

WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting
Tuesday, March 7, 2017
1:30 p.m.

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

Liz Zerga, Jubin and Zerga, LLC, Counsel for Tri-County Telephone and TCT West, Joint Applicants
Don Jackson, Tri-County and TCT West (by telephone)
Robert Pomeroy, Holland and Hart, LLP, Counsel for Wyoming Industrial Energy Consumers (WIEC)
Stacy Splittstoesser, Wyoming Regulatory Affairs Manager, Rocky Mountain Power (RMP)
Daniel Solander, Senior Attorney, RMP (by telephone)
Stephen MacDougal, Director of Revenue Requirements, RMP (by telephone)

Commission Staff (CS): Lori Brand, Dave Walker, John Burbridge, Chris Petrie, Marci Norby, Katie Koski, Thomas Wilson and Rachel Meeker

CONSENT AGENDA

1. **Undocketed: Open meeting minutes for review by the Commission for the regular open meetings of February 9 and 23, 2017, as prepared by Barbara Tomlinson and Sylvia Sanchez.**
2. **Docket No: 20003-148-EP-16 (Record No. 14324). Application of Cheyenne Light, Fuel and Power Company d/b/a Black Hills Energy for authority to pass on a power cost adjustment decrease of \$0.00214 per kWh for the period April 1, 2016 through March 31, 2017. Commission to consider and act on *Petition for Confidential Treatment of Internal Audit Report (Petition)* filed on February 15, 2017.**
3. **Docket No. 90000-125-XO-15 (Record No. 14272). Proposed adoption of Chapter 1 through 5 of the Wyoming Public Service Commission's Rules and Regulations. Commission to consider issuing an order closing the docket.**
4. **Docket No. 20000-510-EA-17 (Record No. 14644). Application of Rocky Mountain Power (RMP) to extend the 2017 Protocol through December 31, 2019. Commission to consider and act on Wyoming Industrial Energy Consumers' (WIEC) *Motion for Application For Admission of Pro Hac Vice of Robert M. Pomeroy, Jr. and Thorvald A. Nelson (Motion)*.**

Deputy Chair Fornstrom introduced the consent items. Deputy Chair Fornstrom moved to approve the minutes as written. Chairman Russell seconded the motion. For Item #2, John Burbridge, Commission Counsel, recommended granting the *Petition* by *Order* only, effective immediately. For Item #3, he recommended issuing an order closing the docket, by *Letter Order* only, effective immediately. Burbridge recommended moving Item #4 to

Regular Agenda Item #3 to consider together. Deputy Chair Fornstrom moved to act as recommended and Chairman Russell seconded the motion.

REGULAR AGENDA

1. **Docket No. 70015-97-TT-16 (Record No. 14600). Tariff filing of RT Communications, Inc., to make changes to its FCC Lifeline Rules tariff. Commission to consider and act on Application.** Thomas Wilson, CS, provided a technical *Memo* dated February 24, 2017. Deputy Chair Fornstrom recommended tabling the item as it was erroneously added to this agenda. Chairman Russell moved to act as recommended and Deputy Chair Fornstrom seconded the motion.

2. **Docket Nos. 70011-48-TA-16 and 70014-38-TA-16 (Record No. 14614). Joint Application of Tri-County Telephone Association, Inc., and TCT West, Inc. to discontinue service and relinquish TCT West's Certificate of Public Convenience and Necessity (CPCN) to provide local telecommunications services in Wyoming, and to amend Tri-County's Certificate of Public Convenience and Necessity (CPCN) to extend its certificated area. Commission to consider and act on Joint Application.** Rachel Meeker, CS, provided a technical *Memo* dated March 1, 2017. Liz Zerga, Counsel for the Joint Applicants, provided background on the application commenting both Companies have operated in separate CPCN areas in Wyoming but Tri-County is legally the parent company. She said this was set up many years ago out of the sale of US West exchanges. TCT West took out a loan in connection with this sale, which Tri-County wanted TCT West to pay off out of its own revenue and customers. The loan has been repaid. She said there is no longer a need to continue to file duplicate items and the Companies concluded there should only be one docket. To consolidate the existing two dockets, Zerga said Commission Staff indicated that typically the Commission would terminate TCT West's CPCN and amend Tri-County's certificated area to cover TCT West's territory. She stressed TCT West's customer numbers for year-end must be treated as Tri-County customers to avoid problems with Universal Service Fund calculations. Don Jackson provided additional commentary for Zerga's statements. Lori Brand, Commission Counsel, commented notice has already been sent to customers of the proposed changes. She said Commission Staff wants to ensure customers know TCT West is now Tri-County but that both companies will continue to use the trade name TCT and that this is accurately reflected in the Commission's docket files. Ms. Brand recommended approval of the joint application to discontinue service and relinquish TCT West's CPCN and to amend Tri-County's CPCN to expand its certificated area. Brand also stated the order would clearly state this affects TCT West for accounting and administrative purposes for year-end for the WUSF, by *Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended and Chairman Russell seconded the motion.

3. **Docket No. 20000-510-EA-17 (Record No. 14644). Application of Rocky Mountain Power (RMP) to extend the 2017 Protocol through December 31, 2019. Commission to consider and act on Wyoming Industrial Energy Consumers' (WIEC) *Petition for Leave to Intervene (Petition)*.** Robert Pomeroy, WIEC's Counsel, explained the 2017 Multi State Protocol (MSP) expires at end of 2018 unless extended for a year. He provided justification for intervention in RMP's extension docket citing WIEC's concern that Wyoming customers would pay about 1.6 million dollars in future rates automatically because the allocated money goes into a deferred account due to the extension. He made it

clear this is the sole aspect of the protocol in question. Pomeroy said this is a direct cost unique to Wyoming and is added to future rates. WIEC is questioning whether this rate is just and reasonable. He asserted the Commission should give paramount consideration to customers because there is no opportunity to examine the rates after the extension is granted. WIEC requested the Commission grant partial approval of the RMP extension excepting out the issue of the appropriate treatment of the 1.6 million dollar deferred amount in the protocol for 2018. Daniel Solander, RMP's Corporate Counsel, responded to WIEC's arguments stating that RMP does not oppose WIEC's request for intervention. However, he noted that WIEC is a signatory to the protocol and believes the requested change might be seen as material by other states, creating problems for approval in those states. Solander said he does not believe the extension needs to be delayed as WIEC has all related information. In order for the extension to be effective, approval from all states must be complete by March 31, 2017. Deputy Chair Fornstrom asked WIEC why this contingency was not dealt with when the protocol was signed. Pomeroy responded that the equalization adjustment is unique to Wyoming and should have no effect on the other states. He also said no one thought there would not be a rate case filed in 2016 or 2017 and, as a result, there is some question whether RMP is already overearning, which would not be determined until the next rate case. Deputy Chair Fornstrom commented that to her there is work to do on the issue of the deferred amount, but is not in favor of a bifurcated proceeding. Pomeroy said a meaningful investigation could not be conducted in this short timeframe, nor could this issue be resolved by the end of March. Ivan Williams, counsel for OCA, commented OCA did not intervene as it had no issue with the Company's filing as submitted. Chairman Russell asked Pomeroy whether, when a rate case application is submitted, the Commission still has the opportunity for review of the disputed sums. Pomeroy said no because in his view the deferred account will become a regulatory asset and RMP will be entitled to recover it in the next rate case. John Burbridge, Commission Counsel, asked if the deferred amount was a concern then, why did it not come up until the extension was filed by RMP. Pomeroy answered the extension was not anticipated by WIEC and now the scope of what the extension covers is in question. He said this deferred accounting is unique to Wyoming and with regard to future rates there are many unknowns. Burbridge commented it would be impossible to bifurcate this proceeding without it being construed as an effective denial of the request for extension. Pomeroy said the portion being excepted out is not part of the methodology or revenue requirements, and he believed the other states would not see this as a denial. Burbridge asked if a *Petition* were granted and WIEC afforded the opportunity for a hearing, would March 30, 2017 be acceptable, with witnesses and a curtailed discovery period. Pomeroy responded neither the parties nor the Commission could do their job in such a short amount of time. Solander, RMP's Senior Corporate Counsel, reiterated the Company's extension request was filed in Oregon and Utah and their recommendations for approval are based on no departures from 2017 protocol. He read directly from the protocol, noting if the Company does not file a general rate case by January 1, 2017, the deferred amount shall be included in rates until such time as the next rate case is heard. Deputy Chair Fornstrom noted the Commission is only prepared to rule on the *Petition to Intervene* today. Stephen MacDougal for RMP agreed that bifurcating the case would be construed as an effective denial of extension. There were no further questions or comments. Deputy Chair Fornstrom concluded there is a timing issue which must be addressed and therefore the Commission will schedule this for Open Meeting on March 30, 2017. She stated Commission Staff and the parties need to work out the parameters and approach for consideration. Deputy Chair Fornstrom moved to grant the *Petition for Intervention*. Chairman Russell seconded the motion. With respect to

Consent Item #1, *Motion for Application For Admission of Pro Hac Vice of Robert M. Pomeroy, Jr. and Thorvald A. Nelson*, John Burbridge, Commission Counsel, recommended granting the *Motion by Order* only, effective immediately. Deputy Chair Fornstrom moved to act as recommended and Chairman Russell seconded the motion.

Prepared by: Barbara Tomlinson

Date of Next Open Meeting: Tuesday, March 21, 2017

ACCEPTED and APPROVED by the Commission on April 18, 2017.

Chairman William F. Russell

WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting

Tuesday, March 21, 2017

1:30 p.m.

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

Commission Staff (CS): Steve Mink, Melisa Mizel, Lori Brand, Jess Bottom,
Rachel Meeker, Tom Wilson and Luy Luong

CONSENT AGENDA

1. **Undocketed: Open meeting minutes for review by the Commission for the regular open meetings of November 29, 2016, and February 16, 2017, as prepared by Barbara Tomlinson.**
2. **Docket No. 20000-510-EA-17 (Record No. 14644). Application of Rocky Mountain Power to extend the 2017 Protocol through December 31, 2019. Commission to consider issuance of a *Special Order Authorizing One Commissioner and/or Presiding Officer to Conduct Public Hearing*.**
3. **Docket No: 50050-17-PT-17 (Record No. 14639). Application of Rocky Mountain Pipeline System, LLC for authority to cancel its WPSC Tariff No. 3 and Tariff No. Commission to:**
 - a. **Consider and act on Merit Energy's *Petition to Intervene and Request for Hearing (Petition)*; and**
 - b. **Consider the issuance of a *Special Order Authorizing One Commissioner and/or Presiding Officer to Conduct Public Hearing*.**
4. **Docket No. 70027-98-TA-17 (Record No. 14637). Notification and request of MCImetro Transmission Services LLC to accept the name change to MCImetro Access Transmission Services Corp. Commission to consider acceptance of the notification for filing.**
5. **Docket No. 62058-7-RA-16 (Record No. 14619). Application of Total Call Mobile, Inc., to relinquish its eligible telecommunications carrier (ETC) designation. Commission to consider and act on Application. Tom Wilson, CS, provided a technical *Memo* dated March 15, 2017.**

6. **Docket Nos. 70000-1641-TK-17 and 70116-25-TK-17 (Record No. 14659). Contract filing of Qwest Corporation d/b/a CenturyLink QC of its Extension Amendment to the Local Services Platform (CLSP) Agreement between CenturyLink QC and BullsEye Telecom, Inc. Commission to consider acceptance of the Agreement for filing.** Thomas Wilson, CS, provided a technical *Memo* dated March 15, 2017.
7. **Docket No. 20000-506-EA-16 (Record No. 14610). Amended Application of Rocky Mountain Power for authority to adjust rates for Electric Service Schedule 92, Bonus Tax Depreciation. Commission to consider and act on Wyoming Industrial Energy Consumers' Motion for Admission Pro Hac Vice of Thorvald A. Nelson (Motion).**

Chairman Russell introduced the consent items. For Item #1, Deputy Chair Brighton Fornstrom moved to approve the minutes as written. Commissioner Cooley seconded the motion and Chairman Russell concurred. For Item #2, Lori Brand, Commission Counsel, recommended issuing a *Special Order* by *Order* only, effective immediately. For Item #3, she recommended granting the *Petition* and issuing a *Special Order* by *Order* only, effective immediately. For Item #4, she recommended acceptance of the Notification for filing by *Order* only, effective immediately. For Item #5, she recommended approval of the application to relinquish ETC designation by *Order* only, effective immediately. For Item #6, she recommended acceptance of the Agreement for filing by *Order* only effective immediately. For Item #7, she recommended granting the *Motion* by *Order* only, effective immediately. Deputy Chair Brighton 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, March 23, 2017

ACCEPTED and APPROVED by the Commission on April 27, 2017.

Chairman William F. Russell

WYOMING PUBLIC SERVICE COMMISSION

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

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

Kristen Lee, Regulatory-Legislative Affairs Director, CenturyLink
Jason Hendricks, Chief Regulatory Officer, Range Telephone
Jason Keil, Manager-Regulatory, Cheyenne Light, Fuel, and Power
Heather McDowell, Associate General Counsel, Cheyenne Light, Fuel, and
Power

Rick A. Thompson, Counsel, Dyno Nobel, Inc. by telephone
Dale W. Cottam, Counsel, HollyFrontier Cheyenne Refining LLC, by
telephone

Stefanie Boster, Counsel from Hickey & Evans LLP, Microsoft Corporation
Cameron L. Sabin, Counsel, Microsoft Corporation, by telephone

Office of Consumer Advocate (OCA): Chris Leger, Counsel

Commission Staff (CS): Katie Koski, Steve Mink, John Burbridge, Lori
Brand, Rachel Meeker, and Marci Norby

CONSENT AGENDA

1. **Undocketed. Minutes for review from Open Meeting from February 28, 2017, as prepared by Barbara Tomlinson.**
2. **Docket No: 70014-39-TA-16 (Record No. 14617). Informational filing of TCT West as required by the Federal Communications Commission's CAF/ICC Transformation Order and 47 C.F.R. §§ 54.304(d)(1) and 51.917(d)(1)(vii). Commission to consider and act on *Petition for Confidential Treatment (Petition)* filed on December 19, 2016.**
3. **Docket No: 70011-49-TA-16 (Record No. 14618). Informational filing of Tri-County Telephone Association, Inc., as required by the Federal Communications Commission's CAF/ICC Transformation Order and 47 C.F.R. §§ 54.304(d)(1) and 51.917(d)(1)(vii). Commission to consider and act on *Petition for Confidential Treatment (Petition)* filed on December 19, 2016.**
4. **Docket No. 74487-9-TA-17 (Record No. 14666). Notification of ANPI Business, LLC to discontinue residential long distance services on June 1, 2017. Commission to consider acceptance for filing of the notification.**
5. **Docket No. 20003-156-EP-17 (Record No. 14649). Application of Cheyenne Light, Fuel, and Power Company d/b/a Black Hills Energy for authority to increase its power cost adjustment by \$0.00468 per kWh for the period April 1, 2017, through March 31, 2018. Commission to consider and act on:**

- a. **Dyno Nobel, Inc.’s *Petition to Intervene (Petition)* filed on March 23, 2017;**
- b. **Microsoft Corporation’s *Petition to Intervene (Petition)* filed on March 24, 2017;**
- c. ***Motion for Admission Pro Hac Vice of Cameron L. Sabin (Motion)* filed on March 24, 2017;**
- d. **HollyFrontier Cheyenne Refining LLC’s *Petition to Intervene (Petition)* filed on March 27, 2017.**
- e. **Office of Consumer Advocate’s *Request for Hearing (Request)* filed on March 27, 2017.**

Deputy Chair Fornstrom introduced the consent items. Deputy Chair Fornstrom moved to approve the minutes as written. Commissioner Cooley seconded the motion and Chairman Russell concurred. Katie Koski, Commission Counsel, recommended for items #2 and #3 granting both *Petitions* by *Letter Order* only, effective immediately. For item #4, she recommended accepting the *Notification for Filing* by *Letter Order* only, effective immediately. For item #5 Ms. Koski recommended granting the *Petitions to Intervene* in 5(a), 5(b) and 5(d), granting the *Motion* in 5(c) , and granting the *Request for Hearing* in 5(e), 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. 70003-184-TT-17 (Record No. 14654) Tariff filing of CenturyLink f/k/a CenturyTel of Wyoming, Inc., to revise the late payment penalty to \$0.000407 per day and revise the deposit interest rate language. Commission to consider and act on filing.** Tom Wilson, CS, provided a technical *Memo* dated March 24, 2017. Kristen Lee, Regulatory-Legislative Affairs Director for CenturyLink, explained that this is a Company wide effort to consolidate tariffs and standardize tariff language between Qwest, CenturyTel, and United. This is an access tariff filing for wholesale providers, resellers, and carriers. Ms. Lee stated the proposal does not affect residential customers. In this filing, the company is proposing to mirror the Qwest language and amount. There were no questions or comments. John Burbridge, Commission Counsel, recommended approval of the Application effective April 1, 2017, 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. 70009-476-TT-17 (Record No. 14655) Tariff filing of United Telephone Company of the West d/b/a CenturyLink of the West to revise the late payment penalty to \$0.000407 per day. Commission to consider and act on filing.** Tom Wilson, CS, provided a technical *Memo* dated March 24, 2017. Kristen Lee, Regulatory-Legislative Affairs Director for CenturyLink, indicated that the Company is filing to consolidate and standardize the tariffs and language. This filing lowers the late payment penalty. There were no questions or comments. John Burbridge, Commission Counsel, recommended

approval of the Application effective for use on or after April 1, 2017, 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. 70001-96-TT-17 (Record No. 14652). Tariff filing of Range Telephone Cooperative, Inc., for Phase 2 of the FCC Local Rate Floor Plan Increase. Commission to consider and act on Application.**

Tom Wilson, CS, Provided a technical *Memo* dated March 24, 2017. Jason Hendricks, Chief Regulatory Officer for Range Telephone provided a brief summary of the previous year. The Company is proposing an incremental price increase. Last year the Company's rates were increased to \$19.55 with this year needing to be above a benchmark of 20.00. Mr. Hendricks stated that the Company is raising rates via three phases and in increments, with this year's proposed increase to 20.40. The proposal to increase rates by \$0.85 is to comply with the FCC by June 2018. The Company is filing on the same schedule as last year with a built in buffer time. The Company has provided notification to customers on monthly bills and via the Company's website. Steve Mink, Commission Counsel, recommended approval of the Application by *Order* only, effective April 1, 2017. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

4. **Docket No. 30013-324-GP-17 (Record No. 14660). Application of Montana-Dakota Utilities Co. for authority to pass on a wholesale gas cost decrease of \$0.434 per Dth for Residential and Firm General Service customers, and Small and Large Interruptible customers, and a decrease of \$1.63 per Dth for Optional Seasonal Customers. Commission to consider and act on Application and *Petition for Confidential Treatment of Gas Pricing Information (Petition)*.**

Rachel Meeker, CS, provided a technical *Memo* dated March 24, 2017. Travis Jacobson, Regulatory Affairs Manager for Montana-Dakota Utilities Co. stated the Company is requesting a decrease due to a decrease in the overall commodity price partially offset by an increase in pipeline charges, to be effective for service rendered on or after April 1, 2017. Ms. Meeker advised that the footnote on page 2 of the *Memo* should say "The proposed rate decrease for MDU's Optional Seasonal General Gas Service rate class..." Katie Koski, Commission Counsel, recommended approval of the Application, for usage on and after April 1, 2017, and granting the *Petition for Confidential Treatment of Gas Pricing Information*, all by *Notice and Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

5. **Docket No. 20003-155-ET-16 (Record No. 14625) Application of Cheyenne Light, Fuel, and Power Company d/b/a Black Hills Energy to amend its Power Cost Adjustment tariffs as ordered in Docket No. 20003-148-EP-16. Commission to consider and act on Application.**

Dave Walker, CS, provided a technical *Memo* dated March 24, 2017. Jason Keil, Manager-Regulatory, Cheyenne Light, Fuel, and Power stated that the Company filed the proposed PCA tariff language in December to comply with the Commission's December 15, 2016, *Order*. In March, the Company filed a supplement to the original with clarifying edits. 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.

6. **Docket No. 20003-157-EA-17 (Record No. 14653) Application of Cheyenne Light, Fuel, and Power Company d/b/a Black Hills Energy to decrease its Electric Voluntary Renewable Energy Rider, effective April 1, 2017. Commission to consider and act on Application.** Tom Wilson, CS, provided a technical *Memo* dated March 24, 2017. Jason Keil, Manager- Regulatory, Cheyenne Light, Fuel, and Power stated that the decrease in administrative costs created a forecasted decrease for the next program year. The decrease in administrative costs is due to the cost of reconciliation on last year's programs that allowed this year's program to be more efficient. 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.

7. **Docket No. 20003-156-EP-17 (Record No. 14649). Application of Cheyenne Light, Fuel, and Power Company d/b/a Black Hills Energy for authority to increase its power cost adjustment by \$0.00468 per kWh for the period April 1, 2017 through March 31, 2018. Commission to consider and act on:**
 - a. *Petition for Confidential Treatment of Customer Usage, Cost, and Revenue Data in PCA Model and Workpapers (Petition) filed on February 16, 2017;*
 - b. *Amended Petition for Confidential Treatment of Customer Usage, Cost, and Revenue Data in PCA Model and Workpapers and Exhibit 4 (Normalized Earnings Report) (Amended Petition) filed on March 22, 2017; and*
 - c. **Company's request for interim approval of rates.**

Heather McDowell, Associate General Counsel, Cheyenne Light, Fuel, and Power stated that the Company filed a *Petition for Confidential Treatment* and a subsequent *Amended Petition for Confidential Treatment* for additional documents that were filed with the original PCA Application. The Company is obligated to request confidentiality for documents that could cause competitive harm to Microsoft. Jason Keil, Manager-Regulatory, Cheyenne Light, Fuel, and Power indicated that the Company is requesting interim approval of rates that are a continuation of the effective PCA credit rate that would drive the balancing account to a negative balance and would therefore create a more stable rate to customers. Chris Leger, Counsel, Office of Consumer Advocate stated that the Office of Consumer Advocate has no objections for 7(a), 7(b) or 7(c). Rick Thompson, Counsel, Dyno Nobel stated that the Company also has no objections to either the Petitions for Confidential Treatment or the interim rates. Dale Cottam, Counsel, HollyFrontier also has no objections. Cameron Sabin, Counsel, Microsoft stated that the Company does not oppose interim rates. Sabin advised that a document in Exhibit 4 was not designated as confidential and should have been. He stated that he has spoken with Cheyenne Light, Fuel, and Power's Counsel about the document, would like to know where Cheyenne Light, Fuel, and Power stands in regards to this, and would reserve the right to seek if necessary the opportunity to file a motion for document to be highly confidential. McDowell stated to the Commission that a column was missed in confidentially designations and, therefore, Cheyenne Light, Fuel, and Power filed the supplemental Petition. She stated that Cheyenne Light, Fuel, and Power had reached out to Mr. Cottam and Mr. Thompson to verify that confidential information is secure. Ms. Sabin advised that the Microgrid Management Fee which is a specific term in the contract between Cheyenne Light, Fuel, and Power and

Microsoft that reveals the relationship with the utility. She reserves the right to seek additional protection if interveners are not willing to receive a redacted version of the same document. Mr. Cottam stated that Todd Brink, Associate General Counsel for Cheyenne Light, Fuel, and Power, contacted him and he will consult with his consultants and respond to Mr. Brink. Mr. Thompson advised he has not had the opportunity to speak with Mr. Brink and will confer with his clients. Katie Koski, Commission Counsel, recommended granting the *Petition for Confidential Treatment*, as amended by the *Amended Petition* filed on March 22, 2017, listed in items 7(a) and 7(b), subject to further change and amendment based on Microsoft's reservation of objection and in item 7(c) staff recommended approval of the Company's request for interim rates for use on and after April 1, 2017, subject to notice, protest, intervention, refund, change, further investigation, opportunity for hearing, and such other orders as the Commission may deem appropriate, 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: Tuesday, April 4, 2017

ACCEPTED and APPROVED by the Commission on May 30, 2017

Chairman William F. Russell