar, Minutes and Agendas*;
- for upcoming meetings, hearings and other activities, see *Calendar*. The following is a tentative schedule of upcoming open meetings:

- Thursday 8/07/08 1:30 p.m.
- Thursday 8/14/08 8:30 a.m.
- Monday 8/18/08 9:00 a.m.
- Tuesday 8/19/08 1:30 p.m.
- Monday 8/25/08 1:30 p.m.

WYOMING PUBLIC SERVICE COMMISSION
Notice of Commission Activity

Wednesday, August 6, 2008
9:00 a.m.

Docket No. 20000-264-EA-06 (Record No. 10960) Amended application of Rocky Mountain Power for authority to establish a demand-side management (DSM) program in Wyoming, establish DSM tariffs and increase rates to fund DSM. Commission to conduct deliberations and possibly render a decision in this matter.

Commission advisory staff: Don Biedermann, Luy Luong, Dave Walker, Steve Mink and Dave Lucero

WYOMING PUBLIC SERVICE COMMISSION
Notice of Commission Activity

Wednesday, August 6, 2008
4:00 – 7:00 p.m.
Medicine Bow, Wyoming

Docket No. 90000-104-XI-08 (Record No. 11698) Commission to conduct a public comment hearing in the Commission's investigation into the quality and reliability of telecommunications service provided in Wyoming. The hearing will be held at the Medicine Bow Senior Citizens Center located at 520 Utah Street, Medicine Bow, Wyoming. Telecommunications customers are encouraged to attend this public hearing to provide comments regarding the quality and reliability of their telecommunications service.

Commission advisory staff: Art Schmidt, Blair Bales and Chris Petrie.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Thursday, August 7, 2008

1:30 p.m.

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CONSENT AGENDA ITEMS

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1. Docket Nos. 70000-1381-TK-08 and 70116-12-TK-08 (Record No. 11784) Contract filing of Qwest Corporation for authority to enter into an Unbundled Network Elements (UNEs) and Common Area Splitter Collocations Amendment to the Interconnection Agreement with Bullseye Telecom, Inc. Commission to consider and act on the amendment to the interconnection agreement. Commission advisory staff: Art Schmidt and Blair Bales. (See memo dated August 4, 2008.)
2. Docket Nos. 70000-1382-TK-08 and 70107-25-TK-08 (Record No. 11785) Contract filing of Qwest Corporation for authority to enter into an Unbundled Network Elements, Ancillary Services, and Resale of Telecommunications Interconnection Agreement with XO Communications Services Inc. Commission to consider and act on the interconnection agreement. Commission advisory staff: Art Schmidt and Blair Bales. (See memo dated August 4, 2008.)

REGULAR AGENDA ITEMS

1. Docket No. 20000-329-EA-08 (Record No. 11765) Application of Rocky Mountain Power for a Certificate of Public Convenience and Necessity to construct the new 99 MW High Plains Wind Project. Commission to consider and act on the application and Petition for Confidential Treatment of High Plains Wind Project Cost Information Required Pursuant to Section 204(e) of the Commission's Rules and Regulations (Petition). Company representatives will participate. Commission advisory staff:

Michelle Bohanan, Dave Walker and Blair Bales. (Please see Memo dated July 28, 2008, and attached Petition.)

Set date and time for next Open Meeting.

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- Thursday 8/14/08 8:30 a.m.
- Monday 8/18/08 9:00 a.m.
- Tuesday 8/19/08 1:30 p.m.
- Monday 8/25/08 1:30 p.m.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Thursday, August 14, 2008

8:30 a.m.

Copies of Commission advisory staff memos mentioned in this agenda may be obtained on request from Debbie McFerrin at 307-777-7427 or dmcfer@state.wy.us

REGULAR AGENDA ITEMS

1. Docket No. 70000-1379-TT-08 (Record No. 11771) Tariff filing of Qwest Corporation for authority to revise its federal Universal Service Fund (FUSF) and the Telephone Assistance Program Tribal Lifeline Credits. Commission to consider and act on the tariff filing and related filings, including:
 - A. Qwest's Petition(s) for Confidential Treatment (Petitions) from June 27, July 28 and 30, 2008;
 - B. Qwest's Request for Hearing (Request); and,
 - C. Qwest's Confidential Motion for Make-Whole Distribution from Wyoming Universal Service Fund and for Reconsideration of Decision Refusing to Implement New Price Schedules on an Interim Basis (Motion).

Qwest representatives will appear in person. Commission advisory staff: Barbara Taylor-Iversen, Art Schmidt and Blair Bales. (No memo; please see attached Petitions and Request; the Motion was filed confidentially.)

Set date and time for next Open Meeting.

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 - Monday 8/18/08 9:00 a.m.
 - Tuesday 8/19/08 1:30 p.m.
 - Monday 8/25/08 1:30 p.m.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Monday, August 18, 2008

9:00 a.m.

Please Note: Although the Commission will consider all of the items on this agenda, they may not be considered in the exact order listed below.

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REGULAR AGENDA ITEMS

1. Docket No. 90000-104-TI-08 (Record No. 11698) The Commission's investigation on its own motion into the quality and reliability of telecommunications service provided by telecommunications companies providing service in the State of Wyoming. Commission to consider issuance of an Order requiring telecommunications companies, including, but not limited to, CenturyTel of Wyoming, Inc., to provide information relevant to the Commission's inquiry. Commission advisory staff: Art Schmidt, Blair Bales and Chris Petrie. (No memo.)
2. Docket No. 30022-111-GA-08 (Record No. 11662) Application of SourceGas Distribution, LLC, for authority to abandon natural gas service to eight customers and eleven premises in the Shoshoni area in Fremont County, Wyoming. Commission to receive a construction progress report from SourceGas. Commission Advisory Staff: Chris Petrie, Vicky Hansen and Darrell Zlomke. (No memo.)
3. Docket No. 30022-107-GI-08 (Record No. 11610) Investigation, upon the Commission's own motion, of the billing practices and procedures of SourceGas Distribution, LLC, and the impact on its customers. Commission to receive an update from SourceGas representatives about problems related to the company's billing system and associated issues. Commission advisory staff: Steve Mink, Chris Petrie, Marchia Johansen and Shirley McCown. (No memo.)

Set date and time for next Open Meeting.

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- for the latest open meeting agenda, see *Calendar, Minutes and Agendas*;
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- Tuesday 8/19/08 1:30 p.m.
- Monday 8/25/08 1:30 p.m.

WYOMING PUBLIC SERVICE COMMISSION

Revised Regular Open Meeting Agenda

Items for Commission Attention

Tuesday, August 19, 2008

1:30 p.m.

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REGULAR AGENDA ITEMS

1. Docket No. 10013-40-CT-08 (Record No. 11778) Application of Bridger Valley Electric Association, Inc., (BVEA) for authority to revise its rules and regulations. Commission to consider and act on application. Danny Eyre of BVEA will appear by telephone. Commission advisory staff: Jess Bottom and Dave Lucero. (See memo dated August 6, 2008.)
2. Docket No. 50050-13-PT-08 (Record No. 11796). Tariff filing of Rocky Mountain Pipeline System LLC, for authority to change its tariff on less than thirty (30) days notice to increase its transmix charge from \$0.01 per barrel to \$0.0526 per barrel. Commission to consider and act on the petition for authority to change tariff and petition for *confidential treatment of Exhibit C and of its Shippers List*. Ms. Lindsay Woznick will appear on behalf of Rocky Mountain Pipeline. Commission advisory staff: Jess Bottom and Vicky Hansen. (See memo dated August 14, 2008.)

Set date and time for next Open Meeting.

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- for the latest open meeting agenda, see *Calendar, Minutes and Agendas*;
- for upcoming meetings, hearings and other activities, see *Calendar*. The following is a tentative schedule of upcoming open meetings:

- Monday 8/25/08 1:30 p.m.

Wyoming Public Service Commission

Notice of Hearing

Thursday, August 21, 2008
10:00 a.m.

Docket No. 70005-24-TR-08 (Record No. 11605) Application of Chugwater Telephone company for authority to increase business and residential telecommunications rates by \$128,000 per annum and also to change the rate for intrastate switched access charges. Commission to commence public hearing. The hearing will be held at the Chugwater Community Center, 311 2nd Street, Chugwater, Wyoming.

Commission advisory staff: Luy Luong and Steve Mink.

Notice

Section 513 of the Commission's Procedural Rules and Special Regulations became effective on 06/23/2008. The Commission's rules are available on-line at:

http://soswy.state.wy.us/Rules/Rule_Search_Main.asp

Section 513. Requirements for Wyoming Public Service Commission (Commission) designation of eligible telecommunications carriers (ETCs), pursuant to section 214 of the federal Telecommunications Act of 1996, as amended, Part 54 of Title 47 of the Code of Federal Regulations, as amended and W. S. § 37-15-104(a)(vi)(B).

a. The Commission shall review the carrier's application for ETC designation for compliance with section 214 and section 254 of the federal Act, as amended. In determining whether the carrier should be granted ETC status, the Commission shall determine whether any such designation serves the public interest, convenience and necessity. The Commission's public interest analysis shall consider the carrier's application; the carrier's response to the requirements set forth below; any cost benefit analysis done by the carrier relating to customer choice and any advantages of the carrier's service offering; evidence produced at hearing, if any hearing is held; and, the potential for creamskimming by the carrier in those instances where the carrier seeks ETC designation below the study area level of a rural incumbent LEC. In conducting its analysis, the Commission shall consider the fundamental goals of preserving and advancing universal service; ensuring the availability of quality telecommunications at just, reasonable, and affordable rates; and promoting the deployment of advanced telecommunications and information services to all regions of the state, including rural and high-cost areas.

b. Each carrier seeking designation by the Commission as an ETC throughout a specified service area shall:

(i) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide the supported services/functionalities throughout the service area for which it is requesting ETC designation to all customers making a reasonable request for service.

(ii) Demonstrate the carrier's commitment and technical, financial and managerial ability to advertise the availability of, and charges for, the supported services/functionalities using media of general distribution.

(iii) Demonstrate the carrier will advertise the prices and availability of the Lifeline and Linkup programs in a manner designed to reach those likely to qualify for these programs, throughout the service area for which the carrier is seeking ETC designation.

(iv) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide service on a timely basis to requesting customers within the carrier's service area where the carrier's network already passes the potential customer's premises.

(v) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide service within a reasonable period of time, if the potential customer is within the carrier's licensed or certificated service area but outside its existing network coverage, if service can be provided at reasonable cost by:

(A) Modifying or replacing the requesting customer's equipment;

(B) Deploying a roof-mounted antenna or other equipment;

(C) Adjusting the nearest cell tower;

(D) Adjusting network or customer facilities;

(E) Reselling services from another carrier's facilities to provide service; or

(F) Employing, leasing or constructing an additional cell site, cell extender, repeater or other similar equipment.

(vi) Submit a three-year plan describing in detail proposed improvements or upgrades to the carrier's network on a wire center by wire center basis, exchange by exchange (or some other basis) throughout the carrier's proposed designated service area. Each carrier shall demonstrate how signal quality, coverage or capacity will improve due to the receipt of federal high cost support; the projected start date and completion date for each improvement and the estimated amount of investment for each project to be funded by federal high cost support; the specific geographic area where the improvements will be made; and the estimated population to be served as a result of the improvements.

(vii) Demonstrate the carrier's commitment and technical, financial and managerial ability to remain functional in all emergency situations.

(viii) Demonstrate the carrier's commitment to comply with applicable Wyoming service quality standards, consumer protection rules and the Cellular Telecommunications and Internet Association (CTIA) Consumer Code, as applicable.

(ix) Demonstrate the carrier will offer a local usage plan or plans, considering but not limited to minutes, price and coverage area, comparable to those offered by the incumbent LEC in the service area for which the carrier is seeking ETC designation.

(x) Certify the carrier acknowledges the Commission may require it to provide equal access to long distance carriers in the event no other eligible telecommunications carrier is providing equal access within the service area.

(xi) Provide a detailed map of the service area for which the carrier is seeking ETC designation showing the location and the effective coverage area of each cellular tower, as applicable. The commission may require such maps be submitted in a designated electronic format.

(xii) Demonstrate the carrier will offer the supported services using either entirely its own facilities or a combination of its own facilities and resale of another carrier's services.

(xiii) Provide a copy of the carrier's application to the affected tribal government and tribal regulatory authority, as applicable, at the time the carrier files with the Commission for any tribal lands included as part of the carrier's request for ETC designation.

WYOMING PUBLIC SERVICE COMMISSION

Revised Regular Open Meeting Agenda

Items for Commission Attention

Monday, August 25, 2008

1:30 p.m.

Please Note: Although the Commission will consider all of the items on this agenda, they may not be considered in the exact order listed below.

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CONSENT AGENDA ITEMS

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1. Docket No. 70000-1386-TK-08 (Record No. 11818) Contract filing of Qwest Corporation for authority to enter into a single Point of Presence (SPOP) amendment to its interconnection with T-Mobile USA, Inc. (fka Voicestream Wireless Corporation). Commission advisory staff: Barbara Taylor-Iversen and Dave Lucero. (See memo dated August 18, 2008.)
2. Undocketed. Open Meeting Minutes for review by the Commission for the Regular Open Meetings of May 6, 8, 14, 22 and 27, 2008. Prepared by Deborah McFerrin. (No memo; see attached copy of the Minutes.)
3. Docket No. 90000-103-XO-08 (Record No. 11691) Proposed revision of Section 208 of the Commission's Procedural Rules and Special Regulations regarding certain *De Minimis* Transfers. Commission to consider closing this docket. Commission advisory staff: Steve Mink (No memo.)

REGULAR AGENDA ITEMS

1. Docket No. 20000-321-EA-08 (Record No. 11708) Notification of Rocky Mountain Power of a major event report on January 3 through January 5, 2008, which affected utility service in the Company's service territory in Wyoming. RMP will be represented by Dave Mosier, Doug Bennion, Heidi Caswell, Irv Walker and Josh Jones, all appearing in person. Commission to rule on inclusion of event as a major event. *Company representatives will also discuss its Casper Area Reliability Status letter report.*

Commission advisory staff: Vicky Hansen and Don Biedermann. (See memo dated August 18, 2008, and letter report.)

2. Docket No. 20000-331-EA-08 (Record No. 11793) Notification of Rocky Mountain Power of a major event report on May 22-23, 2008, which affected utility service in the Company's service territory in Wyoming. RMP will be represented by Dave Mosier, Doug Bennion, Heidi Caswell, Irv Walker and Josh Jones, all appearing in person. Commission to rule on inclusion of event as a major event. Commission advisory staff: Dave Lucero and Don Biedermann. (See memo dated August 18, 2008.)
3. Docket No. 10005-40-CA-08 (Record No. 11839) Application of Wheatland Rural Electric Association, Inc., (Wheatland) for authority to revise its operating policies and Rules and Regulations. Wheatland will be represented by Chuck Witte, General Manager, in person. Commission to rule on authorization. Commission advisory staff: Don Biedermann and Vicky Hansen. (See memo dated August 15, 2008.)
4. Docket Nos. 30013-206-GS-08 and 20004-74-ES-08 (Record No. 11831) Application of MDU Resources Group, Inc., for authority to issue up to an additional \$1 Billion (\$1,000,000,000) worth of MDU Resources securities. Commission to consider and act on the application. Bruce Asay, local counsel, will attend in person, and Bruce Gallagher, Legal Analyst, and Dan Moylan, Assistant VP-Account Financial Reporting, will participate by telephone. Commission advisory staff: Luy Luong and Steve Mink. (See memo dated August 19, 2008.)

Set date and time for next Open Meeting.

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 - Friday, 8/29/08, 1:30 p.m.
 - Wednesday, 9/3/08, 10:00 a.m.
 - Wednesday, 9/10/08, 1:30 p.m.
 - Thursday, 9/18/08, 1:30 p.m.
 - Tuesday, 9/23/08, 9:00 a.m.
 - Thursday, 9/25/08, 1:30 p.m.

Notice

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Section 513. Requirements for Wyoming Public Service Commission (Commission) designation of eligible telecommunications carriers (ETCs), pursuant to section 214 of the federal Telecommunications Act of 1996, as amended, Part 54 of Title 47 of the Code of Federal Regulations, as amended and W. S. § 37-15-104(a)(vi)(B).

a. The Commission shall review the carrier's application for ETC designation for compliance with section 214 and section 254 of the federal Act, as amended. In determining whether the carrier should be granted ETC status, the Commission shall determine whether any such designation serves the public interest, convenience and necessity. The Commission's public interest analysis shall consider the carrier's application; the carrier's response to the requirements set forth below; any cost benefit analysis done by the carrier relating to customer choice and any advantages of the carrier's service offering; evidence produced at hearing, if any hearing is held; and, the potential for creamskimming by the carrier in those instances where the carrier seeks ETC designation below the study area level of a rural incumbent LEC. In conducting its analysis, the Commission shall consider the fundamental goals of preserving and advancing universal service; ensuring the availability of quality telecommunications at just, reasonable, and affordable rates; and promoting the deployment of advanced telecommunications and information services to all regions of the state, including rural and high-cost areas.

b. Each carrier seeking designation by the Commission as an ETC throughout a specified service area shall:

(i) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide the supported services/functionalities throughout the service area for which it is requesting ETC designation to all customers making a reasonable request for service.

(ii) Demonstrate the carrier's commitment and technical, financial and managerial ability to advertise the availability of, and charges for, the supported services/functionalities using media of general distribution.

(iii) Demonstrate the carrier will advertise the prices and availability of the Lifeline and Linkup programs in a manner designed to reach those likely to qualify for these programs, throughout the service area for which the carrier is seeking ETC designation.

(iv) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide service on a timely basis to requesting customers within the carrier's service area where the carrier's network already passes the potential customer's premises.

(v) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide service within a reasonable period of time, if the potential customer is within the carrier's licensed or certificated service area but outside its existing network coverage, if service can be provided at reasonable cost by:

(A) Modifying or replacing the requesting customer's equipment;

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- (C) Adjusting the nearest cell tower;
- (D) Adjusting network or customer facilities;
- (E) Reselling services from another carrier's facilities to provide service; or
- (F) Employing, leasing or constructing an additional cell site, cell extender, repeater or other similar equipment.

(vi) Submit a three-year plan describing in detail proposed improvements or upgrades to the carrier's network on a wire center by wire center basis, exchange by exchange (or some other basis) throughout the carrier's proposed designated service area. Each carrier shall demonstrate how signal quality, coverage or capacity will improve due to the receipt of federal high cost support; the projected start date and completion date for each improvement and the estimated amount of investment for each project to be funded by federal high cost support; the specific geographic area where the improvements will be made; and the estimated population to be served as a result of the improvements.

(vii) Demonstrate the carrier's commitment and technical, financial and managerial ability to remain functional in all emergency situations.

(viii) Demonstrate the carrier's commitment to comply with applicable Wyoming service quality standards, consumer protection rules and the Cellular Telecommunications and Internet Association (CTIA) Consumer Code, as applicable.

(ix) Demonstrate the carrier will offer a local usage plan or plans, considering but not limited to minutes, price and coverage area, comparable to those offered by the incumbent LEC in the service area for which the carrier is seeking ETC designation.

(x) Certify the carrier acknowledges the Commission may require it to provide equal access to long distance carriers in the event no other eligible telecommunications carrier is providing equal access within the service area.

(xi) Provide a detailed map of the service area for which the carrier is seeking ETC designation showing the location and the effective coverage area of each cellular tower, as applicable. The commission may require such maps be submitted in a designated electronic format.

(xii) Demonstrate the carrier will offer the supported services using either entirely its own facilities or a combination of its own facilities and resale of another carrier's services.

(xiii) Provide a copy of the carrier's application to the affected tribal government and tribal regulatory authority, as applicable, at the time the carrier files with the Commission for any tribal lands included as part of the carrier's request for ETC designation.

WYOMING PUBLIC SERVICE COMMISSION

Corrected Regular Open Meeting Agenda

Items for Commission Attention

Friday, August 29, 2008

1:30 p.m.

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CONSENT AGENDA ITEMS

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1. Docket Nos. 70000-1383-TK-08 and 70075-8-TK-08 (Record No. 11805) Contract filing of Qwest Corporation for authority to enter into Transit Rate Calculation Amendment to its Interconnect Agreement with 360networks (USA), Inc. Commission advisory staff: Art Schmidt and Dave Lucero. (See memo dated August 26, 2008.)
2. Docket No. 20000-333-ER-08 (Record No. 11824) Application of Rocky Mountain Power for approval of a general rate increase of approximately \$33,501,142 per year or 7.1%. Commission to consider and act on the following:
 - (a) Petition for Leave to Intervene by Questar Gas Management Company;
 - (b) Petition to Intervene filed by Utility Workers Union of America, Local 127, AFL-CIO;
 - (c) Wyoming Industrial Energy Consumers (WIEC) Petition for Leave to Intervene; and
 - (d) WIEC Motion for Admission *pro hac vice* of Robert M. Pomeroy, Jr., Thorvald A. Nelson and Robyn A. Kashiwa.

Commission advisory staff: Dave Lucero, Vicky Hansen, Marci Norby and Michelle Bohanan. (No memo; see attached pleadings.)

3. Undocketed. Open Meeting Minutes for review by the Commission for the Regular Open Meetings of March 28 and May 7, 2008. Prepared by Deborah McFerrin. (No memo; see attached copy of the Minutes.)

REGULAR AGENDA ITEMS

1. Docket No. 70015-62-TA-08 (Record No. 11800) RT Communications Inc.'s (RT) proposed plan for compliance with W.S. § 37-15-203(j). Commission to consider and act on proposed plan and RT's request for confidential treatment of exhibits. Becky Dooley and Liz Zerga will appear for RT. Commission advisory staff: Art Schmidt and Dave Lucero. (See memo dated August 26, 2008.)
2. Docket No. 30013-207-GP-08 (Record 11844) Application of Montana-Dakota Utilities Company (MDU) for authority to pass on a wholesale gas cost decrease of \$2.225 per annum (\$2.227 for optional seasonal customers). Commission to consider and act on application and MDU's Petition for Confidential Treatment of Exhibit 3a to the application. Rita Mulkern, Revenue Analysis Manager for MDU, will appear by telephone. Commission advisory staff: Don Biedermann and Dave Lucero. (See memo dated August 18, 2008.)
3. Docket No. 30022-119-GP-08 (Record No. 11836) Application of SourceGas Distribution, LLC, (Casper Division) for authority to pass on through its commodity balancing account a decrease of \$1.0344 per Dth to its Pass-On Rate [Regulated Rate] customers. Commission to consider and act on the company's application and Petition for Confidential Treatment of Exhibit E. Company representatives will appear by telephone. Commission advisory staff: Michelle Bohanan and Vicky Hansen. (See memo dated August 27, 2008.)
4. Docket No. 30022-120-GP-08 (Record No. 11837) Application of SourceGas Distribution, LLC, (Gillette Division) for authority to pass-on through its commodity balancing account a decrease of \$1.6255 per Dth to its Pass-On Rate (Regulated Rate) Customers. Commission to consider and act on the application and Petition for Confidential Treatment of Exhibit E. Gary Abbott will appear by telephone. Commission advisory staff: Art Schmidt and Steve Mink. (See memo dated August 26, 2008.)
5. Docket No. 30022-121-GP-08 (Record No. 11838) Application of SourceGas Distribution, LLC, (Torrington Division) for authority to pass on through its commodity balancing account a decrease of \$2.2831 per Dth to its Regulated Rate option customers. Commission to consider and act on the company's application and petition for confidential treatment of Exhibit E. Gary Abbate and Bill Meckling of Source Gas will appear by telephone. Commission advisory staff: Marci Norby and Blair Bales. (See memo dated August 27, 2008.)

Set date and time for next Open Meeting.

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- Wednesday, 9/3/08, 10:00 a.m.
- Wednesday, 9/10/08, 1:30 p.m.
- Thursday, 9/18/08, 1:30 p.m.
- Tuesday, 9/23/08, 9:00 a.m.
- Thursday, 9/25/08, 1:30 p.m.

Notice

Section 513 of the Commission's Procedural Rules and Special Regulations became effective on 06/23/2008. The Commission's rules are available on-line at:

http://soswy.state.wy.us/Rules/Rule_Search_Main.asp

Section 513. Requirements for Wyoming Public Service Commission (Commission) designation of eligible telecommunications carriers (ETCs), pursuant to section 214 of the federal Telecommunications Act of 1996, as amended, Part 54 of Title 47 of the Code of Federal Regulations, as amended and W. S. § 37-15-104(a)(vi)(B).

a. The Commission shall review the carrier's application for ETC designation for compliance with section 214 and section 254 of the federal Act, as amended. In determining whether the carrier should be granted ETC status, the Commission shall determine whether any such designation serves the public interest, convenience and necessity. The Commission's public interest analysis shall consider the carrier's application; the carrier's response to the requirements set forth below; any cost benefit analysis done by the carrier relating to customer choice and any advantages of the carrier's service offering; evidence produced at hearing, if any hearing is held; and, the potential for creamskimming by the carrier in those instances where the carrier seeks ETC designation below the study area level of a rural incumbent LEC. In conducting its analysis, the Commission shall consider the fundamental goals of preserving and advancing universal service; ensuring the availability of quality telecommunications at just, reasonable, and affordable rates; and promoting the deployment of advanced telecommunications and information services to all regions of the state, including rural and high-cost areas.

b. Each carrier seeking designation by the Commission as an ETC throughout a specified service area shall:

(i) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide the supported services/functionalities throughout the service area for which it is requesting ETC designation to all customers making a reasonable request for service.

(ii) Demonstrate the carrier's commitment and technical, financial and managerial ability to advertise the availability of, and charges for, the supported services/functionalities using media of general distribution.

(iii) Demonstrate the carrier will advertise the prices and availability of the Lifeline and Linkup programs in a manner designed to reach those likely to qualify for these programs, throughout the service area for which the carrier is seeking ETC designation.

(iv) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide service on a timely basis to requesting customers within the carrier's service area where the carrier's network already passes the potential customer's premises.

(v) Demonstrate the carrier's commitment and technical, financial and managerial ability to provide service within a reasonable period of time, if the potential customer is within the carrier's licensed or certificated service area but outside its existing network coverage, if service can be provided at reasonable cost by:

(A) Modifying or replacing the requesting customer's equipment;

(B) Deploying a roof-mounted antenna or other equipment;

(C) Adjusting the nearest cell tower;

(D) Adjusting network or customer facilities;

(E) Reselling services from another carrier's facilities to provide service; or

(F) Employing, leasing or constructing an additional cell site, cell extender, repeater or other similar equipment.

(vi) Submit a three-year plan describing in detail proposed improvements or upgrades to the carrier's network on a wire center by wire center basis, exchange by exchange (or some other basis) throughout the carrier's proposed designated service area. Each carrier shall demonstrate how signal quality, coverage or capacity will improve due to the receipt of federal high cost support; the projected start date and completion date for each improvement and the estimated amount of investment for each project to be funded by federal high cost support; the specific geographic area where the improvements will be made; and the estimated population to be served as a result of the improvements.

(vii) Demonstrate the carrier's commitment and technical, financial and managerial ability to remain functional in all emergency situations.

(viii) Demonstrate the carrier's commitment to comply with applicable Wyoming service quality standards, consumer protection rules and the Cellular Telecommunications and Internet Association (CTIA) Consumer Code, as applicable.

(ix) Demonstrate the carrier will offer a local usage plan or plans, considering but not limited to minutes, price and coverage area, comparable to those offered by the incumbent LEC in the service area for which the carrier is seeking ETC designation.

(x) Certify the carrier acknowledges the Commission may require it to provide equal access to long distance carriers in the event no other eligible telecommunications carrier is providing equal access within the service area.

(xi) Provide a detailed map of the service area for which the carrier is seeking ETC designation showing the location and the effective coverage area of each cellular tower, as applicable. The commission may require such maps be submitted in a designated electronic format.

(xii) Demonstrate the carrier will offer the supported services using either entirely its own facilities or a combination of its own facilities and resale of another carrier's services.

(xiii) Provide a copy of the carrier's application to the affected tribal government and tribal regulatory authority, as applicable, at the time the carrier files with the Commission for any tribal lands included as part of the carrier's request for ETC designation.