

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING
Minutes of Regular Open Meeting

Tuesday, July 7, 2009
1:30 p.m.

Commissioners: Chairman Alan B. Minier, presiding
Deputy Chairman Steve Oxley
Commissioner Kathleen A. "Cindy" Lewis

Garner Anderson, Black Hills Power, Inc. (by telephone)
Steve Bateson, Questar Gas Company (by telephone)
Fran Bendiver, Qwest Corporation (by telephone)
Barbara Brohl, counsel for Qwest Corporation (by telephone)
Jeff Hubbard, Qwest Corporation
Brian Iversen, Black Hills Power, Inc. (by telephone)
Chris Kilpatrick, counsel for Black Hills Power, Inc. (by telephone)
Jan Kirsch, Black Hills Power, Inc. (by telephone)
Betty Knapp, Qwest Corporation (by telephone)
Barrie McKay, Questar Gas Company (by telephone)
Kelly Mendenhall, Questar Gas Company (by telephone)
Dave Mosier, Rocky Mountain Power
Jennifer Nelson, counsel for Questar Gas Company (by telephone)
Lynn Norsworthy, Qwest Corporation (by telephone)
Daniel Solander, counsel for Rocky Mountain Power (by telephone)
Kyle White, Black Hills Power, Inc. (by telephone)

Office of Consumer Advocate (OCA): David McMullian, Denise Parrish,
Ivan Williams

Commission Advisory Staff (CAS): Blair Bales, Don Biedermann,
Michelle Bohanan, Victoria Hansen, Dave Lucero, Steve Mink, Chris
Petrie, Art Schmidt, Tom Wilson

CONSENT AGENDA ITEMS

- 1. Docket No. 20000-342-EA-09 (Record No. 12047) Application of Rocky Mountain Power to establish an avoided cost methodology for customers that do not qualify for tariff schedule 37- avoided cost purchases from qualifying facilities. Commission to consider and act on Wyoming Industrial Energy Consumers and Wyoming Power Producers Coalition Motion for Admission *Pro Hac Vice* of Michelle Brandt King.**

- 2. Docket No. 70000-1399-TA-08 (Record No. 11920) Application of Qwest Corporation (Qwest) for continued waivers of certain requirements of the**

Telecommunications Quality of Service Rules. Commission to consider and act on Qwest's Petition for Confidential Treatment.

Chairman Minier introduced the consent agenda items. There were no comments, questions or requests to remove an item for further consideration. Blair Bales, Commission Counsel, recommended granting the motion in Item 1 and granting the petition in Item 2, both by Letter Order signed by Commission counsel and effective immediately. Deputy Chairman Oxley moved to act as recommended. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

REGULAR AGENDA ITEMS

1. **Docket No. 20002-73-ES-09 (Record No. 12177) Application of Black Hills Power, Inc., (Black Hills) for an order authorizing applicant to issue an additional \$180 million in First Mortgage Bonds. Commission to consider and act on application and Petition for Confidential Treatment.** Michelle Bohanan, CAS, provided a technical memo dated July 2, 2009. Chris Kilpatrick of Black Hills said the bonds would be used to help pay for the WyGen III power plant and for additional transmission facilities in Wyoming. Mr. Kilpatrick said issuing the bonds would not change the fair market value of the company, and he said construction costs for WyGen III are currently on track. There were no further comments or questions. Steve Mink, Commission Counsel, recommended approval of the application by Order only, effective immediately, and further recommended granting the petition for confidential treatment. Deputy Chairman Oxley moved to act as recommended. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

2. **Docket No. 20000-341-EP-09 (Record No. 12045) Application of Rocky Mountain Power (RMP) to reduce deferred net power cost rates by 0.48% to recover \$26.8 million in deferred net power costs and to increase base net power cost rates by 4.33% or approximately \$21.1 million through the power cost adjustment mechanism. Commission to consider and act on the company's Motion for an Extension of Time to File Rebuttal and Cross-Answer Testimony, Discovery Cutoff and Pre-Hearing Conference.** Dave Mosier, RMP, said the parties have been working together to explore settlement options in this matter. Mr. Mosier said an additional three working days is being requested to allow discussions to continue and to provide time to formulate discovery for rebuttal. Steve Mink, CAS, said he contacted all parties and has received no objections to the extension. There were no further comments or questions. Mr. Mink recommended approval of the motion by Order only, effective immediately. Deputy Chairman Oxley moved to act as recommended. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

3. **Docket No. 30003-46-GP-09 (Record No. 12168) Application of MGTC, Inc., for authority to pass on a net wholesale gas cost decrease of \$2.7334 per Mcf for residential and commercial customers and a decrease of \$2.7286 per MMBtu for industrial customers effective July 1, 2009, through June 30, 2010.** Michelle Bohanan, CAS, provided a technical memo dated July 2, 2009. Dave Lucero, Commission Counsel,

requested this item be removed from the agenda as company representatives are not available at this time, and he said an amended application has been filed which requires additional time for staff evaluation. There were no further comments or questions. Deputy Chairman Oxley moved to table the item until a future open meeting. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

- 4. Docket No. 30010-94-GR-08 (Record No. 11846) Application of Questar Gas Company (Questar) for approval to implement an increase in non-gas rates and charges for a general rate increase of \$482,980 and for approval of a Conservation Enabling Tariff. Commission to consider acceptance of tariffs and compliance filings.** Marci Norby, Don Biedermann and Dave Piroutek, CAS, provided a technical memo dated July 2, 2009. Barrie McKay of Questar summarized the changes made to the tariffs as a result of the Commission Order and discussions with Commission staff. Mr. Biedermann agreed some of the changes were corrections of clerical or typographical errors, but said the Order in this matter is clear on how the language in the tariffs should read in regard to deposits and the true-up of costs. Mr. Biedermann therefore recommended approval of the changes to pages 6, 7 and 8 of the tariff which include correction of clerical errors. Deputy Chairman Oxley moved to approve these as recommended, and Commissioner Lewis seconded the motion. Chairman Minier concurred. The Commissioners agreed tariff language regarding deposits and true-ups needed to be clarified further. Deputy Chairman moved to table the items to allow further discussion between Commission staff and Questar. Commissioner Lewis seconded the motion, and Chairman Minier concurred.
- 5. Docket No. 70000-1434-TT-09 (Record No. 12183) Application of Qwest Corporation (Qwest) for authority to revise its federal and state universal service fund (USF) credits as reflected in its tariffs and modify the Telephone Assistance Program Tribal Lifeline customers' net rate. Commission to consider and act on application.** Art Schmidt, CAS, provided a technical memo dated June 19, 2009. Chairman Minier introduced the item by saying he had requested a postponement to allow all three commissioners to participate in discussions and to allow Qwest to generate calculations allocating funds across all classes of service. Barbara Brohl, counsel for Qwest, provided confidential spreadsheets showing the original request and alternative proposals for consideration. Ms. Brohl indicated that the new proposal would provide WUSF credits to each zone consistent with the Fund Manager's report and would be applied to all customers and not just those with rates above the 130% benchmark. In addition, Ms. Brohl said billing program modifications would be required to apply funds to only those customers with rates above the benchmark, and she agreed with the Commission that this should be addressed within the next year. There were no further comments or questions. Deputy Chairman Oxley moved to accept the alternative tariff proposal by Notice and Order, effective immediately. Commissioner Lewis seconded the motion, and Chairman Minier concurred.
- 6. Docket No. 70000-1439-TA-09 (Record No. 12195) Notification by Qwest Communications Company, LLC, (QCC) of intention to adjust future months' calculated Wyoming Universal Service Fund surcharges (remittance). Commission**

to receive explanation from Qwest representatives and take such action as the public interest may require. Barbara Brohl, counsel for Qwest, said QCC provides wholesale services to carriers who in turn provide retail services. She said QCC charges the resellers for federal and state USF assessments unless an exemption is requested with representation that USF is being collected. Ms. Brohl said the request before the Commission is to correct billing to wholesale customers who were charged USF assessments in error in 2007. She said the companies had provided exemption requests, but were still billed for USF assessments. Art Schmidt, CAS, requested QCC provide the customer names to allow verification of state USF payments. There were no further comments or questions. Deputy Chairman Oxley moved that no further action be taken. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

Next Regular Open Meeting: Tuesday, July 14, 2009, at 1:30 p.m.

Prepared by: Deborah McFerrin

ACCEPTED and APPROVED by the Commission on the 6th day of October 2009.

Alan B. Minier, Chairman

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING
Minutes of Regular Open Meeting

Tuesday, July 14, 2009
1:30 p.m.

Commissioners: Chairman Alan B. Minier, presiding
Deputy Chairman Steve Oxley
Commissioner Kathleen A. "Cindy" Lewis

Bruce Asay, local counsel for Union Telephone Company
and for Gosars, Inc.

Tracy Jones, Powder River Energy Corporation (by telephone)
Deanna Steele, Powder River Energy Corporation (by telephone)
Dave Warner, Powder River Energy Corporation (by telephone)

Commission Advisory Staff (CAS): Blair Bales, Don Biedermann, Angie Elliott, Victoria Hansen, Luy Luong, Steve Mink, Chris Petrie, David Piroutek, Art Schmidt, Tom Wilson

CONSENT AGENDA ITEMS

- 1. Docket No. 70000-1426-TK-09 (Record No. 12155) Application of Qwest Corporation for authority to enter into a resale agreement with NSW Telecom, Inc. Commission to consider and act on contract filing.**
- 2. Docket Nos. 70000-1427-TK-09 and 70212-3-TK-09 (Record No. 12156) Application of Qwest Corporation for authority to enter into a performance assurance plan (PAP) amendment to the interconnection agreement with NetTalk.Com, Inc. Commission to consider and act on contract filing.**
- 3. Docket No. 70000-1428-TK-09 (Record No. 12157) Application of Qwest Corporation for authority to enter an unbundled network elements, ancillary services and resale interconnection agreement with Digital Telecommunications, Inc. Commission to consider and act on contract filing.**
- 4. Docket Nos. 70000-1429-TK-09 and 70050-10-TK-09 (Record No. 12158) Application of Qwest Corporation for authority to enter into an unbundled network elements, ancillary services and resale agreement with All West/Wyoming, Inc. Commission to consider and act on contract filing.**
- 5. Docket No. 70000-1430-TK-09 (Record No. 12159) Application of Qwest Corporation for authority to enter into an unbundled network elements, ancillary services and resale interconnection agreement with Transaria, Inc., d/b/a Multiband Communications, LLC. Commission to consider and act on contract filing.**

Chairman Minier introduced the consent agenda items. There were no comments, questions or requests to remove an item for further consideration. Blair Bales, Commission Counsel, recommended approval of Items 1-5 by Order only, effective immediately. Deputy Chairman Oxley moved to act as recommended, and Commissioner Lewis seconded the motion. Chairman Minier concurred.

REGULAR AGENDA ITEMS

1. **Docket No. 70008-TA-03-38 (Record No. 8386) Petition of Union Telephone Company (Union) for designation as an Eligible Telecommunications Carrier in its Wireless Service territory. Commission to consider and act on Petition of Union Telephone Company for an Order *nunc pro tunc*.** Art Schmidt, CAS, provided a technical memo dated July 10, 2009. Bruce Asay, local counsel for Union, explained that an audit by the Universal Service Administrative Company (USAC) has raised the question of what territory was authorized by the Commission in its 2003 Order granting Eligible Telecommunications Carrier (ETC) status to Union to receive federal Universal Service Funds. Mr. Asay said it is Union's belief the order intended to provide ETC status for all territories in which the company was providing service. He said this would include the service area acquired with the purchase of Pixus. Mr. Asay said the Commission's Order was not clear, and Union is requesting an Order *nunc pro tunc* to clarify the inclusion of all territories served by Union at that time. The Commission expressed its preference for a new application which would resolve any questions, and Commissioner Lewis moved to deny the petition. Deputy Chairman Oxley seconded the motion, and Chairman Minier concurred.

2. **Docket No. 80022-1-WI-08 (Record No. 11993) The investigation, upon the Commission's own motion, of Gosar's Unlimited, Inc., (Gosar's) 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 company's Motion to Dismiss.** Bruce Asay, local counsel for Gosar's, said the company provides water to its mobile home park at a flat rate and does not make any profit on the water. Mr. Asay responded to Commission questions, saying meters are used to determine usage and the charge is identifiable on tenant bills even though it is billed at a flat rate. Steve Mink, Commission Counsel, said sufficient information has been gathered on which to base an opinion on whether or not Gosar's is a utility, and he said a hearing or open meeting should be held to present that information, provide a formal record and provide an opportunity for Gosar's to respond. Deputy Chairman Oxley agreed a public hearing or meeting should be held and moved to deny the motion to dismiss. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

3. **Docket No. 10014-112-CA-09 (Record No. 12167) Application of Powder River Energy Corporation (PRECorp) for a certificate of public convenience and necessity to site, design, construct, operate and maintain a new 69kV transmission line in south-central Campbell County, Wyoming. Commission to consider and act on application.** Dave Walker and Don Biedermann, CAS, provided a technical memo dated July 10, 2009. Tracy Jones of PRECorp said the proposed transmission line would

provide service to an extension of the Rio Tinto mine and would be paid for by the customer. Mr. Tracy added that information was provided to the Wyoming Game and Fish Department indicating no major sage grouse leks or raptor nests would be affected by the construction. Mr. Biedermann said staff has no major concerns with the application, and he said Mr. Walker would inspect the line during construction. There were no further comments or questions. Mr. Biedermann recommended approval of the application by Order only, effective immediately, as no protests or comments were filed prior to the protest deadline of July 8, 2009. Deputy Chairman Oxley moved to act as recommended. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

Next Regular Open Meeting: Thursday, July 16, 2009, at 1:30 p.m.

Prepared by: Deborah McFerrin

ACCEPTED and APPROVED by the Commission on the 6th day of October 2009.

Alan B. Minier, Chairman

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING
Minutes of Regular Open Meeting

Thursday, July 16, 2009

REGULAR AGENDA ITEMS

1:30 p.m.

Commissioners: Chairman Alan B. Minier, presiding
Deputy Chairman Steve Oxley
Commissioner Kathleen A. "Cindy" Lewis

Don Brunner, High West Energy, Inc.
Walter Eggers, local counsel for MGTC, Inc.
Shannon Swanson, MGTC, Inc. (by telephone)
Charles Witte, Wheatland Rural Electric Association

Commission Advisory Staff (CAS): Laura Arellano, Don Biedermann,
Michelle Bohanan, Jess Bottom, Victoria Hansen, Art Schmidt

1. **Docket No. 10005-41-CS-09 (Record No. 12192) Application of Wheatland Rural Electric Association for authority to borrow \$4,255,000 from the Rural Utilities Service to finance construction of distribution facilities. Commission to consider and act on the application.** Jess Bottom, CAS, provided a technical memo dated July 14, 2009. Charles Witte, Manager of Wheatland REA said the requested loan would be used as a bridge loan until reimbursement for the planned construction can be obtained from the Rural Utility Service (RUS). There were no further comments or questions. Victoria Hansen, Commission Counsel, recommended approval of the application by Notice and Order, effective immediately. Ms. Hansen recommended a notice be published due to the large amount of the loan. However, Deputy Chairman Oxley said public notice is not required and moved to approve the application by Order only, effective immediately. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

2. **Docket No. 10015-52-CS-09 (Record No. 12185) Application of High West Energy, Inc., for authority to borrow \$26,312,000 from the Rural Utilities Service. Commission to consider and act on the application.** Don Biedermann, CAS, provided a technical memo dated July 14, 2009. Don Brunner, General Manager of High West Energy, said the loan would be used for the company's six-year construction work plan which has been approved by the RUS. Mr. Brunner said the Commission's financial criteria have been met. There were no further comments or questions. Mr. Biedermann recommended approval of the application by Order only, effective immediately. Deputy Chairman Oxley moved to act as recommended. Commissioner Lewis seconded the motion, and Chairman Minier concurred.

3. **Docket No. 30003-46-GP-09 (Record No. 12168) Second amended application of MGTC, Inc., for authority to pass on a net wholesale gas cost decrease of \$2.7334 per Mcf for residential and commercial customers and a decrease of \$2.7286 per MMBtu for industrial customers effective August 1, 2009, through June 30, 2010. Commission to consider and act on application.** Michelle Bohanan, CAS, provided a technical memo dated July 9, 2009. Walter Eggers, local counsel for MGTC, Inc., said the request would correct an overcollection in the company's commodity balancing account and would more accurately reflect forecasted gas prices. Shannon Swanson of MGTC, Inc., responded to Commission questions regarding high-altitude measurement conversions and future adjustments to the commodity balancing account. Ms. Swanson agreed to work with staff to clarify both methodologies. There were no further comments or questions. Ms. Bohanan recommended approval of the second amended application by Notice and Order, effective immediately, for usage on and after August 1, 2009, and further recommended the company submit updated tariffs. Deputy Chairman Oxley moved to act as recommended, and Commissioner Lewis seconded the motion. Chairman Minier concurred.

2:30 p.m.

Commissioners: Chairman Alan B. Minier, presiding
Deputy Chairman Steve Oxley
Commissioner Kathleen A. "Cindy" Lewis

Barbara Brohl, counsel for Qwest Corporation (by telephone)
Mike Ceballos, Qwest Corporation
Jeff Hubbard, Qwest Corporation
Tina Ingram, Customer of Qwest Corporation (by telephone)
Daniel Eisland, Customer of Qwest Corporation (by telephone)
Linda Riggert, Customer of Qwest Corporation (by telephone)
Tina Schrader, Customer of Qwest Corporation (by telephone)
John Shoffstall, Customer of Qwest Corporation (by telephone)
Jim Viergets, Customer of Qwest Corporation (by telephone)

Commission Advisory Staff (CAS): Blair Bales, Angie Elliott, Chris Petrie, Art Schmidt

4. **Docket No. 90000-104-XI-08 (Record No. 11698) Commission's investigation, on its own motion, into the quality and reliability of telecommunications service provided by telecommunications companies providing service in the State of Wyoming. Commission to receive additional information from Qwest Corporation (Qwest) concerning the assignment of Wyoming area code telephone numbers to certain customers in the Beulah, Wyoming, area and take such action as the public interest requires.** Chris Petrie, Commission Chief Counsel, reviewed the requests made at the last meeting which included [i] the names and telephone numbers of the 19 Beulah customers affected, [ii] the regulatory effect of foreign exchange service and if interstate foreign exchange service is possible, the economic and tax impacts, [iii] the possibility

Qwest could provide intercept and call forwarding services for new numbers, [iv] if customers could maintain their current 7-digit numbers with a new area code, [v] the impact on 911 emergency services with the assignment of new numbers, [vi] keeping the old numbers unused for a period of time, and [vi] any potential complications related to routing of calls from these customers. Mike Ceballos addressed the concerns and said it would be necessary to change each telephone number to reflect a 307 area code. He offered to work with each customer to make the transition to the new area code as seamless as possible, and he said no immediate changes would be made to the telephone numbers unless the customer requests a change or until further action is authorized by the Commission. The Commission requested an audit of the affected customer bills to determine whether or not the proper taxes and surcharges have been applied. Mr. Ceballos requested three weeks to prepare the material, and he said each customer would be provided a copy of his or her own bills for review.

Next Regular Open Meeting: Tuesday, July 28, 2009, at 1:30 p.m.

Prepared by: Deborah McFerrin

ACCEPTED and APPROVED by the Commission on the 22nd day of October 2009.

Alan B. Minier, Chairman

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING
Minutes of Regular Open Meeting

Tuesday, July 28, 2009

1:30 p.m.

Commissioners: Chairman Alan B. Minier, presiding
Commissioner Kathleen A. "Cindy" Lewis

Steve Bateson, Questar Gas Company (by telephone)
Barrie McKay, Questar Gas Company (by telephone)
Kelly Mendenhall, Questar Gas Company (by telephone)
Jennifer Nelson, counsel for Questar Gas Company (by telephone)

Commission Advisory Staff (CAS): Blair Bales, Don Biedermann,
Victoria Hansen, Luy Luong, Chris Petrie, Tom Wilson

CONSENT AGENDA ITEMS

1. **Docket Nos. 70000-1435-TK-09 and 70022-31-TK-09 (Record No. 12184) Contract filing of Qwest Corporation for authority to enter into an Unbundled Network Elements, Ancillary Services and Resale Interconnection Agreement with Ionex Communications North, Inc., dba Birch Communications. Commission to consider and act on contract filing.**
2. **Docket No. 90000-105-XO-08 (Record No. 11930) Proposed adoption of Chapter 2, Sections 238 and 252; Chapter 3, Section 325; Chapter 4, Section 420; Chapter 6, Section 616; and Chapter 9, Section 901(k), (l), (m), (n) and (o); of the Commission Procedural Rules and Special Regulations regarding service interruption, third-party damage reporting and the associated forms. Commission to consider and act on the following Petitions for Confidential Treatment:**
 - a. **CenturyTel of Wyoming, dated May 13, 2009;**
 - b. **Dubois Telephone Exchange, Inc., dated May 12, 2009;**
 - c. **RT Communications, Inc., dated May 12, 2009; and**
 - d. **United Telephone Company of the West d/b/a Embarq, dated May 13, 2009.**
3. **Docket No. 20000-342-EA-09 (Record No. 12047) Application of Rocky Mountain Power to establish an avoided cost methodology for customers that do not qualify for tariff schedule 37- avoided cost purchases from qualifying facilities. Commission to consider and act on Wyoming Industrial Energy Consumers and Wyoming Power Producers Coalition Unopposed Motion for Extension of Time and Notice of Withdrawal of Unopposed Motion for Extension of Time.**

4. **Undocketed. Open Meeting Minutes for review by the Commission for the Regular Open Meetings of:**

February 25, 2009	April 16, 2009
March 17, 2009	April 20, 2009
April 6, 2009	April 21, 2009
April 9, 2009	

Chairman Minier introduced the consent agenda items. There were no comments, questions or requests to withdraw an item for further consideration. Victoria Hansen, Commission Counsel, recommended approval of Item 1 by Order only, effective immediately; granting of Item 2 by Letter Order, effective immediately; and approval of Item 3 by Letter Order allowing withdrawal of the unopposed motion. Commissioner Lewis moved to take action as recommended, and Chairman Minier seconded the motion. Commissioner Lewis then moved to approve the listed Open Meeting Minutes as submitted, and Chairman Minier seconded the motion.

REGULAR AGENDA ITEMS

1. **Docket No. 30010-94-GR-08 (Record No. 11846) Application of Questar Gas Company (Questar) for approval to implement an increase in the non-gas rates and charges for a general rate increase of \$482,980 and for approval of a Conservation Enabling Tariff. Commission to consider and act on proposed revisions to tariffs.** Marci Norby, Don Biedermann and Dave Piroutek, CAS, provided a technical memo dated July 23, 2009. Barrie McKay of Questar stated the company has been working with Commission staff to clarify language regarding the true-up of costs to customers and to correct errors. Mr. Biedermann said the revised tariff pages have been reviewed and are satisfactory to Commission staff. There were no further comments or questions. Mr. Biedermann recommended adoption of the tariffs as submitted with the previously-approved effective date of July 1, 2009. Commissioner Lewis moved to act as recommended, and Chairman Minier seconded the motion.

Next Regular Open Meeting: Thursday, July 30, 2009, at 1:30 p.m.

Prepared by: Deborah McFerrin

ACCEPTED and APPROVED by the Commission on the 22nd day of October 2009.

Alan B. Minier, Chairman

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING
Minutes of Regular Open Meeting

Thursday, July 30, 2009
1:30 p.m.

Commissioners: Chairman Alan B. Minier, presiding
Deputy Chairman Steve Oxley

Barbara Coughlin, Rocky Mountain Power
Karen Gilmore, Rocky Mountain Power
Bill Griffith, Rocky Mountain Power (by telephone)
Eric Holje, Rocky Mountain Power
Chris Kilpatrick, Cheyenne Light, Fuel and Power (by telephone)
Jan Kirsch, Cheyenne Light, Fuel and Power (by telephone)
Dave Mosier, Rocky Mountain Power
Daniel Solander, counsel for Rocky Mountain Power (by telephone)

Office of Consumer Advocate (OCA): Bryce Freeman

Commission Advisory Staff (CAS): Michelle Bohanan, Jess Bottom,
Marchia Johansen, Shirley McCown, Steve Mink, Marci Norby, Chris
Petrie

CONSENT AGENDA ITEMS

- 1. Docket Nos. 70000-1431-TK-09 and 70043-21-TK-09 (Record No. 12171) Contract filing of Qwest Corporation for authority to enter into an originated 8XX Jointly Provided Switched Access (JPSA) amendment to its interconnection agreement with Level 3 Communications LLC.**
- 2. Docket No. 70033-26-TA-09 (Record No. 12179) Letter of notification of 1-800-Reconex, Inc., d/b/a U.S. Tel, (Reconex) for authority to cancel its Certificate of Public Convenience and Necessity (CPCN) to do business in Wyoming. Commission to consider cancelling Reconex's CPCN.**
- 3. Undocketed. Open Meeting Minutes for review by the Commission for the Regular Open Meetings of April 24 and April 28, 2009.**

Chairman Minier introduced the consent agenda items. There were no comments, questions or requests to withdraw an item for further consideration. Blair Bales, Commission Counsel, recommended approval of Items 1 and 2 by Order only, effective immediately. Deputy Chairman Oxley moved to act as recommended by staff, and Chairman Minier seconded the motion. Deputy Chairman Oxley then moved to accept the open meeting minutes as submitted, and Chairman Minier seconded that motion.

REGULAR AGENDA ITEMS

- 1. Docket No. 30005-130-GP-09 (Record No. 12197) Application of Cheyenne Light, Fuel and Power Company (Cheyenne Light) for authority to pass on a wholesale gas cost increase of \$0.4116 per Dth for firm and interruptible rate classes beginning August 1, 2009. Commission to consider and act on application and petition for confidential treatment.** Jess Bottom, CAS, provided a technical memo dated July 17, 2009. Chris Kilpatrick, counsel for Cheyenne Light, said the requested increase is due to projected commodity cost increases. There were no further comments or questions. Steve Mink, Commission Counsel, recommended approval of the application and the petition for confidential treatment by Notice and Order, effective immediately, for usage on and after August 1, 2009. Deputy Chairman Oxley moved to act as recommended, and Chairman Minier seconded the motion.
- 2. Undocketed. Commission to receive information from representatives of Rocky Mountain Power (RMP) related to recent customer inquiries and complaints concerning inclining block rates and movements from Schedule 25 to Schedule 28 pursuant to tariffs approved in Docket No. 20000-333-ER-08 (Record No. 11824), including the nature and number of complaints received and a description of RMP's actions in response. Commission to take such action as the public interest requires.** Chairman Minier said the Commission has received an unusual number of complaints regarding the shift of customers from Schedule 25 to Schedule 28 and the impact on their utility bills. He asked RMP representatives to provide information on this change and what needs to be done to mitigate the number of complaints. Karen Gilmore, RMP, agreed the company did not do a very good job of preparing customers for the impact of this change, and she said efforts have been stepped up to work with customers on an individual basis to help them understand the new rates and how to lower their peak-period demands where possible. Barbara Coughlin, RMP, said the Business Solutions team has been and will continue working with individual customers and help borderline customers who might be able to return to Schedule 25. The Commissioners thanked RMP representatives for the presentation and update. Dave Mosier of RMP said an update on this activity would be provided to the Commission in two weeks. No action was requested or necessary. No further action was taken.

Next Regular Open Meeting: Tuesday, August 4, 2009, at 1:30 p.m.

Prepared by: Deborah McFerrin

ACCEPTED and APPROVED by the Commission on the 3rd day of November 2009.

Alan B. Minier, Chairman