

WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting
Thursday, July 6, 2017
1:30 p.m.

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

Marlene Morss, Chief Executive Officer, High Plains Power, Inc.
John Mayes, Chief Financial Officer, High Plains Power, Inc.
Rich Lobdell, Manager of Operations, High Plains Power, Inc.
John Schumacher, Counsel, High Plains Power, Inc.
Mary Ann Keeler, General Manger, Garland Light and Power Company (by telephone)

Commission Staff (CS): John Burbridge, Kara Seveland, Morgan Fish,
Marci Norby, Michelle Bohanan, Perry McCollom, Dylan Freeman,
Chris Petrie

CONSENT AGENDA

- 1. Docket No. 70000-1648-TT-17 (Record No. 14762). Tariff filing of Qwest Corporation d/b/a CenturyLink QC (CenturyLink QC) to revise Price Schedule 2. Commission to consider and act on tariff filing.**
- 2. Docket No. 70041-11-TA-17 (Record No. 14715). Petition of TRI TEL, Inc. for Confidential Treatment of its 2016 Annual Report (*Petition*). Commission to consider and act on *Petition*.**

Chairman Russell introduced the consent items. John Burbridge, Commission Counsel, recommended approval of consent item #1 by *Notice* and *Order* and granting consent item #2 by *Order* only, both effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

REGULAR AGENDA

- 1. Docket No. 10020-58-CT-16 (Record No. 14540). Tariff filing of High Plains Power, Inc. pursuant to revised Commission Rules and Regulations effective March 21, 2016. Commission to consider and act on tariff filing.**
Kara Seveland, Morgan Fish, Marci Norby, and Michelle Bohanan, Commission Staff, provided a technical *Memo* dated June 30, 2017. Marlene Morss, Chief Executive Officer, introduced John Schumacher, John Mayes, and Rich Lobdell. Ms. Morss stated that on page 2 chapter 3 section 6 of the tariff the year of the cost of service study is actually 2016

instead of 2017. Mr. Schumacher stated that the Cooperative would file an example disconnection notice. The staff asked whether the Cooperative would be willing to make the changes recommended in its *Memo* on page 16. Ms. Morss indicated that the Cooperative would make those suggested changes to its tariff. Ms. Morss noted that page 2 of staff's *Memo* indicated some inconsistencies with the Cooperative's tariff language regarding standard nominal voltages. She stated the Cooperative would check all the inconsistencies and change the references to be consistent. On page 4 of the *Memo* staff suggested language regarding deposits should be changed and the Cooperative agreed. The Cooperative also agreed with staff's suggestion to use all the model language regarding refusal to serve new customers or expand existing service. The Cooperative agreed to include in its tariffs all the information that must be included in customer bills. Ms. Fish noted that the example bill provided does not contain all the information required. Mr. Mayes stated that the Cooperative would file an updated example bill after it has completed its review. With respect to staff's suggestions on page 13 of the *Memo* the Cooperative agreed to use the model tariff language. The Cooperative agreed to add a general description of its service territory as requested by Staff. The Cooperative agreed to add references in its detail sheets for each rate class to the rate summary sheets. The Cooperative agreed to provide its disconnect notice and deposit receipts. The Cooperative agreed with the suggested changes on page 16 of staff's *Memo*. With respect to the suggestion on page 17 of the *Memo*, Mr. Schumacher stated that the Cooperative would like to put customers on notice they are responsible for damage caused by neglect or misuse. Mr. Schumacher indicated that there is a provision on page 41 of the tariff for enforcement for the non-payment of a damage invoice. Mr. Burbidge stated that staff believes a civil court, and not the Commission, has jurisdiction over this decision. Mr. Schumacher stated that the Cooperative would like to establish a duty and standard. Deputy Chair Fornstrom suggested that this issue might be resolved with language alterations. The Cooperative agreed to work with staff to adjust the language. In response to the comments on page 18 of the *Memo*, Mr. Mayes stated the Cooperative would like to charge a minimum fee for three months if there is no service provided. The Cooperative agreed with the changes suggested by staff.

After a full discussion of the pending issues and the Cooperatives responses, John Burbidge, Commission Counsel, recommended approval of the application subject to the recommendations set forth in the technical *Memo* pages 2, 4, 6, 12, 13, 14, 16, 18-19 with *Memo* page 15 subject to changes noted in the discussion, page 17 subject to the Cooperative and Commission staff working together to adjust the language to satisfy both parties in a manner consistent with Deputy Chair Fornstrom's suggestions, not recommending the suggestions on *Memo* page 18 regarding tariff sheet 14 and *Memo* pages 19-20 regarding tariff sheet 32, 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. 10003-40-CT-16 (Record No. 14512). Tariff filing of Garland Light and Power Company pursuant to revised Commission Rules and Regulations effective March 21, 2016. Commission to consider and act on tariff filing.

Kara Seveland, Morgan Fish, Marci Norby, and Michelle Bohanan, Commission Staff, provided a technical *Memo* dated June 30, 2017. Mary Ann Keeler, General Manager, for Garland Light and Power Company, stated that the Cooperative would file a confidential contact list used for service interruptions. Ms. Keeler stated the Cooperative agrees with changes recommended on page 2 of the staff *Memo* and will include a change on page 22R

of the tariff from “Residential Line Extension Credit” to “General Service, Single-Phase; Rate Code A”. Answering questions from Deputy Chair Fornstrom, Ms. Keeler stated that other classes were included in the Cost of Service Study but that they would not receive a the line extension credit from the 5-year pay back recovery. Ms. Keeler, answering a question regarding the Deposits Section (a)(v)(B) of its tariff, stated that the Cooperative requests the member owner provide a social security number and driver’s license number to complete the credit check and does not disclose any personal financial information. The Cooperative will add a description of the service territory and provide a map. Ms. Keeler stated that the Cooperative agrees with all housekeeping items and all staff recommendations in the *Memo*. Ms. Keeler stated that the Cooperative will need more time to provide a map on the front page but will be able to file the tariffs within 10 business days from the date of approval. After much discussion, Garland agreed to all of the staff’s recommended changes to the proposed tariffs.

After a full discussion of the pending issues as outlined above, John Burbridge, Commission Counsel, recommended approval of the tariff application subject to the recommendations set forth in the recommendation sheet including *Memo* pages 1, 2, 5, 8, 8/9, 9, 9/10, 10, 11, 14, 15, 16, and 17 as a part of that recommendation filing with 1 original and 4 copies within 10 business days not including the map. 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, July 11, 2017

ACCEPTED and APPROVED by the Commission on October 12, 2017.

Chairman William F. Russell

WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting Tuesday, July 11, 2017 1:30 p.m.

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

Jennifer Clark, Corporate Counsel, Questar Gas Company d/b/a Dominion Energy Wyoming (Dominion Energy) (by telephone)

Kelly Mendenhall, Director of Regulatory Affairs, Dominion Energy (by telephone)

Barrie McKay, General Manager, Dominion Energy (by telephone)

Richard Davis, Director of Corporate Finance, Dominion Energy (by telephone)

Liz Zerga, Jubin and Zerga, LLC, Counsel, the Range Companies, Tri-County Telephone and Silverstar

Kristin Lee, Director of Legislative and Regulatory Affairs, CenturyLink

Jason Hendricks, Chief Regulatory Officer, Range Telephone Companies

Commission Staff (CS): Jess Bottom, Katie Koski, Melisa Mizel, Rachel Meeker, Lori Brand

REGULAR AGENDA

1. **Docket No. 30010-164-GS-17 (Record No. 14718). Application of Questar Gas Company d/b/a Dominion Energy Wyoming for authority to issue securities. Commission to consider and act on Application.** Jess Bottom, CS, provided a technical *Memo* dated July 5, 2017. Kelly Mendenhall, Questar's Director of Regulatory Affairs, summarized the application. He stated the Company seeks to issue up to \$125 million in long term debt securities. The net proceeds will pay off existing short term debt and fund capital expenditures. Mendenhall estimated the debt to equity ratio will be 50/50, which is consistent with Dominion Energy's acquisition commitment. He noted the Company will not exceed fair value after issuance in compliance with State law and will provide the final terms of loan to the Commission. There were no questions or comments. Katie Koski, Commission Counsel, recommended approval of the application and requiring the Company to file compliance documents according to Commission Rules 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. 90072-42-XO-17 (Record No. 14688). Determination of the funding requirement and proposed assessment factor for the July 2017 to June 2018 fiscal year of the Wyoming Universal Service Fund (WUSF). Commission to consider:**
 - a. **Whether certain information provided to the Commission in connection with the administration of the WUSF or derived therefrom and currently held as confidential, including WUSF distributions, should be made available to the public;**

- b. Whether such information received in the future should be considered confidential or made available to the public; and**
- c. Take such action as the public interest may require.**

Melisa Mizel and Rachel Meeker, CS, provided a technical *Memo* dated July 5, 2017. Chairman Russell introduced the item and asked those in favor of making certain information public to comment first.

Liz Zerga, representing AllWest, Silverstar, the Range companies and Tri County Telephone, provided a recap of written comments submitted regarding the treatment of distribution amounts. She argued that distribution amounts should be public because the rules on confidentiality require the public interest to be considered. Zerga noted the Commission already collects this information through annual reports and Federal Universal Service Fund (FUSF) receipts are already treated as public. Further, she said, because the State legislature is considering extending the Telecommunications Act, it has an interest in the Wyoming Universal Service Fund (WUSF) and how it operates. She said making this information public changes it from a hidden to a transparent source of revenue providing a more complete picture for interested parties. With regard to the disclosure of line counts, Zerga argued it would be useful to know the total number of supported lines. She concluded by stating this should apply going forward, but not for past reports that have historically been treated as confidential. A discussion with the Commissioners regarding these arguments and the expectation of confidentiality followed. Zerga maintained she is an advocate for WUSF, believes legislators need a more complete picture and that keeping this information confidential puts WUSF at risk.

Kristen Lee, CenturyLink's Legislative and Regulatory Affairs Director, said CenturyLink's position is agnostic as to distribution amounts. She said that line counts should be kept confidential, but distribution funds should be transparent and CenturyLink does not object to Column D of the WUSF Report being made public. Lee stated that credits are already shown on customer bills. She noted the telecommunications market has changed, so WUSF will also have to change and allowing distribution amounts to be public would be a start. Lee advocated to maintain the status quo on information already submitted, including the current WUSF report.

Chairman Russell then asked for comments against making certain information public.

Bruce Asay, Counsel, voiced opposition to making this information public. He said distribution amounts are part of the revenue stream and should be maintained as confidential. He said there are ways to obtain this information if there is a legitimate public interest. His client, Union Wireless, is concerned about potential abuse of this information because many people do not understand WUSF. He added that if legislators are concerned, they could talk to the Commission and to individual companies. He stated the Public Records Act protects this information and if there is a need to obtain it, a hearing can be held. Asay said the legislature could amend the WUSF statute if it wants the information released because this environment is so competitive. He also stated Union Wireless requests the prior confidentiality ruling be maintained.

Chairman Russell asked for comments from Commission Staff.

Rachel Meeker, CS, asked Zerga how releasing this information would be useful. Zerga responded that legislators can infer a lot from the amounts and can decide if it is good policy or if it affects their constituents. Zerga thought legislators would want to know if their carriers are being supported by WUSF in a meaningful way. Lori Brand, Commission Counsel, asked Asay to clarify his explanation about the Public Records Act. Asay cited the trade secret provision as the common thread as it relates to receipts and calculations. Brand asked Zerga to detail exactly what should be made public. Zerga responded the end result of Schedule C of the report, the distribution amounts, and names of companies that are receiving funds under Schedule G and D, showing aggregate totals of line counts. Zerga did not object to raw data being released without additional context. There were no further questions or comments. The Commissioners discussed the explanations and arguments provided and concluded that, while they were mostly in agreement on the issue, they were not ready to decide on the 2018 WUSF reporting and would need a pre-submission briefing and more information. Commissioner Cooley moved that the Commission find that the information submitted to it for this WUSF year and all previous WUSF years remain confidential with regard to both line counts and distribution amounts and that the Commission withhold a decision for the next WUSF year, subject to further discussion and information prior to the 2018 submittal deadline. Chairman Russell seconded the motion and Deputy Chair Fornstrom concurred.

Prepared by: Barbara Tomlinson

Date of Next Open Meeting: Thursday, July 20, 2017

ACCEPTED and APPROVED by the Commission on August 22, 2017.

Chairman William F. Russell

WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting
Thursday, July 20, 2017
1:30 p.m.

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

Emmanuel Cocian, Holland and Hart, LLP, Counsel for Customers
Amanda Good, Hirst Applegate, LLP, Counsel for Powder River Energy Corporation (PRECorp)
Kara Ellsbury, Hirst Applegate, LLP, Counsel for PRECorp (by telephone)

Commission Staff (CS): Rachel Meeker, John Burbridge, Katie Koski, Kara Seveland and Michelle Bohanan

CONSENT AGENDA

1. **Docket No. 74422-9-TA-17 (Record No. 14783). Notification of Network Communications International Corp. of its name change to Network Communications International Corp. d/b/a NCIC Inmate Communications. Commission to consider acceptance of the notification for filing.**
2. **Docket No. 30005-224-GA-17 (Record No. 14672). Application of Cheyenne Light, Fuel and Power d/b/a Black Hills Energy for a Certificate of Public Convenience and Necessity to construct and operate high-pressure gas transmission pipelines and related facilities in Laramie County, Wyoming. Commission to consider and act on *Amended Petition for Confidential Treatment of Data Request Responses (Petition)* filed on June 30, 2017.**
3. **Docket No. 10014-182-CA-17 (Record No. 14776). Application of Powder River Energy Corporation for an expedited review of security deposit request. Commission to consider and act on:**
 - a. ***Petition for Confidential Treatment of Application for Expedited Review of Security Deposit Request and for Protective Order (Petition); and***
 - b. ***Issuance of a Special Order Authorizing One Commissioner and/or Presiding Officer to Conduct Public Hearing.***

Chairman Russell introduced the consent items. For Item #1, John Burbridge, Commission Counsel, recommended acceptance of the notification for filing by *Order* only, effective immediately. For Item #2, he recommended granting the *Amended Petition*, by *Order* only, effective immediately. For Item #3a, no action was required as it was approved at Open Meeting on June 29, 2017. For Item #3b, he recommended issuing a *Special Order*, by *Order* only, effective immediately. For all three items, Deputy Chair Fornstrom moved to

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

REGULAR AGENDA

1. **Docket No. 10014-182-CA-17 (Record No. 14776). Application of Powder River Energy Corporation for an expedited review of security deposit request. Commission to consider Customers' *Petition to Intervene and Request for Hearing (Petition)*. Amanda M. Good, Counsel, to appear in person for the Company, and Emanuel Cocian, Counsel, to appear by telephone for the Customer.** Emmanuel Cocian, Customers' Counsel, explained the *Petition* and outlined the anticipated expedited process, including testimony, responses and discovery. Amanda Good, PRECorp's Counsel, said the Company has no objection to the general procedure outlined by Cocian. PRECorp's only concern is the request was meant to take the issue outside of the confines of Section 26. She said truncated deadlines make it feasible but was hesitant to commit to a five calendar day turnaround as it will make completing discovery more difficult. She hoped to limit the scope of discovery to whether the two entities at issue present a significant payment risk. Chairman Russell noted PRECorp owns the right to an expedited hearing, which the Commission is committed to provide. Cocian noted a hearing can be scheduled for September or October and the parties and Commission Staff can work out the timeframes. John Burbridge, Commission Counsel, noted that the issues are limited and Commission Staff will be prepared. He said there will not be a need for a formal scheduling conference but an order will be issued. There were no further questions or comments. Katie Koski, Commission Counsel, recommended granting the *Petition and Request for Hearing* by *Order* only, 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: Tuesday, July 25, 2017

ACCEPTED and APPROVED by the Commission on October 12, 2017.

Chairman William F. Russell

WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting
Tuesday, July 25, 2017
1:30 p.m.

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

Barrie McKay, Director Customer Rates and Regulation, Questar Gas Company (by telephone)

Austin Summers, Supervisor Regulatory Affairs, Questar Gas Company (by telephone)

Margaret McGill, Regulatory, Cheyenne Light, Fuel and Power (by telephone)

Office of Consumer Advocate (OCA): Ivan Williams, Bryce Freeman

Commission Staff (CS): Lori Brand, John Burbridge, Marci Norby, Steve Mink, Kara Seveland

CONSENT AGENDA

- 1. Docket Nos. 70003-188-TK-17 & 70043-37-TK-17 (Record No. 14753). Contract filing of CenturyTel of Wyoming, d/b/a CenturyLink for authority to enter into a Resale Agreement with Level 3 Communications, LLC. Commission to consider and act on Agreement.**
- 2. Docket No. 20000-518-EA-17 (Record No. 14736). Application of Rocky Mountain Power for approval of Schedule 37, Standard Rates for Purchases of Power from Qualifying Facilities. Commission to consider and act on *Renewable Energy Coalition's Petition for Leave to Intervene and Request for Hearing. (Petition)*.**
- 3. Docket Nos. 70000-1646-TK-17 & 70223-8-TK-17 (Record No. 14752). Contract filing of Qwest Corporation, d/b/a CenturyLink QC for authority to enter into a Reciprocal Compensation Bill and Keep Amendment to the Interconnection Agreement with Airus, Inc. Commission to consider and act on Amendment.**

Lori Brand, Commission Counsel, recommended for items 1 and 3 granting the authority and approval of the contracts and for item 2 granting the *Petition for Leave to Intervene and Request for Hearing* all 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. 30010-155-GP-16 (Record No. 14553). Application of Questar Gas Company requesting authority to pass on a wholesale gas cost increase of \$0.33681 per dekatherm for all firm retail rate classes. Commission to consider conversion of rates authorized by the *Order Approving Rates on an Interim Basis* issued on November 7, 2016 to final rates, and take such action as the public interest may require.**

John Burbridge, Commission Counsel, stated that staff is asking that the interim rates set in November be converted to final rates before the statutory 10 month deadline. Mr. Burbridge stated that commission staff requested the rates be interim as a platform for staff to investigate and work further on an Overland Report sponsored by the Utah Commission regarding Questar's Wexpro agreement. Mr. Burbridge stated that staff are now under the understanding that issues surrounding some of the expensing in the Wexpro agreement with Questar are very close to being resolved with a type of credit or refund to customers that will be handled in the next pass on which is expected in September. Barrie McKay, Director Customer Rates and Regulation, for Questar Gas Company stated that the Company is in agreement with the interim rates being finalized. Mr. McKay advised that the Company has reached a memorandum of understanding agreement with the Utah Commission. Austin Summers, Supervisor Regulatory Affairs, for Questar Gas Company stated that the big driver for the case was the increased forecasted cost of natural gas prices for the winter period. Mr. Summers stated that another factor was an amortization change to prevent the over collection from customers resulting in a refund. Ivan Williams, Counsel, for the Office of Consumer Advocate (OCA), stated that the OCA does not object to making the rates final. Mr. Williams stated that the OCA is not a signatory to the memorandum with the Utah Commission and was not directly involved in the investigation but is familiar with it. Mr. Burbridge stated that the docket was noticed prior to the interim rates going into effect and recommended interim rates be made final 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. 30005-231-GP-17 (Record No. 14779). Application of Cheyenne Light, Fuel and Power Company d/b/a Black Hills Energy for authority to pass on a wholesale gas cost increase of \$0.0801 per dekatherm for Firm and Interruptible rate classes effective August 1, 2017. Commission to consider and act on Application and *Petition for Confidential Treatment of Natural Gas Acquisition Strategy and Financial Forecasting and Gas Cost Invoices* filed on June 30, 2017.**

Kara Seveland, Commission Staff, provided a technical *Memo* dated July 14, 2017. Margaret McGill, Regulatory, for Cheyenne Light, Fuel and Power stated that the Company is requesting an increase of \$.0801 per dekatherm due to the increase in gas cost.

Ms. McGill stated that the proposed rate is comprised of the projected gas costs and the deferred gas cost. Steve Mink, Commission Counsel, recommended approval of the application and granting of the *Petition* both 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: Sylvia Sanchez

Date of Next Open Meeting: Thursday, July 27, 2017.

ACCEPTED and APPROVED by the Commission on October xx, 2017.

Chairman William F. Russell

WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting
Thursday, July 27, 2017
1:30 p.m.

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

Ryan Schilreff, General Manager, Wyrulec (by telephone)
Ronnie Lopez, Bailey Stock Harmon and Cottam Law Group, Counsel for
AARP

Joe Barron, Crook County Attorney (by telephone)

Tre Hendricks, Senior Corporate Counsel, CenturyLink (by telephone)

Paul Hickey, Hickey and Evans, LLP, Counsel for CenturyLink

Jeff Bumgarner, Vice President of Member Services, Powder River Energy
(PRECorp)

James Elliott, Manager of Regulatory, Black Hills Energy (BHE)

Garret Frescoln, Vice President, Frannie Deaver Utilities (by telephone)

Bruce Asay, Associated Legal Group, LLC, Counsel for Montana Dakota
Utilities (MDU)

Tamie Aberle, Director of Regulatory Affairs, MDU (by telephone)

Stephanie Bosch, Regulatory Affairs Manager, MDU (by telephone)

Chris Kilpatrick, Director of Resource Planning and Electric Rates,
Cheyenne Light, Fuel and Power Company (CLFP)

Commission Staff (CS): Steve Mink, Rachel Meeker, Tom Wilson, Lori
Brand, Jess Bottom, Melisa Mizel, John Burbridge, Morgan Fish, Kara
Seveland, Marci Norby, Michelle Bohanan, Dave Piroutek and Katie
Koski

CONSENT AGENDA

1. **Docket No. 74726-1-TA-16 (Record No. 14480). Registration and Tariff Filing of Consolidated Telecom, Inc. to operate as a reseller of long distance in Wyoming. Commission to consider acceptance of the Registration and Tariff Filing.**

Chairman Russell introduced the consent item. Steve Mink, Commission Counsel, recommended acceptance of the Registration and Tariff for filing 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. 10016-67-CS-17 (Record No. 14777) Securities filing of Wyrulec Company for authority to finance \$6,000,000 from the National Rural Utilities Cooperative Finance Corporation to finance improvements and maintenance of its facilities and services. Commission to consider and act on application.** Jess Bottom, CS, provided a technical *Memo* dated July 7, 2017. Ryan Schilreff, Wyrulec's General Manager, provided

details about Wyrulec's request for a new loan facility to fund the next work plan cycle. He stated Wyrulec is in compliance with all ratios both pre and post funding. There were no questions or comments. Steve Mink, 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. 70000-1644-TA-17 (Record No. 14742). Application of Qwest Corporation d/b/a CenturyLink QC (CenturyLink QC) for a determination that Basic Residential and Business Services are competitive throughout all of CenturyLink QC's Zone 2 and Zone 3 service areas. Commission to consider and act on:

[i] All West Communication, Inc.'s, Dubois Telephone Exchange, Inc.'s, Range Telephone Cooperative, Inc.'s, RT Communications, Inc.'s, Silver Star Telephone's, Tri County Telephone, Inc.'s Joint Petition for Leave to Intervene (Joint Petition);

[ii] AARP Wyoming's Petition to Intervene and Request for Hearing (Petition); and,

[iii] Crook County Board of Commissioner's Request for Intervention and Request for Hearing (Petition).

Paul Hickey, CenturyLink's Counsel, stated CenturyLink has no objection to the *Petitions* within this docket item. Ronnie Lopez, AARP's Counsel, commented this *Petition* should not be considered unique and emphasized AARP represents seniors on fixed incomes. Joe Baron, Crook County attorney, restated the Crook County Board of Commissioners intent to intervene. There were no questions. Lori Brand, Commission Counsel, recommended granting the *Petitions and Request for Hearing* 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. 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. Commission to consider and act on the request to extend comment period filed by the Wyoming County Commissioners Association, the Wyoming Farm Bureau Federation, and the Wyoming Stock Growers Association. Ronnie Lopez, Counsel for Petitioners stated that the Petitioners want time to comment further or intervene and are asking for an extension of 30 days. Paul Hickey, CenturyLink's Counsel, said CenturyLink does not oppose this request and finds it to be reasonable, but it should have some boundaries. Chairman Russell confirmed the extension would begin today if approved. Lori Brand, Commission Counsel, recommended granting the request to extend the comment period for 30 days from today's hearing date 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. 10019-62-CT-16 (Record No. 14545). Tariff filing of Big Horn Rural Electric Company pursuant to revised Commission Rules and Regulations effective

March 21, 2016. Commission to consider and act on tariff filing. Morgan Fish, Kara Seveland, Marci Norby and Michelle Bohanan, CS, provided a technical *Memo* dated July 17, 2017. Jeff Umphlett, Big Horn's General Manager, presented its revised tariffs. Katie Koski, Commission Counsel, recommended approval of the tariff filing with the following recommendations:

- Point #s 1, 2, 6, 8, 9, 10, 11, 12, 13, 14, 15 from the Summary Sheet are agreed to;
- Point #s 3, 4, 5, 7 are not adopted;
- All housekeeping items are agreed to; and
- A final compliance tariff is to be filed within 10 working days.

She recommended all of the above by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

5. **Docket No. 10014-176-CT-16 (Record No. 14562). Tariff filing of Powder River Energy Corporation pursuant to revised Commission Rules and Regulations effective March 21, 2016. Commission to consider and act on tariff filing.** Morgan Fish, Kara Seveland, Marci Norby and Michelle Bohanan, CS, provided a technical *Memo* dated July 24, 2017. Jeff Bumgarner, PRECorp's Vice President of Member Services, presented PRECorp's revised tariffs. Katie Koski, Commission Counsel, recommended approval of the application with the following recommendations:

- Points in the Summary Sheet agreed to: 1,2,3,4,5,6,8,9,10,11,12,14,15 (Subs 175 and 178);
- Point #16 will not be decided today and the Commission will address this issue with the Small Power Production filing next January 2018 with a footnote to discuss the May 2017 filing;
- Points #7 and #13 will not be adopted;
- All housekeeping items are agreed to; and
- A final compliance tariff is to be filed within 10 working days.

She recommended all of the above, 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. 90000-126-XO-16 (Record No. 14378). In the matter of the study by the Commission on its own motion of statewide Wobbe indices. Commission to receive presentation by Commission Staff on quarterly reporting of Wobbe values by natural gas distribution utilities for the fourth quarter of 2016 and the first quarter of 2017 and take such action as the public interest may require.**

Deputy Chair Fornstrom introduced the item noting both fourth quarter 2016 and first quarter 2017 will be presented at the same time.

Black Hills Northeast (BHNE)– 30003 – Michelle Bohanan, CS, stated there are 4 points or sources and all were within the 4% deviation allowance for both quarters. A map was provided although there are some map issues that will need to be addressed and the

Company is in compliance with Commission Rules. James Elliot, BHNE's Manager of Regulatory, agreed with the assessment. There were no questions.

Cheyenne Light, Fuel and Power (CLFP)– 30005 – Kara Seveland, CS, stated the Carpenter/Burns and Pine Bluffs areas have no established Wobbe Indices. She said all mean points were within the 4% allowable tolerance for both quarters and the Company has filed an application to establish indices for these areas. For the Cheyenne Light areas, there are several points outside of the 4% allowable deviation. She also said Commission Staff was unable to certify compliance with Commission Rules. Improvements have been made to the maps with commitments from the Company for further improvements. James Elliott, BHE's Manager of Regulatory, confirmed an application has been filed to cure some of these issues by updating the index. He also confirmed CLFP is committed to compliance with Commission Rules for the next quarterly report. There were no questions.

Frannie Deaver - 30007 – Bohanan explained a weighted mean is used for Frannie Deaver and this was outside of the 4% allowable tolerance. The deviation is likely because there were measurement problems with gas from local production and it was shut off for a period of time. A spot sample taken was outside of a 6% deviation. However, she noted that for the first quarter 2017, the points are back within the allowable tolerance. Frannie Deaver is in compliance with Commission Rules. No map was provided for the fourth quarter but one was provided for the first quarter 2017. Improvements have been requested by Commission Staff. She asked the Company to determine changes in receipts reported for the first quarter. Garrett Frescoln, Frannie Deaver's Vice President, stated local production is currently online and back on track, noting one of the main users, a rotary meter, was out of calibration. There were no questions.

Wyoming Gas – 30009 - There are 5 gas sources serving 7 areas. Bohanan said the Grass Creek area had deviations but Walker Dome gas is no longer coming into the Wyoming Gas system. She said the Lake Creek area also had a deviation due to an issue with the direction of gas flows. Wyoming Gas is in compliance with Commission Rules and has provided maps of its system for both quarters. She said Wyoming Gas has an action item to provide ideas on how to solve the Lake Creek area issues. There were no questions.

Questar Gas d/b/a Dominion Energy Wyoming – 30010- Morgan Fish, CS, stated there were no deviations outside of the 4% allowable tolerance, has complied with Commission Rules as well as provided a good color-coded map for both quarters. There were no questions.

Black Hills Northwest Wyoming (BHNW) – 30011 - Bohanan stated there were no deviations outside of the 4% allowable tolerance for both quarters. There were some differences between receipts into system and the city gates. Commission Staff is unable to certify compliance with Commission Rules. The Company has provided maps and done significant work to improve upon them. James Elliott, BHE's Manager of Regulatory, said the volume differences are due to the way gas had been supplied in past. The gas is moved up to storage and then back into the system, which is why the volumes do not match. He said going forward the supply will come solely from the CIG delivery point and will not go into storage at all which should resolve the discrepancy. There were no questions.

Montana Dakota Utilities – 20000 – Bohanan stated all 19 points were within the 4% allowable tolerances for both quarters. There are multiple delivery points and the Company committed to provide better information on where chromatographs are located. She said the Company is in compliance with Commission Rules and is working to improve its maps. There were no questions.

Pinedale Natural Gas – 30016 – Seveland stated all points were within the 4% allowable tolerance for both quarters. She certified the Company is in compliance with Commission Rules and has provided a map of its system. Bruce Asay, Pinedale’s Counsel, stated the Company has filed an application to establish a Wobbe index. He also noted Pinedale has a consistent source of gas. There were no questions.

Lower Valley Energy (LVE)– 30018 - Bohanan stated LVE does not have indices for its two areas, Afton which is served exclusively by liquid natural gas (LNG) and Jackson which is served by the Hoback Pipeline and is supplemented by LNG. An application was filed to establish a Wobbe index but the information did not reflect actual data and Commission Staff requested LVE withdraw that application. She said LVE needs a baseline for comparison and the deviations are unavailable at this point. The Company is in compliance with Commission Rules and maps have been provided. Martell Brower, LVE’s Director of Gas Operations, stated LVE has drafted a *Motion to Withdraw the Application* and will submit it soon. He said the Company has been diligent in taking chromatograph readings and entering the data into a spreadsheet to establish a baseline. Brower said once LVE has more data then it will file a new application. There were no questions.

Town of Walden – 30019 - Fish stated there were no deviations outside of the 4% allowable tolerance, the Town is in compliance with Commission Rules and has provided maps. Bruce Asay, Town of Walden’s Counsel, confirmed an application to establish a Wobbe index has been filed. There were no questions.

Black Hills Gas Distribution (BHGD) – 30022- Bohanan stated there are 26 areas/sources and the Company as provided improved mapping. This created new questions about gas sources and sampling points Commission Staff would like to discuss with the Company. Not all areas were within tolerance notably Midwest/Edgerton, but BHGD has filed to update its Wobbe index for this area. She said the Commission wants to continue to receive reports on the Powder River area and to be informed when LNG is supplementing gas. With regard to some metering points, there seem to be differences in heating values from the same geographic place but at differing elevations and should be clarified. She said most points are in compliance with Commission Rules and maps have been provided. Bohanan stated there is a list of action items to be completed. James Elliott, BHE’s Manager of Regulatory, said there is a higher priority for a single gas quality measurement point and will work with Commission Staff on this. He said BHGD will look into the issue with differing elevations. The action item of values being offset by a month has been corrected and will be in sync going forward. He said the Company will work on the remaining action items more diligently. Deputy Chair Fornstrom commented the Commission would like to understand if there is a standardized approach across BHE’s utilities with regard to both legacy and acquisition areas when testing and would like to see a proactive effort to assimilate and integrate statewide. There were no questions.

No action by the Commission was required.

7. **Docket No. 30005-224-GA-17 (Record No. 14672). Application of Cheyenne Light, Fuel and Power d/b/a Black Hills Energy (CLFP) for a Certificate of Public Convenience and Necessity (CPCN) to construct and operate high-pressure gas transmission pipelines and related facilities in Laramie County, Wyoming. Commission to consider and act on Application.** Morgan Fish, Kara Seveland, Dave Piroutek, and Jacob Kilmurray, CS, provided a technical *Memo* dated July 21, 2017. Chris Kilpatrick, CLFP's Director of Resource Planning and Electric Rates, explained this application is to obtain a CPCN to construct two pipelines to serve Microsoft's data centers to allow Microsoft continue to expand. This will allow Microsoft to use natural gas instead of diesel fuel for its back-up generators because it is cleaner and more reliable. The accounting for the two pipelines will be depreciated over the life of the contract, which is 15 years. Kilpatrick stated there is no impact to other rate payers as the facilities serve only Microsoft. He also noted if Microsoft terminates the contract, there would be no stranded assets as the provisions of the contract require Microsoft to make CLFP whole. There were no further 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.

Prepared by: Barbara Tomlinson

Date of Next Open Meeting: Tuesday, August 8, 2017

ACCEPTED and APPROVED by the Commission on October 12, 2017.

Chairman William F. Russell