

# WYOMING PUBLIC SERVICE COMMISSION

## *Open Meeting Minutes*

**Thursday, August 2, 2018**

**1:30 p.m.**

Commissioners: Chairman William F. Russell  
Deputy Chair Kara Brighton Fornstrom

James Webb, President/CEO for Lower Valley Energy, Inc. (by telephone)  
Jon Houglund, CFO for Lower Valley Energy, Inc. (by telephone)  
Vance Witt, Managing Member for Time Clock Solutions, LLC (by telephone)

Commission Staff (CS): Brad Boyles, John Burbridge, Luy Luong, Steve Mink, Jess Bottom, Rachel Meeker, Lori Brand, Kaeci Daniels

### **CONSENT AGENDA**

1. **Undocketed. *Minutes* for review from the Open Meetings on May 17 and June 26, 2018, as prepared by Barbara Tomlinson and Sylvia Sanchez.**
2. **Docket No. 80024-6-WR-18 (Record No. 14990). Application of Nordic Ranches Water, LLC, for approval of a general rate increase of \$200,197.00 per annum; revised Rules and Regulations; and, a Certificate of Public Convenience and Necessity to serve Nordic Ranches Division 14 and surrounding area. Commission to consider issuance of a *Special Order Authorizing One Commissioner and/or Presiding Officer to Conduct Public Hearing*.**
3. **Docket No: 20000-533-EC-18 (Record No. 14954). Complaint filing of VK Clean Energy Partners LLP against Rocky Mountain Power. Commission to consider and act on Rocky Mountain Power's *Unopposed Motion to Amend Procedural Schedule (Motion)*.**
4. **Docket No. 74734-1-TA-18 (Record No. 15014). Registration of Time Clock Solutions, LLC. Commission to consider acceptance of the Registration.**

Deputy Chair Fornstrom moved to approve the *Minutes* in item 1 as prepared. Chairman Russell concurred. Steve Mink, Commission Counsel, recommended granting the *Special Order* for item 2, granting the *Motion* in item 3 and acceptance of the registration in item 4 all by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Chairman Russell seconded the motion.

## REGULAR AGENDA

1. **Docket No. 10012-65-CS-18 (Record No. 15037). Application of Lower Valley Energy, Inc. for authority to borrow up to \$65,000,000. Commission to consider and act on Application.**

Jess Bottom, Commission Staff, provided a technical *Memo* dated July 27, 2018. James Webb, President/CEO for Lower Valley Energy, Inc., advised the Company has been working with Bonneville Power Administration on construction of a new transmission line. Mr. Webb indicated the Company has negotiated a contract to build the line and reimburse Bonneville's project costs including a completion deadline of December 2019 with a "not to exceed" contract with the contractors. After construction of the line is complete, he stated Bonneville would then lease the line from the Company for 40 years, which will allow costs to be recouped. John Burbridge, Commission Counsel, recommended approval of the application by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Chairman Russell seconded the motion.

2. **Docket No. 70256-1-TA-18 (Record No. 15013). Application of Time Clock Solutions, LLC for a Certificate of Public Convenience and Necessity to Provide local exchange telecommunications services in Wyoming. Commission to consider and act on Application and *Petition for Confidential Treatment of Financial Information (Petition)*.**

Rachel Meeker and Kaeci Daniels, Commission Staff, provided a technical *Memo* dated July 27, 2018. Vance Witt, Managing Member for Time Clock Solutions, stated the Company is requesting a CPCN to provide local exchange service in the State. Lori Brand, Commission Counsel, recommended approval of the application and granting the *Petition* both by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Chairman Russell seconded the motion.

Prepared by: Sylvia Sanchez

Date of Next Open Meeting: Tuesday, August 14, 2018

ACCEPTED and APPROVED by the Commission on September 18, 2018

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Chairman William F. Russell

# **WYOMING PUBLIC SERVICE COMMISSION**

Minutes of Regular Open Meeting  
Tuesday, August 14, 2018  
1:30 p.m.

Commissioners: Chairman William Russell  
Deputy Chair Kara Brighton Fornstrom  
Commissioner Robin Sessions Cooley

Jeff Bumgarner, Vice President of Member Services and Executive Director, Powder River Energy Corporation (PRECorp or Cooperative)

Mark Allison, Control Systems Supervisor, PRECorp

Brenden Bowden, Service Tech Group Leader, PRECorp

Jeff Umphlett, General Manager, Big Horn Rural Electric Cooperative (by telephone)

Dale Cottam, Bailey Stock Harmon Cottam & Lopez, Counsel for Nordic Ranches Water, LLC (by telephone)

Ron Lopez, Bailey Stock Harmon Cottam & Lopez, Counsel for Nordic Ranches Water, LLC

Elizabeth Missel, Treasurer, Nordic Ranches Utilities' LLC (by telephone)

Tanya DeJournett, Water Operator, Nordic Ranches Water, LLC (by telephone)

Gay Edwards, Nordic Ranches Water, LLC (by telephone)

Jacob Edwards, Water Operator - In Training, Nordic Ranches Water, LLC (by telephone)

Mark Pepper, Consultant for Nordic Ranches Water, LLC (by telephone)

Office of Consumer Advocate (OCA): Christopher Leger, Belinda Kolb

Commission Staff (CS): Katie Koski, Nathan Brennan, Steve Mink, Rachel Meeker, John Burbridge, Jess Bottom, Kara Seveland, and Luy Luong

## **CONSENT AGENDA**

1. **Undocketed. Minutes for review from the Open Meeting on June 28, 2018, as prepared by Sylvia Sanchez.**
2. **Docket No. 70096-40-TA-17 (Record No. 14713). Petition for confidential treatment of Advanced Communications Technology, Inc. Commission to consider and act on request to designate pages 3–11 of Advanced Communication Technology, Inc.'s 2016 Annual report as confidential pursuant to Commission Rule Chapter 2, Section 30 as requested in *Advanced Communication Technology, Inc.'s Petition for Confidential Treatment of Select Pages of its 2016 Annual Report and Request for Confidential Treatment of Similar Information in Future Annual Reports (Petition)*. Nathan Brennan, CS, provided a technical attached *Memo* dated August 9, 2018.**

3. **Docket Nos. 70009-484-TK-18 and 70235-6-TK-18 (Record No. 15005). Contract filing of United Telephone Company of the West d/b/a CenturyLink of the West for authority to enter into an Interconnection Agreement with Onvoy, LLC. Commission to consider and act on Agreement.** Rachel Meeker, CS, provided a technical *Memo* dated August 1, 2018.
4. **Docket No. 30003-74-GK-17 (Record No. 14813). Contract filing of Black Hills Energy, a division of Cheyenne Light, Fuel and Power Company, of its gas purchase contracts for the year ending May 31, 2018. Commission to consider and act on the Company's *Petition for Confidential Treatment of Contract. (Petition).***
5. **Docket No. 70215-8-TT-18 (Record No. 15067). Tariff filing of Big River Telephone Company, LLC to revise Access Tariffs in compliance with FCC 11-161. Commission to consider and act on Application.** Rachel Meeker and Nathan Brennan, CS, provided a technical *Memo* dated August 8, 2018.

Chairman Russell introduced the consent items. For Item #1, Deputy Chair Fornstrom moved to approve the minutes as prepared. Commissioner Cooley seconded the motion and Chairman Russell concurred. For Item # 2, John Burbridge, Commission Counsel, recommended granting the *Petition* with respect to the 2016 annual report only, and denying the *Request for Confidential Treatment of Similar Information in Future Annual Reports*. For Item #3, he recommended approval of the Agreement. For Item #4, he recommended granting the *Petition*. For Item #5, he recommended approval of the Application, all of the items by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

### **REGULAR AGENDA**

1. **Docket No. 10014-189-CT-18 (Record No. 14930). Tariff filing of Powder River Energy Corporation to revise its Rules and Regulations pertaining to meter testing and verification. Commission to consider and act on tariff filing.** Morgan Fish, CS, provided a technical *Memo* dated June 6, 2018. Jeff Bumgarner, PRECorp's Vice President of Member Services and Executive Director, summarized the Application and provided details. He said the revisions will remove meter field audits, ensure calibration through testing, remove all references to tools and equipment no longer used, as well as extraneous information. Mr. Bumgarner said the effort is no longer warranted because of the low incidence of errors and a planned meter replacement project, which is expected to be completed by end of 2019. Once the project is complete, the Cooperative plans to realign the registers. Mark Allison, PRECorp's Control Systems Supervisor, responded to the Deputy Chair that the decline in errors is because inventory has been cleared of bad endpoints that were causing issues. Mr. Bumgarner said replacing the old meters will identify other issues, as well. He said the Cooperative will use any discrepancy in readings to adjust members' bills accordingly. There were no further questions. John Burbridge, Commission Counsel, recommended approval of the Application by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

2. **Docket No. 10019-65-CT-17 (Record No. 14760). Application of Big Horn Rural Electric Company for approval to update its tariffs. Commission to consider and act on Application.** Kara Seveland, CS, provided a technical *Memo* dated July 20, 2018. Jeff Umphlett, Big Horn's General Manager, explained this filing will bring Big Horn into compliance with the Commission's recently revised rules and regulations. There were no questions. John Burbridge, Commission Counsel, recommended approval of the Application by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.
  
3. **Docket No. 80024-4-WT-16 (Record No. 14567). Tariff filing of Nordic Ranches Water, LLC pursuant to revised Commission Rules and Regulations, effective March 21, 2016. Commission to consider and act on tariff filing.** Luy Luong, CS, provided a technical *Memo* dated August 8, 2018. Dale Cottam, Counsel for Nordic Ranches Water, explained this filing is to bring the Nordic Ranches Water into compliance with Commission Rules and said the Company worked with Commission Staff to address concerns. The tariffs are being changed to reflect current operations. He pointed out that there is no fire suppression capability and these issues will be handled in the rate case, but for now the language regarding fire suppression will be maintained. There were no questions. Katie Koski, Commission Counsel, recommended approval of the Application by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.
  
4. **Docket No. 80024-6-WR-18 (Record No. 14990). Application of Nordic Ranches Water, LLC (NRW), for approval of a general rate increase of \$200,197.00 per annum; revised Rules and Regulations; and, a Certificate of Public Convenience and Necessity to serve Nordic Ranches Division 14 and surrounding area. Commission to consider and act on NRW's request for interim rates.** Nathan Brennan and Luy Luong, CS, provided a technical *Memo* dated August 10, 2018. Dale Cottam, Counsel for Nordic Ranches Water, provided a brief background on this Application. The request was previously tabled to allow the Company time to review costs in the revenue requirement model, and attempt to find savings and confirm critical needs for the short term. A supplemental filing was submitted following that review. Since then, the Company has held two customer information meetings in Star Valley with good attendance and broad discussion. He said most expressed concerns about the significance of the rate increase and reduction in the allowable amount of gallons. Some customers were surprised there were no reserves and that none had been built up over the years. Going forward, Mr. Cottam warned there will need to be robust discussion about this subject. In addition, he said Belinda Kolb, OCA's Senior Analyst, conducted an audit of the Company, provided suggestions, and helped reduce the rate request. He said no significant cost savings were found in the process, however, the Company has decided to defer certain expenses and the collecting of the total amount of needed reserves. He also said Nordic Ranches Water is providing the Commission with notice that the owners may need to borrow additional funds and wanted to make sure the Commission is fully informed. Commissioner Cooley asked about potential issues Commission Staff raised with Exhibit 41, Line 7, which shows a reduction in overage per connection and if it should it be an increase instead. Mr. Cottam said it is a mistake and the engineer will correct this information. Mr. Cottam also clarified details about the professional fees, noting they will be separated out of the rate case. He

further noted that replacement reserves are tied to long term assets and the eventual need to replace those assets. Noting how the Company's cost model works, he said the goal is to try to bring margin after reserves to zero. He confirmed to Deputy Chair Fornstrom that the issue of Division 14 was given no consideration in this supplemental filing. He said the Company could not collect from Division 14 until well after the rate case has been resolved. Mr. Cottam said the utility tried to reduce the rate further, but there is concern about delaying reserve collections and it cannot set rates below \$85.00 at this time. He said the biggest difference between the two recommendations is the reserve account because in order to make the system healthy, it is necessary.

Deputy Chair Fornstrom and Commission Staff discussed the amount of professional fees and what is reasonable. There was disagreement about whether they belong in the general rate case or the interim rate relief. Mr. Cottam explained the Company will not be looking to increase these expenses, stating professionals will have to be efficient and some invoices may have to be paid out of ordinary fees.

Elizabeth Missel, Nordic Ranches Utilities' representative, expressed concern on behalf of customers that funding is unclear and the numbers are confusing, noting rates will more than double. She said it is clear the utility needs an increase, but \$85.00 is too much without going through the full discovery process and said there is likely to be additional loans and financing in the meantime.

Belinda Kolb, OCA, commented the request is within the range of reasonable outcomes and OCA does not object to the rate request. She provided an overview of the audit she conducted for OCA, stating she spent time with the financial information, looked at necessary adjustments, met with Company witnesses, and examine documentation. She also attended customer meetings. There were no further questions.

Deputy Chair Fornstrom moved to approve interim rates as requested by the Company, by *Order* only, effective immediately. Commissioner Cooley seconded the motion and Chairman Russell concurred.

Prepared by: Barbara Tomlinson

Date of Next Open Meeting: Thursday, August 16, 2018

ACCEPTED and APPROVED by the Commission on September 27, 2018.

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Chairman William F. Russell

# **WYOMING PUBLIC SERVICE COMMISSION**

Minutes of Regular Open Meeting  
Thursday, August 16, 2018  
1:30 p.m.

Commissioners: Chairman William Russell  
Deputy Chair Kara Brighton Fornstrom  
Commissioner Robin Sessions Cooley

Bruce Asay, Associated Legal, LLC, Counsel for Montana-Dakota Utilities,  
Inc. (MDU)

Tamie Aberle, Director Regulatory Affairs, MDU (by telephone)  
Stephanie Bosch, Regulatory Manager, MDU (by telephone)

Commission Staff (CS): Steve Mink and Michelle Bohanan

## **REGULAR AGENDA**

1. **Docket No. 30013-336-GT-18 (Record No. 15001). Tariff filing of Montana-Dakota Utilities Co. for authority to establish two new heating zones 291 and 292. Commission to consider and act on tariff filing.** Michelle Bohanan, CS, provided a technical *Memo* dated August 9, 2018. Stephanie Bosch, MDU's Regulatory Manager, explained the filing and provided details. This filing establishes two new zones in the Buffalo/Sheridan area with a corresponding modification to the thermal zone tariff. MDU has appropriated new samplers to better track gas quality and heating values. Tamie Aberle, MDU's Director of Regulatory, said this would not affect gas being delivered. She said MDU will file a request to establish a Wobbe index when 12 months of data has been collected. Following that, MDU will provide the tariff in a compliance filing. There were no questions. Deputy Chair Fornstrom commended the Company for its work on this issue. Steve Mink, Commission Counsel, recommended approval of the Application by *Notice and Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

Prepared by: Barbara Tomlinson

Date of Next Open Meeting: Thursday, August 23, 2018

ACCEPTED and APPROVED by the Commission on September 27, 2018.

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Chairman William F. Russell

# WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting  
Tuesday, August 23, 2018  
1:30 p.m.

Commissioners: Chairman William Russell  
Deputy Chair Kara Brighton Fornstrom  
Commissioner Robin Sessions Cooley

Matthew C. Willie, Attorney for Bridger Valley Electric Association, Inc.,  
(by telephone)

Commission Staff (CS): Katie Koski, Luy Luong, Nathan Brennan, James  
Branscomb, Chris Petrie

## CONSENT AGENDA

- 1 Docket No: 30022-313-GA-18 (Record No. 15000). Application of Black Hills Gas Distribution LLC d/b/a Black Hills Energy for a Certificate of Public Convenience and Necessity to construct and operate a high pressure gas transmission pipeline and related facilities in Converse and Natrona Counties. Commission to consider issuance of a *Special Order Authorizing One Commissioner and/or Presiding Officer to Conduct Public Hearing*.**
- 2. Docket No. 70009-487-TT-18 (Record No. 15033). Tariff Filing of United Telephone Company of the West d/b/a CenturyLink of the West for authority to make revisions to its General Exchange Price Schedule Tariff to Reflect the WUSF and FUSF Credits Applied to Customer Bills for Fiscal Year 2018 to 2019. Commission to consider and act on Application.**

Katie Koski, Commission Counsel, recommended issuance of the *Special Order* for Item 1 and acceptance of the filing for Item 2, both by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

## REGULAR AGENDA

- 1. Docket 10013-53-CS-18 (Record No. 15061). Application of Bridger Valley Electric Association, Inc. for authority to guarantee payment of certain promissory notes issued by Deseret Generation and Transmission Co-operative to National Rural Utilities Cooperative Finance Corporation in the principle amounts of \$10,000,000.00 and \$40,000,000.00, respectively. Commission to consider issuance of an *Order* continuing this matter beyond 30 days for good cause, pursuant to Wyo. Stat. § 37-6-104.**



Katie Koski, Commission Counsel, advised the Company has been working with staff on some issues and are requesting a continuance of this matter. Matthew Willie, Attorney for Bridger Valley Electric Association, stated the Company is in agreement with an open-ended continuance. Ms. Koski recommended the issuance of an *Order* continuing this matter beyond 30 days pursuant to Wyoming Statute for good cause shown. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

Prepared by: Sylvia Sanchez

Date of Next Open Meeting: Tuesday, August 28, 2018

ACCEPTED and APPROVED by the Commission on September 18, 2018.

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Chairman William F. Russell

# WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting  
Tuesday, August 28, 2018  
1:30 p.m.

Commissioners: Chairman William F. Russell  
Deputy Chair Kara B. Fornstrom  
Commissioner Robin Sessions Cooley

James Elliott, Manager-Regulatory, Black Hills Gas Distribution, LLC  
(BHGD) (by telephone)

Commission Staff (CS): John Burbridge, Steve Mink, Michelle Bohanan,  
Jess Bottom, and Kara Seveland

## CONSENT AGENDA

1. **Docket No. 90000-137-XO-18 (Record No. 15078). Revision of Commission Rules Chapters 1 and 3. Commission to consider and act on the approval of proposed draft rules and proceeding with formal rule making.**

Chairman Russell introduced the consent item. John Burbridge, Commission Counsel, recommended approval of the proposed draft rules by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

## REGULAR AGENDA

1. **Docket No. 30022-316-GP-18 (Record No. 15063). Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy (Casper Division) for authority to pass on through its Commodity Balancing Account a decrease of \$0.0223 per therm to its Pass-On Rate [Regulated Rate] customers. Commission to consider and act on Application and *Petition for Confidential Treatment of Exhibits D and F (Petition)*.** Michelle Bohanan, CS, provided a technical *Memo* dated August 22, 2018. James Elliott, BHGD's Manager of Regulatory, explained this is the regular quarterly pass on Application for the Casper Division and has three components, commodity cost, the balancing account surcharge, and working gas storage. He commented there is a slight increase in the commodity component, a slight decrease in the balancing account, and working gas storage was unchanged, resulting in an overall slight decrease. There were no questions. Steve Mink, Commission Counsel, recommended approval of the Application and granting the *Petition*, by *Notice and Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.
2. **Docket No. 30022-317-GP-18 (Record No. 15064). Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy (Gillette Division) for authority to pass on through its Commodity Balancing Account a decrease of \$0.0172 per therm to its**

**Pass-On Rate [Regulated Rate] customers. Commission to consider and act on Application and *Petition for Confidential Treatment of Exhibits D and F (Petition)*.** Jess Bottom, CS, provided a technical *Memo* dated August 22, 2018. James Elliott, BHGD's Manager of Regulatory, explained this is the regular quarterly pass on Application for the Gillette Division and has two components, commodity cost and the surcharge rate. He commented there was an increase in the commodity rate and a decrease in the surcharge rate, resulting in an overall decrease. There were no questions. Steve Mink, Commission Counsel, recommended approval of the Application and granting the *Petition* by *Notice and Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

3. **Docket No. 30022-318-GP-18 (Record No. 15065). Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy (Torrington Division) for authority to pass on through its Commodity Balancing Account a decrease of \$0.0056 per therm to its Pass-On Rate [Regulated Rate] customers. Commission to consider and act on Application and *Petition for Confidential Treatment of Exhibits D and F (Petition)*.** Kara Seveland, CS, provided a technical *Memo* dated August 22, 2018. James Elliott, BHGD's Manager of Regulatory, explained this is the regular quarterly pass on Application for the Torrington Division and has three components, commodity cost, surcharge rate and working gas storage. He commented there was a decrease in the commodity rate, an increase in the surcharge rate, and a slight decrease in the working gas storage rate, which results in an overall decrease. There were no questions. Steve Mink, Commission Counsel, recommended approval of the Application and granting the *Petition* by *Notice and Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

Prepared by: Barbara Tomlinson

Date of Next Open Meeting: Thursday, August 30, 2018

ACCEPTED and APPROVED by the Commission on November 15, 2018.

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Chairman William F. Russell

# **WYOMING PUBLIC SERVICE COMMISSION**

Minutes of Regular Open Meeting  
Thursday, August 30, 2018  
1:30 p.m.

Commissioners: Chairman William Russell  
Deputy Chair Kara B. Fornstrom  
Commissioner Robin Sessions Cooley

Liz Zerga, Counsel, Range Telephone, RT Communication, All West  
Communication, Dubois Telephone, Tri County Telephone and  
Silver Star Telephone

Kristen Lee, Regulatory/Legislative Affairs Director, CenturyLink  
Paul Hickey, Counsel, CenturyLink

Tre Hendricks, Senior Corporate Counsel, CenturyLink QC, by telephone

Lisa Anderl, Senior Counsel, CenturyLink QC, by telephone

Dale Cottom, Counsel, AARP, by telephone

Joseph Baron, County and Prosecuting Attorney, Crook County, by  
telephone

Michael Easley, Chief Executive Officer, Powder River Energy  
Corporation (PRECorp), by telephone

Jeff Bumgarner, Vice President of Member Services, PRECorp, by  
telephone

Joanne Kolb, Chief Financial and Administration Officer, PRECorp, by  
telephone

Travis Jacobson, Regulatory Affairs Manager, Montana Dakota Utilities  
Co., by telephone

Jana Smoot White, Associate General Counsel, Black Hills Energy (BHE),  
by telephone

Jason Keil, Manager Regulatory, BHE, by telephone

James Elliot, Manager-Regulatory, Cheyenne Light, Fuel and Power, by  
telephone

Office of Consumer Advocate (OCA): Ivan Williams

Commission Staff (CS): John Burbridge, Steve Mink, Lori Brand, Chris  
Petrie, Rachel Meeker, Kaeci Daniels, Nathan Brennan, Melisa  
Mizel, James Branscomb, Jess Bottom, Michelle Bohanan, Pam  
Temte, and Katie Koski

## **CONSENT AGENDA**

- 1. Docket No. 70114-44-TT-18 (Record No. 15071). Tariff filing of Bresnan Broadband of Wyoming LLC to revise Wyoming PSC Tariff No. 1 by reducing the local switched**

access service terminating fee from \$0.000700 to \$0.000000. Commission to consider and act on tariff filing.

2. **Docket No. 70000-1653-TT-18 (Record No. 14956). Tariff filing of CenturyLink QC f/k/a Qwest Corporation for authority to make revisions to Price Schedule No. 2 by removing the direct dial coin feature on smart public access lines. Commission to consider and act on tariff filing.**
3. **Docket Nos. 70003-198-TK-18 and 70116-27-TK-18 (Record No. 15056). Contract filing of CenturyTel of Wyoming d/b/a CenturyLink for authority to enter into an Interconnection Agreement with BullsEye Telecom, Inc. Commission to consider and act on Agreement.**

Katie Koski, Commission Counsel, recommended approving the tariff filing in item 1, acceptance of the Application for filing in item 2, and approving the contract filing in item 3, all by *Letter Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

### **REGULAR AGENDA**

1. **Docket No. 10014-192-CA-18 (Record No. 15038). Application of Powder River Energy Corporation for a partial waiver of the Cold Weather and Friday Disconnection Rules, Commission Rule Chapter 3, Sections 9(h) and (j)(x). Commission to consider and act on Application.**

James Branscomb, CS, provided a technical *Memo* dated August 24, 2018.

Mike Easley, Chief Executive Officer for PRECorp, summarized the Application for a partial waiver and stated the Cooperative is working with Commission Staff on the rules included in the Application. John Burbridge, Commission Counsel, recommended approval of the Application by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

2. **Docket No. 30013-338-GP-18 (Record No. 15074). Application of Montana-Dakota Utilities Co., for authority to pass on a wholesale gas cost increase of \$0.174 per Dth for Firm Residential, Firm General Service, Small Interruptible and Large Interruptible customers and an increase of \$0.139 per Dth for Optional Seasonal customers. Commission to consider and act on Application and *Petition for Confidential Treatment of Gas Pricing Information (Petition)*.**

Nathan Brennan, CS, provided a technical *Memo* dated August 24, 2018. Travis Jacobson, Regulatory Affairs Manager for Montana-Dakota Utilities Co., advised the Application is to pass on a wholesale gas cost increase due to an increase in overall commodity prices partially offset by a decrease in pipeline charges. Katie Koski, Commission Counsel, recommended approval of the Application for usage on or after September 1, 2018, and granting the petition all by *Notice and Order*, effective immediately. Deputy Chair

Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

3. **Docket No: 20002-107-EP-18 (Record No. 15052). Application of Black Hills Power, Inc., d/b/a Black Hills Energy for authority to pass on an energy cost adjustment increase of \$0.0001 per kWh for the period of September 1, 2018 through August 31, 2019. Commission to consider and act on Application.**

Kara Seveland and James Branscomb, CS, provided a technical *Memo* dated August 24, 2018. Jason Keil, Manager Regulatory for BHE, stated the Application for an increase in rate is due to an increase in sales and an increase in transmission related costs. Katie Koski, Commission Counsel, recommended approval of the Application for use on or after September 1, 2018, by *Notice* and *Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

4. **Docket No. 30003-77-GP-18 (Record No. 15066). Application of Black Hills Energy, a division of Cheyenne Light, Fuel and Power for authority to pass on a gas supply charge increase of \$0.0752 per decatherm to its Small General Service and Large General Service customers. Commission to consider and act on Application.**

Jess Bottom, CS, provided a technical *Memo* dated August 24, 2018. James Elliot, Manager-Regulatory for BHE, advised the Application requests a decrease of the gas supply costs offset by an increase in the deferred gas cost balancing account for the northeast Wyoming division of the Company. Lori Brand, Commission Counsel, recommended approval of the Application for usage on or after September 1, 2018, and granting the petition all by *Notice* and *Order*, effective immediately.

5. **Docket No. 30011-97-GR-17 (Record No. 14896). Application of Black Hills Northwest Wyoming Gas Utility Company, LLC d/b/a Black Hills Energy for approval of a general rate increase of \$1,414,074 to its retail gas rates. Commission to consider and act on *Joint Motion to Amend Stipulation (Motion)*. James Elliott, Manager Regulatory, to appear by telephone for the Company.**

Jana Smoot White, Associate General Counsel for BHE, advised the Application is a Joint Motion with the Office of Consumer Advocate (OCA) to amend the *Stipulation* from a previous hearing on July 10, 2018. Ms. Smoot White stated the Company was unable to complete the section of the *Stipulation* due to the customer billing cycle, causing completion to be at the end of September rather than on the first. Ivan Williams, Counsel for OCA, confirmed the OCA supports the change and has no objections. Steve Mink, Commission Counsel, recommended approval of the Motion by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

6. **Docket No. 90000-113-XI-10 (Record No. 12650). Investigation by the Commission into the quality and reliability of essential telecommunications service provided by Qwest Corporation d/b/a CenturyLink QC in its certificated territories in Wyoming;**

**Docket No. 90000-122-XI-15 (Record No. 14056). Investigation by the Commission into the quality and reliability of essential telecommunications service provided by Qwest Corporation d/b/a CenturyLink QC (CenturyLink) in Zones 2 and 3 of its Wheatland, Wyoming Exchange; and**

**Docket No. 90000-128-XI-16 (Record No. 14475). Investigation by the Commission into the quality and reliability of essential telecommunications service provided by Qwest Corporation d/b/a CenturyLink QC in Zones 2 and 3 of the rural areas of Crook County, Wyoming.**

**Docket No. 70000-1644-TA-17 (Record No. 14742) Application of Qwest Corporation d/b/a CenturyLink QC for Determination that Basic Residential and Business Services Are Competitive throughout all of CenturyLink QC's Zone 2 and Zone 3 Service Areas.**

**Parties to appear and provide a report on the status of settlement negotiations. Commission to consider status report and take such action as the public interest may require.**

Paul Hickey, Counsel for CenturyLink, reported CenturyLink and the OCA have reached an agreement in principle. Mr. Hickey further advised that CenturyLink has also reached an agreement with AARP and progress has been made in discussions with Liz Zerga's clients. Mr. Hickey stated CenturyLink also provided two different demonstrations with one in Sybille Canyon and the other near Aladdin. Kristin Lee, Regulatory/Legislative Affairs Director for CenturyLink, in response to a question from Commissioner Cooley, advised that about 50% of the interveners were present at the demo. Ivan Williams, Counsel for OCA, stated staff from OCA attended CenturyLink's demo and advised that it was comparable in service and does not require expensive telephones. Mr. Williams advised that a customer was given the proposed solution to verify its service quality at CenturyLink's expense. Liz Zerga, Counsel on behalf of various telephone companies, indicated that she and her clients have given CenturyLink a list of requested changes to the settlement agreement, but have not yet seen revised documents. Ms. Lee, responding to a question from Chairman Russell, stated CenturyLink will purchase the equipment and the customer will then own it. Dale Cottom, Counsel for AARP, advised it is important to AARP that an educational campaign for customers is extensive and robust so that customers have the ability to make a smooth transition. Joseph Baron, County Attorney for Crook County, advised the County has not yet seen the settlement agreement for comparison and are interested in service quality response times, costs and what would occur if the satellites weren't functioning. Mr. Hickey advised the settlement agreement will be a global settlement and the Company is aware of requirements in the statute.. Lisa Anderl, Senior Counsel for CenturyLink, explained the draft settlement agreement will be distributed to parties tomorrow. Ms. Anderl stated that the Company would like to draft a customer notice and can have a settlement agreement signed in two weeks ready for an

early October hearing. Deputy Chair Fornstrom recommended a November date for the hearing with a settlement filed by October 1, 2018. All parties affirmed their agreement with the recommendation. Chairman Russell, receiving a unanimous agreement from all parties, concluded the meeting.

Prepared by: Sylvia Sanchez

Date of Next Open Meeting: Tuesday, September 4, 2018

ACCEPTED and APPROVED by the Commission on November 15, 2018.

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Chairman William F. Russell