

WYOMING PUBLIC SERVICE COMMISSION
Notice of Public Hearing

Monday, March 3, 2008
9:00 a.m.

Docket No. 20000-277-ER-07 (Record No. 11249) In the matter of the application of rocky Mountain Power for approval of a general rate increase of approximately \$36.1 million per year for retail electric utility service in Wyoming and for approval of a new renewable resource mechanism and marginal cost pricing tariff. Commission will commence a public hearing on Monday, March 3, 2008, at 9:00 a.m. in the Commission's hearing room located at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming.

Commission advisory staff: Marci Norby, Darrell Zlomke, Dave Piroutek, Dave Lucero, Steve Mink and Chris Petrie.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Friday, March 7, 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.

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. 90000-101-XO-08 (Record No. 11651) Proposed adoption of Chapter 1, Rules of Practice and Procedure, Sections 102 and 122; Chapter 5, Special Regulations – Telephone Utilities Only, Sections 500-504, 506, 517 and 547; and Chapter 9, General Forms, Section 901(j), of the Commission’s Procedural Rules and Special Regulations. Commission to consider issuing Order commencing rulemaking. Commission advisory staff: Christopher Petrie. (No memo.)

SET DATE AND TIME FOR NEXT OPEN MEETING

Find more information on the Commission’s web site at <http://psc.state.wy.us>:

- for the latest open meeting agenda, see Current Open Meeting Agenda;
- for upcoming meetings, hearings and other activities, see Commission Calendar.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Tuesday, March 11, 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 307-777-7427 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. 20000-315-EP-08 (Record No. 11618) Application of Rocky Mountain Power for a PCAM deferred net power cost adjustment for the time period December 1, 2006 through November 30, 2007 in the amount of \$31.0 million. Commission to consider and act on the *Petition of Kinder Morgan Interstate Gas Transmission LLC and Canyon Creek Compression Company for Permission to Intervene*. Commission Staff: Steve Mink, Luy Luong and Don Biedermann (no memo; see attached Petition).
2. 70043-18-TA-07 (Record No. 11581) Application of Level 3 Communications, LLC, for a certificate of public convenience and necessity to provide local exchange services. Commission to consider and act on the *Petition to Intervene* filed by All West Communications, Inc., CenturyTel of Wyoming., Dubois Telephone Exchange, Inc., Project Telephone Co., Range Telephone Cooperative, Inc., RT Communications, Inc., Silver Star Communications and Union Telephone Company. Commission Staff: Steve Mink and Art Schmidt (no memo; see attached Petition).
3. Docket No. 20002-69-EA-07 (Record No. 11549) Application of Black Hills Power Inc. for a certificate of public convenience and necessity for WygenIII, a 100 MW, coal fired electric generation facility to be located in Gillette, Wyoming. Commission to consider issuance of a Special Order Authorizing One Commissioner or Hearing Examiner to Conduct Public Hearing. Commission Staff: Darrel Zlomke and Steve Mink (no memo).

4. Undocketed. Open Meeting Minutes for review by the Commission for the Regular Open Meetings of December 19 and December 21, 2007. Prepared by; Deborah McFerrin. (No memo; but see attached copies of listed Minutes.)

REGULAR AGENDA ITEMS

1. Docket Nos. 70114-19-TA-08 and 70015-60-TA-08 (Record No. 11591). Application of Bresnan Broadband of Wyoming, LLC for a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services in the areas presently served by RT Communications, Inc. and for recognition of status as a competitive carrier providing competitive services pursuant to W.S. §37-15-202(c). Commission to consider and act on Petition to Intervene filed by RT Communications, Inc. Mr. Walt Eggers will appear on behalf of Bresnan and Mr. Bruce Asay for RT. Commission advisory staff: Luy Luong and Vicky Hansen. (See Petition to Intervene dated filed February 15, 2008).
2. Docket No: 20000-309-EA-08 (Record No. 11569) The application of Rocky Mountain Power (“RMP”), for a Certificate of Public Convenience and Necessity (“CPCN”) to construct the 99 MW Rolling Hills Wind Project in Converse County, Wyoming. Commission to consider and act on the application and RMP's request for confidential treatment of cost information. Dave Mosier will be present to represent RMP. Commission Staff: Art Schmidt and Steve Mink (See memo dated March 3, 2008).
3. Docket No. 90000-99-XO-07 (Record No. 11311) Proposed adoption of Section 318 of the Commission’s Procedural Rules and Special Regulations regarding the non-applicability of several Commission rules to rural electric cooperatives that become exempt from retail rate regulation under W.S. § 37-17-103. Commission to consider closing this docket. Commission advisory staff: Blair Bales. (No memo.)
4. Docket No. 30022-107-GI-8 (Record No. 11610) The 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 consider modification of request for production of audio recordings of telephone conversations between SourceGas customers and Accenture customer service representatives. Counsel for SourceGas will appear with additional SourceGas representatives appearing in person or by telephone. (No memo.) Commission staff: Steve Mink, Chris Petrie, Marcia Johansen, Shirley McCown.
5. Undocketed: (Company Identification No. 30022) Representatives of SourceGas to appear and explain recent calls from SourceGas customers to the Commission's Complaint Staff concerning the discontinuation of natural gas service to customers in the Shoshoni area. (No memo.) Commission staff: Chris Petrie.
6. Undocketed: (Company Identification No. 70023) McLeod USA will appear to discuss and explain its early termination fee policies and procedures, including but not limited to, the application of those policies and procedures in the Connected Consulting/Purcell

informal complaint matter, and “inside sales” practices and procedures relevant to Wyoming. Liz Pendley will appear for McLeod USA. Other McLeod representatives will appear by telephone. Commission staff: Steve Mink, Chris Petrie, Shirley McCown. (See memo dated March 7, 2008, and attached correspondence.)

7. Undocketed: Company Identification No. 74085. USP Communications, Inc. USP has been directed to appear to explain why the Company is operating in Wyoming without registration authority, in apparent violation of Wyoming Statute § 37-15-301; and why it is delinquent in its payments to the Wyoming Universal Service Fund, in apparent violation of Wyoming Statute § 37-15-501. USP is also expected to address why it failed to notify its customers in advance of the disconnect experienced on January 31, 2007, in apparent violation of Commission Rule 503(c)(iii)(H), and the service problems its Wyoming customers reported experiencing during February, July and September 2007, and January 2008, resulting in nearly fifty (50) contacts with Commission Complaint Staff. Commission advisory staff: Shirley McCown, Barbara Iversen, and Blair Bales. (See attached letters to USP.)

SET DATE AND TIME FOR NEXT OPEN MEETING

Find more information on the Commission’s web site at <http://psc.state.wy.us>:

- for the latest open meeting agenda, see Current Open Meeting Agenda;
- for upcoming meetings, hearings and other activities, see Commission Calendar.

WYOMING PUBLIC SERVICE COMMISSION
Notice of Commission Activity

Wednesday, March 12, 2008
1:00 p.m.

Docket No. 20000-277-ER-07 (Record No. 11249) In the matter of the application of Rocky Mountain Power for approval of a general rate increase of approximately \$36.1 million per year for retail electric utility service in Wyoming, and for approval of a new renewable resource mechanism and marginal cost pricing tariff. Commission to deliberate and possibly render a decision in this matter.

Commission advisory staff: Dave Lucero, Steve Mink, Darrell Zlomke, Marci Norby, and David Piroutek

WYOMING PUBLIC SERVICE COMMISSION
Notice of Commission Activity

Thursday, March 13, 2008

1:30 p.m.

Docket No. 30016-41-GR-06 (Record No.10400) Second amended general rate application of Pinedale Natural Gas, Inc., for authority to establish a revised overall rate of return of 11.5% to reflect changes in the costs of providing natural gas service and increase revenues \$93,000 per annum. Commission to conduct deliberations on the rehearing and possibly render a decision.

Commission advisory staff: Marci Norby, Don Biedermann and Blair Bales.

WYOMING PUBLIC SERVICE COMMISSION

Revised Regular Open Meeting Agenda

Items for Commission Attention

Friday, March 14, 2008

3:30 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 307-777-7427 or dmcfer@state.wy.us

CONSENT AGENDA ITEM

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. 20000-315-EP-08 (Record No. 11618) Application of Rocky Mountain Power to change deferred net power costs through the power cost adjustment mechanism by approximately \$31.0 million. Commission to consider and act on Rocky Mountain Power's Petition for confidential Treatment and Protective Order. Commission advisory staff: Steve Mink, Luy Luong and Don Biedermann. (No memo; see attached Petition.)
2. Undocketed. Open Meeting Minutes for review by the Commission for the Regular Open Meetings of January 3, January 8 and January 11, 2008. Prepared by Deborah McFerrin. (No memo; but see attached copies of listed Minutes.)

REGULAR AGENDA ITEMS

1. Docket No. 30022-107-GI-08 (Record No. 11610) The investigation, upon the Commission's own motion, of the billing practices and procedures of SourceGas Distribution, LLC (SourceGas), and the impact on its customers. SourceGas personnel will provide an update to the Commission. SourceGas representatives will appear in person or by telephone. (No memo.) Commission advisory staff: Marcia Johansen, Shirley McCown, Steve Mink and Chris Petrie.
2. Docket No. 30022-111-GA-08 (Record No. 11662) Representatives of SourceGas Distribution, LLC, to provide update regarding the possible discontinuation of natural gas service to 8 customers in the Pavillion/Shoshoni area. (No memo.) Commission advisory staff: Chris Petrie.

SET DATE AND TIME FOR NEXT OPEN MEETING

Find more information on the Commission's web site at <http://psc.state.wy.us>:

- for the latest open meeting agenda, see Current Open Meeting Agenda;
- for upcoming meetings, hearings and other activities, see Commission Calendar.

WYOMING PUBLIC SERVICE COMMISSION
Notice of Public Hearing

Tuesday, March 18, 2008
9:00 a.m.

Docket No. 20002-69-EA-07 (Record No. 11549) In the Matter of the Application of Black Hills Power, Inc., for a Certificate of Public Convenience and Necessity for WyGen III, a 100-MW, coal-fired electric generation facility to be located in Gillette, Wyoming. Commission to commence public hearing at the George Amos Memorial Building, Cottonwood Room, 412 Gillette Avenue, Gillette, Wyoming.

Commission advisory staff: Marci Norby, Dave Piroutek, and Steve Mink.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Friday, March 21, 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 307-777-7427 or dmcfer@state.wy.us

REGULAR AGENDA ITEMS

1. Docket No. 30007-85-GP-08 (Record No. 11653) Application of Frannie-Deaver Utilities to adjust its commodity balancing account to pass on to consumers decreases in the delivered cost of natural gas in the amount of \$0.4534 per MCF. Commission to consider application. Mr. Bryan Lee of Frannie-Deaver Utilities will participate by telephone. Commission advisory staff: Jess Bottom and Vicky Hansen.(See memo dated March 18, 2008.)
2. Docket No. 30022-106-GT-07 (Record 11550) Application of SourceGas Distribution, LLC, for authority to adjust its regular incentives for new service lines and main extensions and to provide customers the option of receiving an extra incentive for new service lines and main extensions. Commission to act on the request for authority. SourceGas will be represented in person by Mr. William Meckling, Director of Regulatory Affairs, Mr. Jerrad Hammer, Senior Regulatory Analyst, Mr. Bud Becker, Counsel, and Mr. Verlin Engler, Manager of Load Growth. Commission advisory staff: Don Biedermann and Steve Mink. (See memo dated March 11, 2008.)
3. Docket No. 30022-111-GA-08 (Record No. 11662) Representatives of SourceGas Distribution, LLC, to provide update regarding the possible discontinuation of natural gas service to eight customers in the Pavillion/Shoshoni area. (No memo.) Commission advisory staff: Chris Petrie.
4. Docket No. 30022-107-GI-08 (Record No. 11610) The investigation, upon the Commission's own motion, of the billing practices and procedures of SourceGas Distribution, LLC, and the impact on its customers. SourceGas personnel will provide an update to the Commission. SourceGas representatives will appear in person or by telephone. (No memo.) Commission advisory staff: Marchia Johansen, Shirley McCown, Steve Mink and Chris Petrie.

SET DATE AND TIME FOR NEXT OPEN MEETING

Find more information on the Commission's web site at <http://psc.state.wy.us>:

- for the latest open meeting agenda, see Current Open Meeting Agenda;
- for upcoming meetings, hearings and other activities, see Commission Calendar.

Notice of Intent to Adopt Rules and Regulations

Docket No. 90000-101-XO-08 (Record No. 11651) Proposed Adoption of Chapter 1, Rules of Practice and Procedure, Sections 102 and 122; Chapter 5, Special Regulations – Telephone Utilities Only, Sections 500-504, 506, 517 and 547; and Chapter 9, General Forms, Section 901(j), of the Commission's Procedural rules and Special Regulations.

For additional information, contact Christopher Petrie at (307) 777-5763.

2007 Wyoming Session Law Chapters 118 and 142 were enacted and became effective July 1, 2007. Significant aspects of the statutory framework governing the regulation of telecommunications utilities, which had been in place since 1995, were altered by the passage of these laws. These rules are proposed to implement the Wyoming Legislature's intent to recognize competition in certain markets, to establish appropriate methods by which telecommunications providers may obtain a Commission determination that effective competition exists, and generally to regulate telecommunications utilities in a manner that encourages the further development of competition consistent with the interests of telecommunications consumers.

These proposed new rules, including revisions to existing sections of Chapters I, X and IX of the Public Service Commission's Procedural Rules and Special Regulations would conform the Rules of Practice and Procedure with the Wyoming Telecommunications Act, which generally govern the regulation of telecommunications utilities, by establishing consistent guidelines, criteria, and standards for telecommunications related proceedings before the Public Service Commission, including proceedings related to exclusive agreements for the provision of telecommunications services involving any city, town or political subdivision. The proposed rules also explicitly provide for expedited proceedings before the Public Service Commission, and improve the accuracy and readability of the rules by renumbering certain provisions, and eliminating various typographical and grammatical errors and inconsistencies. Further, the proposed rules revise records retention and outage reporting requirements to modernize those requirements, coordinate them with federal reporting requirements, and provide a means for obtaining accurate and timely outage reports for events likely to affect public safety, and substitute current citations and references to statutes, rules and agencies for obsolete references

The Public Service Commission is proposing revisions of the following section of its Procedural Rules and Special Regulations: Sections 102, 500, 501, 503, 504, 506, 517, 518, 519, 520, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545 and 901.

The Public Service Commission is proposing the repeal of the following section of its Procedural Rules and Special Regulations: Sections 521, 522 and 546.

The Public Service Commission proposes the adoption of the following new sections of its Procedural Rules and Special Regulations: Sections 122 (providing for expedited proceedings), and 547 (providing for the conduct of proceedings related to exclusive agreements for the provision of telecommunications services involving any city, town or political subdivision).

A copy of the proposed rules in a format that clearly indicates additions to and deletions from existing language may be obtained at the Public Service Commission's offices located at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002, or on the Public Service Commission's website at <http://psc.state.wy.us/htdocs/TeleCommRuleRev.htm>.

Written comments presenting the views of any interested persons may be filed with the Public Service Commission at any time prior to **May 12, 2008**.

A public hearing on the proposed rules has been scheduled to commence on May 15, 2008, at 9:00 a.m. at the Public Service Commission's hearing room located at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002.

Any person may urge the agency not to adopt the rules and also request the agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response stating the reasons for overruling consideration(s) against adoption must be made prior to, or within thirty (30) days after adoption of the rule, addressed to:

Christopher Petrie, Chief Counsel
Public Service Commission of Wyoming
2515 Warren Avenue, Suite 300
Cheyenne, WY 82002

These are **New Rules** (i.e., these are the first set of rules to be promulgated by the agency after the Legislature's adoption of a new statutory provision or an act significantly amending an existing statute. A new rule is one that is promulgated in direct response to, or that is mandated by, the enacted statute and may involve creation of an entirely new provision in the agency's rules or the repeal or amendment of an existing rule.)

The specific legislation resulting in promulgation of these rules is: 2007 Wyoming Session Law Chapters 118 (Senate File 80) and 142 (Senate file 78), which amended W.S. § 37-15- 101 through 37-15-502, thus revising the provisions Wyoming Telecommunications Act of 1995.

These rules are not adopted, amended or repealed to comply with federal law or regulatory requirements.

Statement required by W.S. § 16-3-103(a)(i)(G): The proposed rule change meets minimum substantive state statutory requirements.

WYOMING PUBLIC SERVICE COMMISSION

Regular Open Meeting Agenda

Items for Commission Attention

Wednesday, March 26, 2008

1:30 p.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. 30022-111-GA-08 (Record No. 11662) Representatives of SourceGas Distribution, LLC, and EnCana Oil & Gas (USA) Inc., to present information regarding the possible discontinuation of natural gas service to eight retail customers in the Pavillion/Shoshoni area, including the status of the related gas commodity sales agreement between those companies and the quality of the gas supplied pursuant to that agreement. Mr. Scott Regan and Mr. Russ Kimmitt will appear by telephone on behalf of EnCana. Commission advisory staff: Chris Petrie.

SET DATE AND TIME FOR NEXT OPEN MEETING

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Notice of Intent to Adopt Rules and Regulations

Docket No. 90000-101-XO-08 (Record No. 11651) Proposed Adoption of Chapter 1, Rules of Practice and Procedure, Sections 102 and 122; Chapter 5, Special Regulations – Telephone Utilities Only, Sections 500-504, 506, 517 and 547; and Chapter 9, General Forms, Section 901(j), of the Commission's Procedural rules and Special Regulations.

For additional information, contact Christopher Petrie at (307) 777-5763.

2007 Wyoming Session Law Chapters 118 and 142 were enacted and became effective July 1, 2007. Significant aspects of the statutory framework governing the regulation of telecommunications utilities, which had been in place since 1995, were altered by the passage of these laws. These rules are proposed to implement the Wyoming Legislature's intent to recognize competition in certain markets, to establish appropriate methods by which telecommunications providers may obtain a Commission determination that effective

competition exists, and generally to regulate telecommunications utilities in a manner that encourages the further development of competition consistent with the interests of telecommunications consumers.

These proposed new rules, including revisions to existing sections of Chapters I, V and IX of the Public Service Commission's Procedural Rules and Special Regulations would conform the Rules of Practice and Procedure with the Wyoming Telecommunications Act, which generally govern the regulation of telecommunications utilities, by establishing consistent guidelines, criteria, and standards for telecommunications related proceedings before the Public Service Commission, including proceedings related to exclusive agreements for the provision of telecommunications services involving any city, town or political subdivision. The proposed rules also explicitly provide for expedited proceedings before the Public Service Commission, and improve the accuracy and readability of the rules by renumbering certain provisions, and eliminating various typographical and grammatical errors and inconsistencies. Further, the proposed rules revise records retention and outage reporting requirements to modernize those requirements, coordinate them with federal reporting requirements, and provide a means for obtaining accurate and timely outage reports for events likely to affect public safety, and substitute current citations and references to statutes, rules and agencies for obsolete references

The Public Service Commission is proposing revisions of the following section of its Procedural Rules and Special Regulations: Sections 102, 500, 501, 503, 504, 506, 517, 518, 519, 520, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545 and 901.

The Public Service Commission is proposing the repeal of the following section of its Procedural Rules and Special Regulations: Sections 521, 522 and 546.

The Public Service Commission proposes the adoption of the following new sections of its Procedural Rules and Special Regulations: Sections 122 (providing for expedited proceedings), and 547 (providing for the conduct of proceedings related to exclusive agreements for the provision of telecommunications services involving any city, town or political subdivision).

A copy of the proposed rules in a format that clearly indicates additions to and deletions from existing language may be obtained at the Public Service Commission's offices located at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002, or on the Public Service Commission's website at <http://psc.state.wy.us/htdocs/TeleCommRuleRev.htm>.

Written comments presenting the views of any interested persons may be filed with the Public Service Commission at any time prior to **May 12, 2008**.

A public hearing on the proposed rules has been scheduled to commence on May 15, 2008, at 9:00 a.m. at the Public Service Commission's hearing room located at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002.

Any person may urge the agency not to adopt the rules and also request the agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency

response stating the reasons for overruling consideration(s) against adoption must be made prior to, or within thirty (30) days after adoption of the rule, addressed to:

Christopher Petrie, Chief Counsel
Public Service Commission of Wyoming
2515 Warren Avenue, Suite 300
Cheyenne, WY 82002

These are **New Rules** (i.e., these are the first set of rules to be promulgated by the agency after the Legislature's adoption of a new statutory provision or an act significantly amending an existing statute. A new rule is one that is promulgated in direct response to, or that is mandated by, the enacted statute and may involve creation of an entirely new provision in the agency's rules or the repeal or amendment of an existing rule.)

The specific legislation resulting in promulgation of these rules is: 2007 Wyoming Session Law Chapters 118 (Senate File 80) and 142 (Senate file 78), which amended W.S. § 37-15- 101 through 37-15-502, thus revising the provisions Wyoming Telecommunications Act of 1995.

These rules are not adopted, amended or repealed to comply with federal law or regulatory requirements.

Statement required by W.S. § 16-3-103(a)(i)(G): The proposed rule change meets minimum substantive state statutory requirements.

*This notice corrects and supersedes that notice issued on March 19, 2008 and published on March 21, 2008, which erroneously referenced Chapters I, X and IX. The correct reference, as stated above, is to Chapters I, V and IX.

WYOMING PUBLIC SERVICE COMMISSION

Notice of

**Rocky Mountain Power/Wyoming Stakeholders
Load Growth Pricing Collaborative
Meeting**

**Thursday, March 27, 2008
2:00 p.m.**

This meeting is being held pursuant to the stipulation filed by the parties in Docket No. 20000-277-ER-07 and approved by the Commission at the close of deliberations on March 12, 2008. It is one of a series of meetings for discussion of issues related to load growth and associated pricing design responses.

The meeting will be conducted by telephone conference. Interested persons may obtain details necessary to join this telephone conference and to participate in upcoming meetings by contacting Mr. Dave Mosier, Wyoming Regulatory Affairs Manager, Rocky Mountain Power, at (307) 632-2677 or by e-mail to David.Mosier@PacifiCorp.com.

Participants may be required to execute a non-disclosure agreement before being allowed access to certain information under discussion at this meeting.

This is not a meeting of the Wyoming Public Service Commission. Commission Staff contact: Christopher Petrie, Secretary and Chief Counsel (307) 777-5763 cpetri@state.wy.us

WYOMING PUBLIC SERVICE COMMISSION

Friday, March 28, 2008

Regular Open Meeting Agenda

Items for Commission Attention

9:30 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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CONSENT AGENDA ITEMS

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1. Docket No. 70000-1364-TK-08 (Record No. 11632) Contract filing of Qwest Corporation for authority to enter into Type 2 wireless interconnection agreement with New Cingular Wireless Services PCS, LLC. Commission advisory staff: Luy Luong and Vicky Hansen. (See memo dated March 21, 2008.)
2. Docket No. 20000-305-EC-07 (Record No. 11519). The complaint filing by Bridger Butte Wind Power, LLC., against Rocky Mountain Power, a division of PacifiCorp, requesting formal hearing regarding avoided cost pricing for wind facilities. Commission to consider and act on the stipulation filed by Rocky Mountain and Bridger Butte Wind Power, LLC. The stipulation would allow Rocky Mountain to have an additional 30 days to respond formally to Bridger Butte's complaint, extending the time for Rocky Mountain to respond until April 16, 2008. Commission advisory staff: Don Biedermann and Steve Mink. (No memo; see attached stipulation.)
3. Docket No. 20004-72-EA-08 (Record No. 11661) Application of Montana Dakota Utilities Company, for a certificate of public convenience and necessity for participation in WyGen III, a coal-fired electric generation plant. Commission to consider and act on Montana Dakota's Petition for Confidential Treatment. Commission Staff: Steve Mink, Marci Norby and Dave Piroutek (No memo; see attached petition.)
4. Docket No. 20000-264-EA-06 (Record No. 10960) Amended application of Rocky Mountain Power, for authority to establish demand-side management programs in

Wyoming, establish DSM tariffs and increase rates to fund DSM. Commission to consider and act on Rocky Mountain Power's Joint Motion for Approval of Procedural Schedule. Commission advisory staff: Luy Luong, Don Biedermann and Steve Mink. (No memo; see attached motion.)

5. Docket No. 70000-1358-TK-07 (Record No. 11430) Contract filing of Qwest Corporation for authority to enter into a commercial internetwork calling name services agreement with Bresnan Broadband of Wyoming, LLC. Commission to consider and act on final approval of interconnection agreement. Commission advisory staff: Art Schmidt and Steve Mink. (See memo dated March 26, 2008.)
6. Undocketed. Open Meeting Minutes for review by the Commission for the Regular Open Meetings of January 22, January 24, February 1, February 12 and February 14, 2008. Prepared by; Deborah McFerrin. (No memo; but see attached copies of listed minutes.)

REGULAR AGENDA ITEMS

1. Docket No. 30005-116-GP-08 (Record No. 11646) Application of Cheyenne Light, Fuel and Power for authority to pass on a wholesale gas cost increase of \$1.8316 per decatherm for firm rate classes and \$1.9733 for interruptible rate classes beginning April 1, 2008. Commission to act on and consider the application and the company's Petition for Confidential Treatment. Company representatives will be present. Commission advisory staff: Barbara Iversen and Steve Mink. (See memo dated March 10, 2008.)
2. Docket No. 20000-315-EP-08 (Record No. 11618) Application of Rocky Mountain Power for a PCAM deferred net power cost adjustment for the time period December 1, 2006, through November 30, 2007, in the amount of \$31.0 million. Commission to consider and act on the Rocky Mountain Power's Motion to Modify Suspension Order and to Implement PCAM Rates on an Interim Basis Effective April 1, 2008. Commission advisory staff: Luy Luong, Don Biedermann and Steve Mink. (See memo dated March 25, 2008, and attached motion.)
3. Docket No. 30016-51-GP-08 (Record No. 11654) Application of Pinedale Natural Gas, Inc., for authority to pass on a wholesale gas increase of \$5.24 per decatherm through its commodity balancing account. Commission to consider and act on application. Company representatives will appear by telephone. Commission advisory staff: Marci Norby and Steve Mink. (See memo dated March 26, 2008.)
4. Docket No. 30013-200-GP-08 (Record No. 11655) Application of Montana-Dakota Utilities Co. for authority to pass on a wholesale gas cost increase of \$0.838 per decatherm for Residential General Service, Small and Large Interruptible customers and decrease of \$0.047 for Optional Seasonal customers. Commission to consider and act on Application and Petition for Confidential Treatment of Exhibit 3A. Rita Mulkern of MDU will appear by telephone. Commission advisory staff: Jess Bottom and Blair Bales. (See memo dated March 20, 2008.)

5. Undocketed. Commission to consider initiation of rulemaking proceedings to revise Section 500 as proposed by Qwest Corporation in Docket No. 90000-96-XI-07 to allow carriers to devote federal universal service fund receipts to specific infrastructure replacements or improvements. Commission advisory staff: Luy Luong, Chris Petrie and Victoria Hansen. (No memo.)

1:30 p.m.

6. Docket No. 74085-4-TI-08 (Record No. 11666) A hearing, on the Commission's initiative, at which USP Communications, Inc., shall show cause why it is not in violation of Wyoming law and why action should not be taken to ensure compliance therewith. Commission to consider referring USP to the Attorney General's Office and/or other appropriate law enforcement authorities for prosecution or other appropriate legal action. Commission advisory staff: Shirley McCown, Barbara Iversen, and Blair Bales.(No memo; please see attached Show Cause Order.)
7. 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: Marchia Johansen, Shirley McCown, Steve Mink and Chris Petrie. (No memo.)
8. Docket No. 30022-111-GA-08 (Record No. 11662) SourceGas Distribution, LLC, and EnCana Oil & Gas (USA), Inc., to present information regarding the possible discontinuation of natural gas service to eight retail customers in the Pavillion/Shoshoni area, including the status of the related gas commodity sales agreement between those companies and the quality of the gas supplied pursuant to that agreement. Commission advisory staff: Chris Petrie.

SET DATE AND TIME FOR NEXT OPEN MEETING

Find more information on the Commission's web site at <http://psc.state.wy.us>:

- for the latest open meeting agenda, see Current Open Meeting Agenda;
- for upcoming meetings, hearings and other activities, see Commission Calendar.

Notice of Intent to Adopt Rules and Regulations*

Docket No. 90000-101-XO-08 (Record No. 11651) Proposed Adoption of Chapter 1, Rules of Practice and Procedure, Sections 102 and 122; Chapter 5, Special Regulations – Telephone Utilities Only, Sections 500-504, 506, 517 and 547; and Chapter 9, General Forms, Section 901(j), of the Commission's Procedural rules and Special Regulations.

For additional information, contact Christopher Petrie, at (307) 777-5763

The 2007 Wyoming Session Law Chapters 118 and 142 were enacted and became effective July 1, 2007. Significant aspects of the statutory framework governing the regulation of telecommunications utilities, which had been in place since 1995, were altered by the passage of these laws. These rules are proposed to implement the Wyoming Legislature's intent to recognize competition in certain markets, to establish appropriate methods by which telecommunications providers may obtain a Commission determination that effective competition exists, and generally to regulate telecommunications utilities in a manner that encourages the further development of competition consistent with the interests of telecommunications consumers.

These proposed new rules, including revisions to existing sections of Chapters I, V and IX of the Public Service Commission's Procedural Rules and Special Regulations would conform the Rules of Practice and Procedure with the Wyoming Telecommunications Act, which generally govern the regulation of telecommunications utilities, by establishing consistent guidelines, criteria, and standards for telecommunications related proceedings before the Public Service Commission, including proceedings related to exclusive agreements for the provision of telecommunications services involving any city, town or political subdivision. The proposed rules also explicitly provide for expedited proceedings before the Public Service Commission, and improve the accuracy and readability of the rules by renumbering certain provisions, and eliminating various typographical and grammatical errors and inconsistencies. Further, the proposed rules revise records retention and outage reporting requirements to modernize those requirements, coordinate them with federal reporting requirements, and provide a means for obtaining accurate and timely outage reports for events likely to affect public safety, and substitute current citations and references to statutes, rules and agencies for obsolete references

The Public Service Commission is proposing revisions of the following section of its Procedural Rules and Special Regulations: Sections 102, 500, 501, 503, 504, 506, 517, 518, 519, 520, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545 and 901.

The Public Service Commission is proposing the repeal of the following section of its Procedural Rules and Special Regulations: Sections 521, 522 and 546.

The Public Service Commission proposes the adoption of the following new sections of its Procedural Rules and Special Regulations: Sections 122 (providing for expedited proceedings), and 547 (providing for the conduct of proceedings related to exclusive agreements for the provision of telecommunications services involving any city, town or political subdivision).

A copy of the proposed rules in a format that clearly indicates additions to and deletions from existing language may be obtained at the Public Service Commission's offices located at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002, or on the Public Service Commission's website at <http://psc.state.wy.us/htdocs/TeleCommRuleRev.htm>.

Written comments presenting the views of any interested persons may be filed with the Public Service Commission at any time prior to **May 12, 2008**.

A public hearing on the proposed rules has been scheduled to commence on May 15, 2008, at 9:00 a.m. at the Public Service Commission's hearing room located at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002.

Any person may urge the agency not to adopt the rules and also request the agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response stating the reasons for overruling consideration(s) against adoption must be made prior to, or within thirty (30) days after adoption of the rule, addressed to:

**Christopher Petrie, Chief Counsel
Public Service Commission of Wyoming
2515 Warren Avenue, Suite 300
Cheyenne, WY 82002**

These are **New Rules** (i.e., these are the first set of rules to be promulgated by the agency after the Legislature's adoption of a new statutory provision or an act significantly amending an existing statute. A new rule is one that is promulgated in direct response to, or that is mandated by, the enacted statute and may involve creation of an entirely new provision in the agency's rules or the repeal or amendment of an existing rule.)

The specific legislation resulting in promulgation of these rules is: 2007 Wyoming Session Law Chapters 118 (Senate File 80) and 142 (Senate file 78), which amended W.S. § 37-15- 101 through 37-15-502, thus revising the provisions Wyoming Telecommunications Act of 1995.

These rules are not adopted, amended or repealed to comply with federal law or regulatory requirements.

Statement required by W.S. § 16-3-103(a)(i)(G): The proposed rule change meets minimum substantive state statutory requirements.

*This notice corrects and supersedes the notice issued on March 19, 2008 and published on March 21, 2008, which erroneously referenced Chapters I, X and IX. The correct reference, as stated above, is to Chapters I, V and IX.