

**BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING**

Minutes of Regular Open Meeting

**Wednesday, November 7, 2007, at 1:30 p.m.**

**Attendees**

**Commissioners:** Deputy Chairman Steve Oxley, presiding  
Commissioner Mary Byrnes

Dave Mosier, Rocky Mountain Power

Commission Staff: Blair Bales, Don Biedermann, Vicky Hansen, Barbara Iversen, Dave Lucero, Luy Luong, Steve Mink, Marci Norby, Chris Petrie, David Piroutek

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

**CONSENT AGENDA FOR ROUTINE ACTION ITEMS**

- Multiple Dockets. Discuss issuance of Special Order authorizing one Commissioner and/or Hearing Examiner to conduct public hearing set for December 11, 2007, at 9:00 a.m.**

<b><u>Public Service Commission (PSC)--Annual Report</u></b>			
<b>Docket No.</b>	<b>Company Name</b>	<b>Docket No.</b>	<b>Company Name</b>
74615-3-TI-07	McGraw Communications, Inc.	74626-4-TI-07	Telewest IV, Inc.
70044-5-TI-07	Tel West Communications, Inc.	74649-3-TI-07	AmeriVon LLC
74177-4-TI-07	Preferred Carrier Services, Inc.	74657-3-TI-07	Yestel USA, Inc.
74604-6-TI-07	Yak Communications (America) Inc.	74661-2-TI-07	New Horizons Communications Corp
		80002-13-TI-07	Red Lane Domestic Water, Inc.
<b><u>Department of Revenue (DOR)—Utility Assessment Report</u></b>			
<b>Docket No.</b>	<b>Company Name</b>	<b>Docket No.</b>	<b>Company Name</b>
74206-TI-07	Least Cost Routing a/k/a Long Distance Charges	74239-2-TI-07	Buehner-Fry, Inc. d/b/a DirectDial USA
<b><u>PSC--Annual Report (Missing Oath and Verification Page Only)</u></b>			
<b>Docket No.</b>	<b>Company Name</b>	<b>Docket No.</b>	<b>Company Name</b>
50036-7-TI-07	Anschutz Wahsatch Gathering System, Inc.	74106-58-TI-07	Comtel Telecom Assets LP
70019-11-TI-07	Comtel Telecom Assets LP	74015-57-TI-07	Comtel Telecom Assets LP
70020-26-TI-07	Comtel Telecom Assets LP	74077-67-TI-07	Comtel Telecom Assets LP
70092-24-TI-07	Comtel Telecom Assets LP		

<b><u>PSC &amp; DOR</u></b>				
<b>Docket No.</b>	<b>Company Name</b>		<b>Docket No.</b>	<b>Company Name</b>
70018-12-TI-07	Preferred Carrier Services, Inc		74635-2-TI-07	Telmex USA, LLC
74556-2-TI-07	ACCXX Communications, LLC {PSC—Missing Oath and Verification Page Only}			

**2. Undocketed. Open Meeting Minutes for review by the Commission for the Regular Open Meetings of September 12 and September 27, 2007. Prepared by: Deborah McFerrin. (No memo; see attached copies of the listed Minutes.)**

Deputy Chairman Oxley introduced the consent agenda items and asked if there were any requests to withdraw an item for further consideration. There were no such requests nor any comments or questions. Steve Mink, Commission Counsel, recommended approval of the issuance of a Special Order for the multiple docketed items. Commissioner Byrnes moved to take action as recommended. Deputy Chairman Oxley seconded the motion. Deputy Chairman Oxley then moved to accept the minutes in Item 2 as submitted. Commissioner Byrnes seconded the motion.

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**REGULAR AGENDA ITEMS**

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1. **Docket No. 20000-287-EA-07 (Record No. 11323) Rocky Mountain Power (RMP) request for authority to sell 13.85 miles of transmission line to Basin Electric Power Cooperative (Basin) and dismantle Goose Creek Switching Station.** Don Biedermann, Commission Advisory Staff (CAS), provided a technical memo dated October 30, 2007. Dave Mosier, RMP Regulatory Manager for Wyoming, discussed the details that led to Basin's interest in purchasing the transmission line from RMP. He also provided the Commission with a map showing the exact segment of the transmission line that Basin would be purchasing and the location of the Goose Creek Switching Station which would be dismantled. There were no further questions or comments. Mr. Biedermann recommended the Commission issue an Order granting the request for the sale of 13.85 miles of transmission line to Basin and the dismantling of Goose Creek Switching Station effective immediately. Commissioner Byrnes moved to take action as recommended. Deputy Chairman Oxley seconded the motion.
  
2. **Docket No. 20000-257-EA-06 (Record No. 10794) Amended application of Rocky Mountain Power (RMP) for approval to submit a preliminary and a final depreciation study. The Commission to consider the following:**
  - a. **RMP's Petition to Vacate Scheduled Public Hearing and to Reschedule a Public Hearing After February 1, 2008; and**
  
  - b. **Office of Consumer Advocate's Motion to Toll Pre-Filed Testimony Deadline Pending Resolution of RMP's Petition to Vacate Scheduled Public Hearing.**  
 Dave Mosier, RMP Regulatory Manager for Wyoming, stated the state of Utah will hold a hearing beginning on January 17, 2008, which could directly affect the results of

RMP's pending application in front of the Commission. RMP disagrees with the issues pending in Utah and feels they do not serve the public interest. Mr. Mosier stated that the intervenors, staff, and OCA had met and said all concerned agree that rescheduling the public hearing until after the Utah decision is made will result in a better outcome for everyone involved. Denise Parrish, OCA, stated if Utah does not prevail on these issues then OCA will have to decide exactly what position it will take. She agreed that it would be more efficient to wait for the Utah decision. Although there is some difficulty in rescheduling the public hearing due to the unknown date of the decision by the Utah commission, Deputy Chairman Oxley suggested that the Commission reschedule the December 3<sup>rd</sup> public hearing for February 22, 2008, with RMP's pre-filed testimony due on February 8, 2008, and OCA's pre-filed testimony due on February 13, 2008. There being no further comments or questions, Commissioner Byrnes moved to vacate the December 3, 2007 public hearing, reschedule it for February 22, 2008, and to grant OCA's motion with RMP's pre-filed testimony due on February 8, 2008, and OCA's pre-filed testimony due on February 13, 2008. Deputy Chairman Oxley seconded the motion.

3. **Docket No. 10012-51-CT-07 (Record No. 11292) Application of Lower Valley Energy, Inc., for authority to establish an Optional Irrigation Rate of \$0.0560 per kilowatt hour.** Luy Luong, Commission Advisory Staff (CAS), provided a technical memo dated October 31, 2007. Mike McBride, Lower Valley Energy, said they had conducted several meetings with their irrigation customers and many had shown an interest in returning to the previous pilot flat rate design. The proposed optional irrigation rate would only affect one half of one percent of the Company's customers. During the most recent customer meeting held, many irrigators signed up for the optional rate when and if it became available. Mr. Luong stated that the current irrigation tariff would remain in effect but adding the optional irrigation rate would be useful. There were no further questions or comments. Dave Lucero, Commission Counsel, stated that this request had been noticed and recommended approval of Lower Valley's request to establish an optional irrigation rate of \$0.0560 per kilowatt hour effective December 1, 2007. Commissioner Byrnes moved to take action as recommended. Deputy Chairman Oxley seconded the motion.
  
4. **Docket No. 74096-29-TI-07 (Record No. 11338) – Touch 1 Communications, Inc. Commission to consider issuing an Order canceling the operating authority of the company for failure to comply with certain requirements of Wyoming law. The show cause public hearing was held on September 25, 2007.** Barbara Iversen, Commission Advisory Staff, said she attempted to contact the company several times, but their phone lines were disconnected and mail was returned. Steve Mink, Commission Counsel, stated Touch 1 Communications has a delinquency with the Secretary of State and has failed to address that issue. They failed to appear at the show cause hearing where Ms. Iversen testified regarding Touch 1's failure to correct its problems with the Commission. There were no further comments or questions. Mr. Mink recommended the issuance of an Order canceling Touch 1 Communications' operating authority effective immediately. Commissioner Byrnes moved to take action as recommended. Deputy Chairman Oxley seconded the motion.

5. **Multiple Show Cause Proceedings:**

**Docket No. 74507-3-TI-07 (Record No. 11327) - Access One, Inc.**

**Docket No. 74122-24-TI-07 (Record No. 11328) - Business Telecom, Inc.**

**Docket No. 74376-12-TI-07 (Record No. 11329) - Clear World Communications**

**Docket No. 74484-4-TI-07 (Record No. 11330) - Comtech21, LLC.**

**Docket No. 74591-3-TI-07 (Record No. 11331) - Entrix Telecom, Inc.**

**Docket No. 74431-13-TI-07 (Record No. 11332) - Legacy Long Distance  
International, Inc.**

**Docket No. 74260-4-TI-07 (Record No. 11333) - Net One International**

**Docket No. 74524-8-TI-07 (Record No. 11334) - Network US, Inc. d/b/a CA Affinity**

**Docket No. 74282-3-TI-07 (Record No. 11335) - PNG Telecommunications, Inc.**

**Docket No. 74539-4-TI-07 (Record No. 11336) - QX Telecom, LLC**

**Docket No. 74601-3-TI-07 (Record No. 11337) - Telrite Corporation**

**Commission to consider issuing Letter Orders dismissing the show cause proceedings initiated against the above-listed companies as they have complied with appropriate filing and reporting requirements and are no longer in violation of Wyoming law.** Steve Mink, Commission Counsel, said that all of the companies are now in compliance with their legal requirements. There were no further comments or questions. Mr. Mink recommended issuance of a Letter Order dismissing the show cause proceedings against all of the above-listed companies. Commissioner Byrnes moved to take action as recommended. Deputy Chairman Oxley seconded the motion.

A full audio transcript is available upon request.

Next Open Meeting: Friday, November 9, 2007, at 10:30 a.m.

Prepared by: Angie Elliott.

ACCEPTED and APPROVED by the Commission on the 29<sup>th</sup> day of November 2007.

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Kathleen A. "Cindy" Lewis, Chairman

# BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

Minutes of Regular Open Meeting  
Thursday, November 29, 2007, at 1:30 p.m.

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## Attendees

**Commissioners:** Chairman Kathleen A. "Cindy" Lewis, presiding  
Deputy Chairman Steve Oxley  
Commissioner Mary Byrnes

Gary Abbate, SourceGas Distribution LLC (by telephone)  
Bruce Asay, counsel for Pinedale Natural Gas, Inc., and for Montana-Dakota Utilities Company  
Sean Evans Hawkins, North Star Utility (by telephone)  
David Hedrick, C. H. Guernsey & Co. (by telephone)  
Jim Huddleson, Consultant for City of Torrington  
Bob Juve, Engineer, City of Torrington  
Mike McBride, Lower Valley Energy  
Dave Mosier, Rocky Mountain Power  
Hon. Leroy Schafer, Mayor, City of Torrington  
Mike Searcy, C. H. Guernsey & Co. (by telephone)  
Shawn Taylor, Wyoming Rural Electric Association  
Jeff Umphlett, Big Horn Rural Electric Company  
John Wylie, counsel for North Star Utility (by telephone)

Commission Staff: Blair Bales, Don Biedermann, Angie Elliott, Vicky Hansen, Dave Lucero, Steve Mink, Marci Norby, David Piroutek, Art Schmidt, Barbara Taylor-Iversen

## CONSENT AGENDA FOR ROUTINE ACTION ITEMS

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- 1. Docket Nos. 70000-1360-TK-07 and 70017-71-TK-07 (Record No. 11460) Contract filing of Qwest Corporation for authority to enter into rate amendment number 7 to the wireline interconnection agreement with AT&T Communications of the Mountain States, Inc.**
- 2. Docket No. 30005-113-GT-07 (Record No. 11317) Application of Cheyenne Light, Fuel and Power Company for authority to amend its GCA tariffs to change the filing period from annually to Quarterly, and**  
**Docket No. 30005-114-GP-07 (Record No. 11367) Application of Cheyenne Light, Fuel and Power Company for authority to pass on a wholesale gas cost increase of \$0.8704 per Decatherm to its customers and \$1.5669 per decatherm to its interruptible class customers.**

**Commission to consider issuing a Special Order authorizing one Commissioner and/or Hearing Officer to preside at the consolidated public hearing on December 17, 2007.**

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

<b>September 7, 2007</b>	<b>October 16, 2007</b>
<b>October 1, 2007</b>	<b>October 18, 2007</b>
<b>October 12, 2007</b>	<b>November 7, 2007.</b>

Chairman Lewis introduced the consent agenda items and asked if there were any requests to withdraw an item for further consideration. There were no such requests nor any comments or questions. Steve Mink, Commission Counsel, recommended approval of Items 1 and 2 by Orders only, effective immediately. Deputy Chairman Oxley moved to take action as recommended and to approve the listed Open Meeting Minutes as submitted. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.

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**REGULAR AGENDA ITEMS**

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- 1. Docket No. 20000-306-EA-07 (Record No. 11531) Application of Rocky Mountain Power (RMP) for authority to lease property to SME Steel Contractors, Inc., a Utah Corporation, for a parking area.** Art Schmidt, Commission Advisory Staff (CAS), provided a technical memo dated November 21, 2007. Dave Mosier of RMP said this application is for a 15-year lease for a parking lot, and he said revenues will be credited against the cost of service in future rate cases. Mr. Mosier said the lease would not affect RMP's ability to operate or maintain transmission lines and would not affect any customers. There were no further comments or questions. Vicky Hansen, Commission Counsel, recommended approval of the application by Order only, effective immediately. Deputy Chairman Oxley moved to take action as recommended. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.
- 2. Docket No. 30013-195-GP-07 (Record No. 11520) Application of Montana-Dakota Utilities Company (MDU) for authority to pass on a wholesale gas cost increase of \$1.680 per dth for residential, general service, small and large interruptible customers, and \$1.679 per dth for optional seasonal customers. Commission to consider pass-on application and petition for confidential treatment of exhibit 3A.** (Note: The published agenda incorrectly indicated a request for a cost decrease. The application was for an increase.) Bruce Asay, counsel for MDU, said this filing is for an adjustment due to an increase in the cost of gas. He said the effect on Wyoming customers would be very small, and the increase would have no impact on MDU's rate of return. There were no further comments or questions. Jess Bottom, CAS, recommended approval of the application by Notice and Order, effective immediately, for usage on and after December 1, 2007, and further recommended approval of MDU's request for confidential treatment of Exhibit 3A. Deputy Chairman Oxley moved to take action as recommended, and Commissioner Byrnes seconded the motion. Chairman Lewis concurred. The Commission discussed the need for accuracy in agendas so that the level of public participation in open meetings, as well as the general accuracy of information

coming to the public, are not influenced by misapprehension of the subject actually being considered.

- 3. Docket No. 30016-48-GA-07 (Record No. 11298) Application of Pinedale Natural Gas, Inc. (PNG), for authority to obtain an amended Certificate of Public Convenience and Necessity for expansion of the Pinedale certificated area.** Marci Norby, CAS, provided a technical memo dated November 27, 2007. Bruce Asay, counsel for PNG, said this application results from the rate case, where it was found PNG is providing service in uncertificated areas beyond its currently-certificated territory. Mr. Asay said the requested area would incorporate existing customers and allow for future growth. Blair Bales, Commission Counsel, expressed concerns with the application: (1) the company was ordered in 1995 to file for and obtain commission approval prior to providing service outside its certificated area, but service outside the area began in 2006 without such approval; (2) the Commission Order resulting from the rate case required PNG to file an application to include customers outside the certificated area, but the applied-for area is far larger than what was ordered; (3) the application contains vague responses to the information required by Rule 204; and (4) the application states the company will unilaterally decide whether or not to provide service to customers in its territory although it is obligated to provide service to all customers within that area. After further discussion, Deputy Chairman Oxley moved to table this item until PNG complies with staff information requests to staff's satisfaction with that compliance to be in the form of actual facts as opposed to cross-references. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.
- 4. Docket No. 80021-3-WT-07 (Record No. 11136) Application of North Star Utility for authority to establish its Tariffs, and Rules and Regulations.** Art Schmidt, David Piroutek and Don Biedermann, CAS, provided a technical memo dated November 27, 2007. John Wylie, counsel for North Star Utility, said the company is now ready to provide service and wishes to finalize its tariffs, rules and regulations. Mr. Wylie responded to questions from the Commissioners and staff regarding changes which have been made in the tariffs since submission, and provided clarification of some descriptions and wording used. There were no further comments or questions. Mr. Schmidt recommended approval of the application upon receipt of requested amendments to the tariff and rules as indicated in the discussion with the changes to be provided within 24 hours to allow an effective date of December 1. Deputy Chairman Oxley moved to approve the application with the changes discussed by Order only, effective immediately, provided that service will not be furnished until conforming tariffs are submitted to the Commission, reviewed by staff and subsequently approved by the Commission in an open meeting. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.
- 5. Docket No. 10019-37-CP-07 (Record No. 11516) Big Horn Rural Electric Company (Big Horn) application for a pass-on increase of \$544,595.** Don Biedermann, CAS, provided a technical memo dated November 16, 2007. Jeff Umphlett, Big Horn Rural Electric, said the change is due to an increase from Big Horn's supplier, Tri-State Generation and Transmission Association. Mr. Umphlett said the board of directors voted to pass on the increase to Big Horn's customers, and the customers have been notified in

newsletters and by information on Big Horn's website. Responding to Commission questions, Mr. Umphlett said Big Horn has an all-requirements contract with Tri-State Generation through 2050 which allows the purchase of limited amounts of renewable energy from other suppliers. There were no further comments or questions. Mr. Biedermann recommended approval of the application by Notice and Order, effective immediately, for usage on and after January 1, 2008. Deputy Chairman Oxley moved to take action as recommended. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.

6. **Docket No. 12000-11-CP-07 (Record No. 11452). Application of the City of Torrington, Wyoming, for authority to pass on a total increase of \$291,058 in wholesale electric power costs to its customers served in Goshen County, in its service area but outside of the city limits and therefore under Commission jurisdiction.** Darrell Zlomke, CAS, provided a technical memo dated November 20, 2007. Mayor Leroy Shafer said this application pertains to the 20% or 762 customers who are located outside the city limits. Mr. Shafer said the current contract with Wyrulec expires December 31, 2007, and a new contract has been entered into with the Municipal Energy Association of Nebraska (MEAN) after evaluation of proposals from both suppliers. The new contract results in an 11% increase which will be passed on equally to customers within the city limits. Mr. Shafer added that the MEAN contract is better for the long term, and he said a complete cost of service study will be prepared after obtaining sufficient data. There were no further comments or questions. Steve Mink, Commission Counsel, recommended approval of the application by Notice and Order, effective immediately, for usage on and after January 1, 2008. Deputy Chairman Oxley moved to take action as recommended. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.
7. **Docket No. 30018-36-GP-07 (Record No. 11521) Lower Valley Energy, Inc., application for a pass-on increase in wholesale propane cost of \$0.4496 per hundred cubic feet.** Don Biedermann, CAS, provided a technical memo dated November 15, 2007. Mike McBride, Lower Valley Energy, said the requested increase is due to volatility in propane pricing. He also said the company currently has a large undercollection in its commodity balancing account and fears this balance would continue to increase if the company waits to adjust prices in its next general rate case. Mr. McBride, responding to questions, said some of the mobile home parks currently being served with propane will be switched to natural gas upon completion of the pipeline already approved, but he said, offsetting this switch, much of the new construction in the area is relying on propane rather than electricity for heating. There were no further comments or questions. Mr. Biedermann recommended approval of the application by Notice and Order, effective immediately, for usage on and after December 1, 2007. Deputy Chairman Oxley moved to act as recommended. Commission Byrnes seconded the motion, and Chairman Lewis concurred.
8. **Docket No. 30022-103-GP-07 (Record No. 11505) SourceGas Distribution LLC, f/k/a Kinder Morgan, Inc., has filed for consideration a Pass-On Rate [Regulated Rate] Cost Adjustment applicable to the Casper Division customers who chose or defaulted to this option during the sign-up period for the current Choice Gas**

**Service Program year. SourceGas has also petitioned for confidential treatment under Section 120 for gas supply contracts. The proposed effective date is December 1, 2007, and reflects a net decrease of \$0.6725 per Dth.** Luy Luong, CAS, provided a technical memo dated November 19, 2007. Gary Abbate, SourceGas, said the application is for the quarterly pass-on cost adjustment applicable to Casper customers with a proposed effective date of December 1, 2007. He said the decrease results from changes in the commodity rate, the surcharge rate and the working gas storage adjustment for a decrease to the average customer of about 14.35% from the previous year and a decrease of 8.25% compared to current rates. Mr. Abbate also requested confidential treatment be granted to the application's Exhibit E, a summary of gas supply contracts and terms. There were no further comments or questions. Steve Mink, Commission Counsel, recommended approval of the application by Notice and Order, effective immediately, for usage on and after December 1, 2007, and approval of the request for confidential treatment. Deputy Chairman Oxley moved to take action as recommended. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.

9. **Docket No. 30022-104-GP-07 (Record No. 11506). Application of SourceGas Distribution, LLC, (Torrington Division) for authority to pass on through its commodity balancing account a decrease of \$1.1799 per dth to its Pass-On Rate [Regulated Rate] customers. Commission to consider pass-on application and petition for confidential treatment of exhibit E.** Jess Bottom, CAS, provided a technical memo dated November 27, 2007. Gary Abbate, Source Gas, said the application is the result of decreases in three components -- the commodity rate, the surcharge rate and the working gas storage adjustment. He said the total decrease for the average customer would be approximately 10.5% from the current rate and an increase of 4.8% compared to the same time in the previous year. There were no further comments or questions. Jess Bottom, CAS, recommended approval of the application by Notice and Order, effective immediately, for usage on and after December 1, 2007, and approval of the request for confidential treatment. Deputy Chairman Oxley moved to take action as recommended. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.
10. **Docket No. 30022-105-GP-07 (Record No. 11507) Application of SourceGas Distribution LLC, formerly Kinder Morgan, Inc., (Gillette Division) for authority to pass-on through its commodity balancing account a decrease of \$0.6120 per Dth to its Pass-On Rate [Regulated Rate] customers. SourceGas has also petitioned for confidential treatment under Section 120 for gas supply contract information in application.** Art Schmidt, CAS, provided a technical memo dated November 20, 2007. Gary Abbate, SourceGas, said the application would pass on a decrease in the commodity and surcharge rates for customers in Gillette. He said the proposed decrease would be approximately 7.2% for the average customer from the current rates and a decrease of 18.75% compared to the previous year. Mr. Abbate also requested confidential treatment of the application's Exhibit E. There were no further comments or questions. Steve Mink, Commission Counsel, recommended approval of the application by Notice and Order, effective immediately, for usage on and after December 1, 2007, and approval of the request for confidential treatment. Deputy Chairman Oxley moved to take action as

recommended. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.

11. **Docket No. 70087-6-TA-07 (Record No. 11325) Letter notification of New Access Communications LLC, regarding authority to cancel its Certificate of Public Convenience and Necessity to do business in Wyoming.** Barbara Taylor-Iversen, CAS, provided a technical memo dated November 26, 2007. Blair Bales, Commission Counsel, said a letter was received from the company asking for cancellation of its certificate as it is no longer doing business in Wyoming and has no customers in the state. Ms. Bales said there were four customers who are now receiving service from another provider, and they have been notified of the change. There were no further comments or questions. The Commission decided to treat the letter notification as an application to cancel the company's certificate of public convenience and necessity. Ms. Bales recommended approval of the cancellation by Order only. Deputy Chairman Oxley moved to take action as recommended. Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.
  
12. **Docket No. 90000-99-XO-07 (Record No. 11311) Proposed adoption of Section 318 of the Commission's Procedural Rules and Special Regulations regarding the non-applicability of several Commission Rules to Rural Electric Cooperatives that become exempt from retail rate regulation under W.S. § 37-17-103. Commission to review and consider the public comment received in this matter and possibly adopt final rules.** Don Biedermann, CAS, provided a technical memo dated November 21, 2007. Shawn Taylor, Wyoming Rural Electric Association (WREA), commented that he thought the rule should be more explicit in its reference to the state law to clarify procedures for obtaining exemption and for returning to Commission regulation if so desired. There were no further comments or questions. Deputy Chairman Oxley said the proposed change would not be material and moved to adopt the proposed Rule 318 in its current form with the non-material clarification that "W.S. 37-17-103" be deleted and replaced with the more accurate statutory reference: "Wyoming Statutes Title 37, Chapter 17." Commissioner Byrnes seconded the motion, and Chairman Lewis concurred.

A full audio transcript is available upon request.

Next Open Meeting: Friday, November 30, 2007, at 11:30 a.m.

Prepared by: Deborah McFerrin.

ACCEPTED and APPROVED by the Commission on the 30<sup>th</sup> day of January 2008.

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Kathleen A. "Cindy" Lewis, Chairman

# BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

Minutes of Regular Open Meeting  
Friday, November 30, 2007, at 11:30 a.m.

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## Attendees

**Commissioners:** Chairman Kathleen A. "Cindy" Lewis, presiding  
Deputy Chairman Steve Oxley  
Commissioner Mary Byrnes

John Wylie, counsel for North Star Utility (by telephone)

Commission Staff: Blair Bales, Shirley McCown, David Piroutek, Art Schmidt

## REGULAR AGENDA ITEMS

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- 1. Docket No. 80021-3-WT-07 (Record No. 11136) Application of North Star Utility for authority to establish its Tariffs, and Rules and Regulations. Commission to consider tariffs submitted on November 29, 2007.** John Wylie, counsel for North Star Utility, reviewed the changes submitted. He said the changes were based on staff and consumer input and did not change any dollar amounts in the original submission. Mr. Wylie also pointed out a change to reflect monthly rather than quarterly billing as this change does not appear in the prior version reviewed by staff. The Commission questioned the mention of the Flying Saddle Lodge in the rules and regulations, and Mr. Wylie said this would be removed. There were no further comments or questions. Blair Bales, Commission Counsel, recommended approval of the application by Order only, effective immediately, for usage on and after December 1, 2007, with the requirement that the company submit a new definition section without a reference to the Flying Saddle Lodge. Deputy Chairman Oxley moved to act as recommended, and Commissioner Byrnes seconded the motion. Chairman Lewis concurred.

A full audio transcript is available upon request.

Next Open Meeting: Wednesday, December 5, 2007, at 1:30 p.m.

Prepared by: Deborah McFerrin.

ACCEPTED and APPROVED by the Commission on the 30<sup>th</sup> day of January 2008.

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Kathleen A. "Cindy" Lewis, Chairman