

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Tuesday, January 5, 2010

1:30 p.m.

Although the Commission will consider all items on this agenda, they may not be considered in the exact order listed below. Real-time audio broadcast of the open meeting may be accessed through the Commission's website at <http://psc.state.wy.us>.

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.

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. 20000-358-ET-09 (Record No. 12391) Tariff filing of Rocky Mountain Power to update its customer interest on deposits in compliance with Commission Rules 241(c) and 504(f)(iii) to become effective January 1, 2010. Commission to consider and act on tariff filing. Commission advisory staff: Dave Lucero and Brittney Brinkmeier. (See memo dated December 29, 2009.)
2. Undocketed. Open meeting minutes for review by the Commission for the regular open meeting of October 1 and October 6, 2009. Prepared by Deborah McFerrin. (No memo; see attached copy of listed minutes.)

REGULAR AGENDA ITEMS

1. Docket Nos. 20004-83-ET-08 and 30013-225-GT-09 (Record No. 12389) Tariff filing of Montana-Dakota Utilities Co., for authority to revise its electric & gas service tariffs to comply with Commission Rules § 241 (c) regarding consumer interest on deposits. Commission to consider and act on the company's proposed tariffs. Commission advisory staff: Steve Mink and Brittney Brinkmeier. (See memo dated December 30, 2009.)

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*. A tentative list of dates follows:
 - Thursday, January 7, 2010, at 1:30 p.m.
 - Thursday, January 14, 2010, at 1:30 p.m.
 - Tuesday, January 19, 2010, at 1:30 p.m.
 - Thursday, January 21, 2010, at 1:30 p.m.
 - Thursday, January 28, 2010, at 1:30 p.m.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Thursday, January 7, 2010

1:30 p.m.

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CONSENT AGENDA ITEMS

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1. Undocketed. Open meeting minutes for review by the Commission for the regular open meeting of November 3, 2009. Prepared by Angela Elliott. (No memo; see attached copy of listed minutes.)

REGULAR AGENDA ITEMS

1. Undocketed. Inclusion of the special per access line surcharge for the support of intrastate message relay service for the communications impaired as determined by the Committee on Telecommunications Services for the Communications Impaired. Commission to consider and act on written notification of the Committee's determination that the current monthly per-line surcharge of six cents (\$0.06) should be maintained. Ms. Lori Cielinski, program consultant, will participate by telephone. Commission advisory staff: Art Schmidt, Tom Wilson and Chris Petrie. (No memo, see attached correspondence and report.)

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 - Thursday, January 14, 2010, at 1:30 p.m.

- Tuesday, January 19, 2010, at 1:30 p.m.
- Thursday, January 21, 2010, at 1:30 p.m.
- Thursday, January 28, 2010, at 1:30 p.m.

WYOMING PUBLIC SERVICE COMMISSION

Notice of Hearing

Tuesday, January 12, 2010

9:00 a.m.

Docket No. 30022-135-GC-09 (Record No. 12222) Formal complaint by Gateway Construction, LLC, against SourceGas Distribution, LLC, requesting a hearing regarding line extension tariffs. Commission to conduct public hearing and possibly render a decision in this matter.

Commission advisory staff: Dave Lucero, Don Biedermann and Laura Arellano.

Real-time audio broadcast of the hearing may be accessed through the Commission's website at <http://psc.state.wy.us>.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Thursday, January 14, 2010

1:30 p.m.

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CONSENT AGENDA ITEMS

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1. Docket No. 20000-352-ER-09 (Record No. 12310) Application of Rocky Mountain Power for approval of a general rate increase in its retail electric utility service rates in Wyoming of \$70,918,825 per annum or an average overall increase of 13.7%. Commission to consider and act on Pine Tree Condominiums' Withdrawal of Petition for Leave to Intervene. Commission advisory staff: Blair Bales, Marci Norby and Vicky Hansen. (No memo; please see attached Withdrawal.)
2. Docket Nos. 70006-78-TA-09 and 70016-33-TA-09 (Record No. 12403) Silver Star Communications and Teton Telecom's proposed joint plan for compliance with W.S. 37-15-203(j). Commission to consider and act on
 - a. the Petition for Confidential Treatment of Submitted Information, and
 - b. Teton Telecom's Motion to Withdraw its Proposed Access Rebalance Plan.

Commission advisory staff: Art Schmidt and Blair Bales. (No memo; please see attached Petition and Motion.)

REGULAR AGENDA ITEMS

1. Docket No. 70219-1-TA-09 (Record No. 12378) Application of Broadview Networks, Inc., for a certificate of public convenience and necessity to provide local telecommunications services in Wyoming. Commission to consider and act on

application. Company representatives Catherine Hannan, Regulatory Counsel, and/or Charles Hunter, Executive Vice President and General Counsel, will appear by telephone. Commission advisory staff: Tom Wilson and Dave Lucero. (See memo dated January 7, 2009.)

2. Docket No. 20002-74-EA-09 (Record No. 12275) Application of Black Hills Power, Inc., for a Certificate of Public Convenience and Necessity to construct a 230 kV electric transmission line for a distance of approximately 69 miles between the Pumpkin Buttes and Windstar Substations located in Campbell and Converse Counties, Wyoming. Commission to consider authorizing construction of Segment 1. John Sundahl, local counsel, will appear for the company. Commission advisory staff: Don Biedermann, Vicky Hansen and David Piroutek. (No memo; see January 4, 2010, letter to affected landowners.)
3. Docket No. 20000-359-EA-09 (Record No. 12392) Application of Rocky Mountain Power for an accounting order to establish a regulatory asset for advertising costs. Commission to consider and act on application. Company representatives will appear by telephone and in person. Commission advisory staff: Michelle Bohanan and Victoria Hansen. (See memo dated January 7, 2010.)
4. Docket No. 30007-92-GP-09 (Record No. 12383) Application of Frannie Deaver Utilities to adjust its commodity balancing account tariff to pass on an increase in the delivered cost of natural gas in the amount of \$0.9138 per MCF. Commission to consider and act on the company's request to withdraw application. Bryan Lee to appear by telephone. Commission advisory staff: Dave Lucero and Jess Bottom. (See memo dated January 6, 2010.)
5. Docket no. 80024-1-WI-09 (Record No. 12255) Investigation, upon the Commission's own motion, of Nordic Ranches Utilities, a nonprofit corporation, for the purposes of determining whether the Company is a public utility subject to Commission regulation under W.S. § 37-2-112. Commission to consider and act on the company's Motion to Allow Nordic Ranches Utilities to Proceed with Collection Action. Company representative will appear. Commission advisory staff: Steve Mink, Chris Petrie and Art Schmidt. (no memo; see attached motion.)

3:30 p.m.

Docket No. 80024-WI-09 (Record No. 12255) Investigation, upon the Commission's own motion, of Nordic Ranches Utilities, a nonprofit corporation, for the purposes of determining whether the Company is a public utility subject to Commission regulation under W.S. § 37-2-112. Commission to continue public hearing in this matter. Public comment may be accepted periodically if time allows. **To participate by telephone call 1-877-278-8686 and enter pass-code 157377.** Commission advisory staff: Christopher Petrie, Steve Mink and Art Schmidt.

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*. A tentative list of dates follows:
 - Tuesday, January 19, 2010, at 1:30 p.m.
 - Thursday, January 21, 2010, at 1:30 p.m.
 - Thursday, January 28, 2010, at 1:30 p.m.

WYOMING PUBLIC SERVICE COMMISSION

Amended Regular Open Meeting Agenda

Items for Commission Attention

Tuesday, January 19, 2010

1:30 p.m.

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CONSENT AGENDA ITEMS

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1. Docket No. 70000-1399-TA-08 (Record No. 11920) Application of Qwest Corporation for continued waivers of certain requirements of the Telecommunications Quality of Service Rules. Commission to consider and act on Petition for Confidential Treatment. Commission advisory staff: Luy Luong and Blair Bales. (No memo; please see attached Petition.)
2. Docket No. 90000-108-XO-09 (Record No. 12111) Proposed revision to certain sections of the Wyoming Public Service Commission's Rules for housekeeping purposes. Commission to consider issuing an order closing rulemaking. Commission advisory staff: Victoria Hansen and Dave Lucero.
3. Undocketed. Open meeting minutes for review by the Commission for the regular open meetings of October 15, 20 and 22, 2009. Prepared by Deborah McFerrin. (No memo; see attached copy of listed minutes.)

REGULAR AGENDA ITEMS

1. Docket No. 62006-18-RA-09 (Record No. 12270) Application of Union Telephone Company (Union) for designation as an eligible telecommunications carrier statewide. Commission to consider and possibly act on:
 - a. Union's Motion to Withdraw Application (Union Motion),

- b. *Range Telephone, Inc., RT Communications Inc. and Advanced Communications Technologies, Inc.'s Response to Union's Motion to Withdraw Application (Range, RT and ACT's Response)*, and
- c. Qwest Corporation's Motion to Compel Discovery (Qwest Motion).

Representatives of Union, the Range Companies and Qwest will appear. Commission advisory staff: Art Schmidt and Blair Bales. (See attached Union Motion; staff memo; amended Order in Docket No. 70008-TA-03-38; the Range, RT and ACT's Response and Qwest Motion.)

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*. A tentative list of dates follows:
 - Thursday, January 21, 2010, at 1:30 p.m.
 - Thursday, January 28, 2010, at 1:30 p.m.

Notice of Adoption of Rules and Regulations

Docket Number 90000-108-XO-09 (Record No. 12111) The Wyoming Public Service Commission (Commission) hereby gives public notice in accordance with WYO. STAT. §§ 16-3-103 and 37-2-204 (1977, as amended) that it has adopted Rules and Regulations (Rules). The Rules were adopted pursuant to the rulemaking authority of the Commission and were formally signed by Governor Dave Freudenthal on January 8, 2010. The Rules were filed with the Secretary of State on January 11, 2010.

The primary reasons for the Rules revisions to Chapters 1, 2, 3, 5, 6, 7, 8 and 9 (Forms) were to delete references to obsolete rules, regulations and statutes, correct grammar, punctuation and other typographical errors, and for general housekeeping purposes. The changes to the Rules were not substantive in nature.

Copies of the adopted Rules are available at the Secretary of State's website at http://soswy.state.wy.us/Rules/Rule_Search_Main.asp, the Commission's website at <http://psc.state.wy.us> or at the Commission's offices in Cheyenne upon request and at a fee of \$0.10 per page.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Thursday, January 21, 2010

1:30 p.m.

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REGULAR AGENDA ITEMS

1. Docket No. 30005-138-GP-09 (Record No. 12409) Application of Cheyenne Light, Fuel and Power Company for authority to pass on a wholesale gas cost decrease of \$0.8305 per decatherm for firm and interruptible rate classes. Commission to consider application and Petition for Confidential Treatment of Natural Gas Acquisition Strategy and Financial Forecasting. Company representatives will appear in person and by telephone. Commission advisory staff: Jess Bottom and Vicky Hansen. (See memo dated January 14, 2010.)
2. Undocketed. Matter of the January 6, 2009, filing of the SourceGas Energy Services (SGES) WinterGuard bill insert. Commission to consider the bill insert, including the adequacy of the notice regarding the complete terms and conditions, and take such action as the public interest requires. Company representatives will appear. Commission advisory staff: Chris Petrie and Steve Mink. (No memo. See attached WinterGuard bill insert.)
3. Docket No. 10002-75-CT-09 (Record No. 12377) Application of Carbon Power and Light, Inc., (Carbon Power) for authority to revise their rules/regulations and remote connection/disconnect capabilities. Commission to consider and act on the application. Carbon Power representatives will appear. Commission advisory staff: Jess Bottom and Blair Bales. (See memo dated January 15, 2010.)
4. Docket no. 30013-227-GP-10 (Record No. 12412) Application of Montana-Dakota Utilities Company for authority to pass on a wholesale gas cost increase of \$1.341 per decatherm for residential, firm general, seasonal firm and interruptible customers. Commission to consider and act on application and company's Petition for Confidential Treatment and Petition to Implement Rates on Less Than 30 Days' Notice. Commission advisory staff: Steve Mink and Michelle Bohanan. (See memo dated January 12, 2010.)

5. Docket No. 20000-357-EA-09 (Record No. 12379) Application of Rocky Mountain Power for a certificate of public convenience and necessity to construct approximately 12 miles of new 230 kV transmission line and to remove approximately nine miles of existing 230 kV transmission line between the Dave Johnston power plant and the Casper substation. Commission to consider and act on:
 - a. Statement of Protest and Request for Public Hearing filed by Waylon and Christi Geuke;
 - c. Rocky Mountain Power's Opposition to Waylon and Christi Geukes' Statement of Protest and Request for Hearing; and
 - b. Motion for Continuance filed by Rocky Mountain Power.

Steve Freudenthal, counsel for the Geukes, and representatives of Rocky Mountain Power will appear. Commission advisory staff: Michelle Bohanan, Dave Walker and Blair Bales. (No memo; see attached Statement of Protest, Opposition and Motion.)

6. Docket No. 20000-352-ER-09 (Record No. 12310) Application of Rocky Mountain Power for approval of a general rate increase in its retail electric utility service rates in Wyoming of \$70,918,825 per annum or an average overall increase of 13.7 percent. Commission to consider and act on Utility Workers of America, Local 127, Petition for Leave to Intervene Out of Time Representatives of the Utility Workers of America will appear. Commission advisory staff: Marci Norby, Blair Bales and Vicky Hansen. (No memo; see attached petition.)

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*. A tentative list of dates follows:
 - Thursday, January 28, 2010, at 1:30 p.m.

Notice of Adoption of Rules and Regulations

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WYOMING PUBLIC SERVICE COMMISSION

Addendum to Regular Open Meeting Agenda

Items for Commission Attention

Thursday, January 21, 2010

1:30 p.m.

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REGULAR AGENDA ITEMS

7. Docket No. 70000-1271-TI-06 (Record No. 10749) Formal investigation by the Commission on its own motion of the August 1, 2006, 911 emergency telecommunications service outage experienced in many parts of Wyoming, involving the 911 and other services of Qwest Corporation and other telecommunications companies. Commission to consider establishing a new due date for the report from Qwest "detailing the possibilities of replacing the current radio routes with fiber, . . . including an estimated time required for implementation and projected cost of such an upgrade" as required by the Commission's February 20, 2008, Order. Commission advisory staff: Art Schmidt, Tom Wilson, Chris Petrie, Blair Bales and Victoria Hansen. (No memo; see attached ordering paragraph 4.c of Order issued February 20, 2008.)

WYOMING PUBLIC SERVICE COMMISSION

Notice of Commission Activity

Monday, January 25, 2010

3:00 p.m.

Docket No. 80024-1-WI-09 (Record No. 12255) Investigation, upon the Commission's own motion, of Nordic Ranches Utilities, a nonprofit corporation, to determine whether the company is a public utility subject to Commission regulation under W.S. § 37-2-112. Commission to conduct deliberations and possibly render a decision in this matter.

Commission advisory staff: Steve Mink, Christopher Petrie and Art Schmidt.

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WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Wednesday, January 27, 2010

1:30 p.m.

Although the Commission will consider all items on this agenda, they may not be considered in the exact order listed below. Real-time audio broadcast of the open meeting may be accessed through the Commission's website at <http://psc.state.wy.us>.

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REGULAR AGENDA ITEMS

1. Docket No. 20004-81-ER-09 (Record No. 12259) Amended application of Montana-Dakota Utilities Co. (MDU) for a general rate increase in its Wyoming electric utility rates of \$5,053,756 per annum. Commission to consider the City of Sheridan, Wyoming's first amended petition for leave to intervene out of time. Representatives of City of Sheridan will appear by telephone. Bruce Asay, local counsel for MDU, will appear in person. Commission advisory staff: Dave Lucero, Steve Mink, Marci Norby and Dave Piroutek. (No memo; see attached Petition to Intervene.)
2. Docket No. 30018-24-GA-05 (Record No. 9975) Amended application of Lower Valley Energy, Inc., (Lower Valley) for a certificate of public convenience and necessity to construct a natural gas pipeline from the Merna Area, Sublette County, Wyoming, to serve in the Jackson, Wyoming, area. Commission to consider issuance of an Order directing the Company to show cause why it should not be found in violation of the Commission's Order issued March 1, 2007, requiring construction reporting as specified in Section 229 of the Commission's Procedural Rules and Special Regulations. Representatives from Lower Valley will appear by telephone. Commission advisory staff: Darrell Zlomke, Dave Piroutek and Blair Bales. (No memo, but see attached Order and e-mail.)
3. Docket No. 70218-1-TA-09 Application of Lifeconnex Telecom, LLC, for a certificate of public convenience and necessity to provide local telecommunications services in Wyoming and petition for confidential treatment of financial information. Commission to consider dismissing the application and petition. Commission advisory staff: Tom Wilson and Steve Mink. (See memo dated January 22, 2010.)

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*. A tentative list of dates follows:
 - Tuesday, February 2, 2010, at 1:30 p.m.
 - Thursday, February 4, 2010, at **3:30 p.m.**
 - Tuesday, February 9, 2010, at 1:30 p.m.
 - Thursday, February 11, 2010, at 1:30 p.m.
 - Friday, February 19, 2010, at 1:30 p.m.
 - Tuesday, March 2, 2010, at 1:30 p.m.
 - Thursday, March 4, 2010, at 1:30 p.m.

Notice of Adoption of Rules and Regulations

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