

# **WYOMING PUBLIC SERVICE COMMISSION**

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

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

Tamie Aberle, Director of Regulatory Affairs, Montana-Dakota Utilities Co. (MDU)  
Bruce Asay, Associated Legal Group, LLC, Counsel for MDU  
Stephanie Bosch, Regulatory Affairs Manager, MDU (by telephone)  
Nicole Kivisto, President and CEO, MDU (by telephone)  
Garrett Senger, Executive Vice President of Regulatory Affairs, Gas Supply and Customer Service, MDU (by telephone)  
Bob Morman, Director of Gas Supply, MDU (by telephone)  
Karen Collins, Liaison of Gas Supply, MDU (by telephone)

## **CONSENT AGENDA**

1. **Undocketed. *Minutes* for review from the Open Meetings of August 17, 28, September 5, 12, 14 and October 12, 2017, as prepared by Barbara Tomlinson.**
2. **Docket No. 74386-9-TA-17 (Record No. 14864). Notification of Teton Telecom Long Distance requesting authority to cancel their Registration Authority to do business in Wyoming. Commission to consider acceptance of the Notification for filing.**
3. **Docket No. 76136-1-TA-17 (Record No. 14861). Notification of Bandwidth Inc. f/k/a Bandwidth.com, Inc. requesting authority to cancel their Registration Authority to do business in Wyoming. Commission to consider acceptance of the Notification for filing.**
4. **Docket No. 20000-522-EK-17 (Record No. 14823). Purchase Power Contracts between Rocky Mountain Power and Sage Solar I, LLC, and Sage Solar II, LLC. Commission to consider acceptance of contracts for filing. Jess Bottom, CS, provided a technical *Memo* dated October 31, 2017.**
5. **Docket No. 20000-518-EA-17 (Record No. 14736). Application of Rocky Mountain Power (RMP) for approval of Schedule 37, Standard Rates for Purchases of Power from Qualifying Facilities. Commission to consider and act on RMP's *Petition for Confidential Treatment and Protective Order (Petition)* filed on May 31, 2017.**
6. **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. 8. Commission to consider and act on Rocky Mountain Pipeline System LLC's *Petition For Confidential Treatment of Documents (Petition)* filed on August 22, 2017.**
7. **Docket No. 30013-326-GA-17 (Record No. 14724). Application of Montana-Dakota Utilities Co. for authority to reverse the waiver to allow requalification of employees**

**on an alternative schedule. Commission to consider and act on Application.** Dave Piroutek, CS, provided a technical *Memo* dated November 1, 2017.

Chairman Russell introduced the consent items. For Item #1, Deputy Chair Fornstrom moved to approve the minutes as prepared. Commissioner Cooley seconded the motion and Chairman Russell concurred. For Items #2 and #3, Steve Mink, Commission Counsel, recommended acceptance of the Notifications for filing. For Item #4, he recommended acceptance of the contract for filing. For Items #5 and #6, he recommended granting the *Petitions*. Finally, for Item #7, he recommended approval of the Application with all of the foregoing recommendations to be 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. 30013-329-GT-17 (Record No. 14747). Application of Montana-Dakota Utilities Co. for authority to revise Transportation Service Rates 81 and 82 and related gas agreement. Commission to consider and act on Application.** Rachel Meeker, CS, provided a technical *Memo* dated November 1, 2017. Stephanie Bosch, MDU's Regulatory Affairs Manager, explained this application is to revise rates, removing duplicate provisions, and updating it for current practices to improve understanding of the balancing account. She said customers have been advised of the changes by letter and new agreements will be signed following Commission approval. There were no questions. Lori Brand, Commission Counsel, noted the effective date will be retroactive to November 1, 2017. She recommended approval of the application for use on and after November 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. 30013-319-GT-16 (Record No. 14559). Tariff filing of Montana-Dakota Utilities Co. 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 October 31, 2017. Tamie Aberle, presented the Company's revised tariffs. Steve Mink, Commission Counsel, recommended approval of the tariff filing with the following changes from the Commission Staff recommendations:
  - Pts. 1, 3, 5, 6, and 9 are adopted;
  - Pt. 4, only the second bullet point is adopted; and
  - Pt. 8, the Company is required to provide overtime rates to Commission Staff and investigate placing certain overtime language in the tariff and providing such service;

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

**Docket No. 20004-120-ET-16 (Record No. 14560). Tariff filing of Montana-Dakota Utilities Co. 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 October 31, 2017. Tamie Aberle, MDU's Director of Regulatory Affairs, and Bruce Asay, Counsel presented the Company's revised tariffs and Company position on Staff recommendations. John Burbridge, Commission Counsel, recommended approval of the tariff filing with the following changes from the Commission Staff recommendations:

- Pts. 1, 2, 3, 6, 7, 8, 10 and 11 are adopted;
- Pt. 4 – the Company will work with Commission Staff to resolve the net-metering section and address any issue regarding indemnity and will address the issues in a compliance filing;
- Pt. 5 is adopted with the same changes as discussed in Docket No. 30013-319-GT-16;
- Pt. 9 is adopted with the same as changes as discussed Docket No. 30013-319-GT-16;
- All housekeeping items are adopted; and
- A compliance filing to be made within 45 days from today's date.

Mr. Burbridge 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.

Prepared by: Barbara Tomlinson

Date of Next Open Meeting: Thursday, November 9, 2017.

ACCEPTED and APPROVED by the Commission on January 11, 2018.

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Chairman William F. Russell

# WYOMING PUBLIC SERVICE COMMISSION

Minutes of Regular Open Meeting  
Thursday, November 16, 2017  
1:30 p.m.

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

Commission Staff (CS): John Burbridge, Lori Brand, Steve Mink, Michelle Bohanan, Kara Seveland, Rachel Meeker, Morgan Fish, Tom Wilson

## CONSENT AGENDA

1. **Undocketed: Minutes for review from the Open Meeting of September 28, 2017, as prepared by Sylvia Sanchez.**
2. **Multiple Dockets. Commission to consider: [i] issuance of *Orders to Show Cause* to revoke the authorities or certificates held by the following companies for failure to comply with Wyoming Law and/or the Commission Rules; and [ii] consider issuance of *Special Orders Authorizing One Commissioner and/or Presiding Officer to Conduct Public Hearing*.**

### PSC – Failure to file Annual Report, Oath or both.

70022	Ionex Communications North, Inc.	70091	Vitcom, LLC
70106	IDT America, Corp.	70211	INetworks Group, Inc.
74137	Primus Telecommunications, Inc.	74171	Ionex Communications North, Inc.
74260	Net One International, Inc.	74352	Alliance Group Services, Inc.
74439	Miracle Communications, Inc.	74501	Encompass Communications, LLC
74513	Total Call International, LLC	74613	WDT World Discount Telecommunications Co.
74683	iNetworks Group, Inc.		

### Department of Revenue (DOR) – Failure to pay Public Service Assessment

70116	BullsEye Telecom	74627	BullsEye Telecom
70005	Chugwater Telephone Co.	50009	Platte Pipeline Company
70022	Ionex Communications North	74171	Ionex Communications North
50002	Wamsutter Pipeline	10007	Willwood Light & Power Co.
70107	XO Communications Services	74442	XO Communications Services
70106	IDT America Corp.	76126	Telmate
74109	Qwestar InfoComm	70221	Mitel Cloud Services, Inc.
74571	Mitel Cloud Services	62053	Mitel Cloud Services, Inc.

3. **Docket No. 20000-514-EA-17 (Record No. 14696). Application of Rocky Mountain Power for Authority to decrease current rates by \$15.7 million to refund deferred net power costs under Tariff Schedule 95, Energy Cost Adjustment Mechanism and to decrease current rates by \$528 thousand under Tariff Schedule 93, Rec and S02 Revenue Adjustment Mechanism. Commission to consider and act on:**
  - a. **Rocky Mountain Power's *Motion Admission Pro Hac Vice of Cameron L. Sabin (Motion)*;and**
  - b. **Rocky Mountain Power's *Motion for Admission Pro Hac Vice of David Matthew Moscon (Motion)*.**
4. **Docket No. 70022-46-TT-17 (Record No. 14719). Tariff filing of Ionex Communications North, Inc. d/b/a Birch Communications, for authority to make changes to Wyoming P.S.C. Tariff No. 3. Commission to consider and act on tariff filing.** Tom Wilson, CS, provided a technical *Memo* dated November 8, 2017.
5. **Docket No. 20000-524-EC-17 (Record No. 14836). Formal complaint filing by David Wilson against Rocky Mountain Power. Commission to consider 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, Deputy Chair Fornstrom moved to approve the minutes as prepared. Commissioner Cooley seconded the motion and Chairman Russell concurred. For Items #2 and #5, John Burbridge, Commission Counsel, recommended issuance of *Special Orders*, by *Order* only, effective immediately. For Item #3, he recommended granting the *Motions* by *Order* only, effective immediately. For Item #4, he recommended acceptance of the 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.

Prepared by: Barbara Tomlinson

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

ACCEPTED and APPROVED by the Commission on January 11, 2018.

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Chairman William F. Russell

# **WYOMING PUBLIC SERVICE COMMISSION**

Minutes of Special Open Meeting  
Monday, November 20, 2017  
1:30 p.m.

Commissioners: Deputy Chair Kara Brighton Fornstrom  
Commissioner Robin Sessions Cooley

Stacy Splittstoesser, Wyoming Regulatory Affairs Manager, Rocky Mountain Power (RMP)

Chad Teply, Vice President of Strategy and Development, RMP

Shay LaBray, Corporate Counsel, RMP

Thorvald Nelson, Hirst & Applegate, LLC, Counsel for Wyoming Industrial Energy Consumers (WIEC)

Crystal McDonough, Pathfinder Law Offices, Counsel for Northern Laramie Range Alliance (NLRA)

Lisa Hickey, Tormoen Hickey, LLC, Counsel for Interwest Energy Alliance  
Shannon Anderson, Powder River Basin Resource Council

Commission Staff (CS): Katie Koski, Marci Norby and Morgan Fish

## **REGULAR AGENDA**

**1. Docket No. 20000-512-EA-17 (Record No. 14667). Rocky Mountain Power (RMP) filed its 2017 Integrated Resource Plan (2017 IRP) in Docket on March 20, 2017.**

Shay LaBray, RMP's Corporate Counsel, distributed a hard copy of RMP's presentation to everyone in attendance. LaBray provided a detailed explanation of the 2017 IRP, including process preparation, a comprehensive view of all portfolio highlights, renewables and tax credits, demand side management, the wholesale power market, existing coal and new natural gas resources, and CO<sub>2</sub> emissions. There was follow-up discussion on carbon capture, energy efficiency, production tax credits on wind, economic drivers of competition, and the impact of the Energy Imbalance Market (EIM).

Thorvald Nelson, WIEC's Counsel, stated WIEC believes RMP's IRP process should be more focused on meeting customer needs, with least cost. He said the challenge will be to preserve core principles from being lost in other issues like environmental and affirmed the primary objective is customer need, least cost, with reliability benefits. He said the Company might look at accounting life when depreciation runs out. He also recommended a look at the assumptions built into modeling and how the coal fleet is being handled. Nelson responded to Commissioner Cooley that PacifiCorp could be asked to develop a plant specific analysis that considers a wide range of options from more accelerated depreciation or to extending plant lives or ways to retrofit with other technology to extend

a plant's useful life. He also noted that now is perfect time to look at this in light of the Multi State Protocol (MSP).

Crystal McDonough, Counsel for NLRA, commented that there are many changes taking place such as the Clean Power Plan, potential corporate tax cuts, as well as an order issued by FERC impacting PacifiCorp's participation in the EIM, which might impact future IRPs. She said NLRA requests that the Commission ask the Company to look at these issues and issue a separate study to be included in the Company's 2019 IRP.

Lisa Hickey, Counsel for the Interwest Energy Alliance, stated it generally supports the IRP. She said Interwest believes prices can be stabilized by buying long-term assets which should be beneficial to consumers. She also said dollars spent on renewables represent savings to consumers over time. She commended the Company for reducing costs for integration of all resources.

Shannon Anderson, Powder River Basin Resource Council, stated the Council supports Interwest Energy's comments regarding renewable energy but noted, specifically with regard to coal, there is a lot missing from the 2017 IRP including a lack of analysis.

Deputy Chair Fornstrom mentioned that written comments were received from the Sierra Club and Senator Cale Case, PhD.

LaBray responded that the coal analysis is a challenge and would take an inordinate amount of time. She said RMP is looking in advance of the 2019 process for ways to be more responsive. Deputy Chair Fornstrom agreed that an analysis is critically important to obtain the data. Deputy Chair Fornstrom stated the analysis does not have to be modeling; it just has to examine the basic facts. There were no further questions or comments.

Katie Koski, Commission Counsel, recommended acceptance of the IRP for filing with WIEC's and NLRA's requests noted but no action required at this time. Commissioner Cooley moved to act as recommended. Deputy Chair Fornstrom seconded the motion.

Prepared by: Barbara Tomlinson

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

ACCEPTED and APPROVED by the Commission on January 11, 2018.

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Chairman William F. Russell

# **WYOMING PUBLIC SERVICE COMMISSION**

Minutes of Regular Open Meeting  
Monday, November 27, 2017  
1:30 p.m.

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

James Elliott, Manager – Regulatory, Black Hills Gas Distribution LLC  
d/b/a Black Hills Energy (BHE) (by telephone)

Commission Staff (CS): Michelle Bohanan, Katie Koski, Morgan Fish,  
Steve Mink and Jess Bottom

## **REGULAR AGENDA**

- 1. Docket No. 30022-298-GA-17 (Record No. 14865). Application of Black Hills Gas Distribution LLC d/b/a Black Hills Energy for a decrease in the Revenue Adjustment Mechanism of \$0.0003 per therm for customers in the Casper Division taking service under the Rate Schedule RCG. Commission to consider and act on Application.** Michelle Bohanan, CS, provided a technical *Memo* dated November 21, 2017. James Elliott, BHE's Manager of Regulatory, explained this is the semi-annual Revenue Adjustment Mechanism application for the Casper division, which runs through May 31, 2018, and will result in a refund to customers in the form of a bill credit. This is an increase to the credit currently in effect. There were no questions. Katie Koski, Commission Counsel, recommended approval of the application for use on and after December 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. 30022-299-GP-17 (Record No. 14866). Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy (Torrington Division) for authority to pass on through its Commodity Balancing Account a decrease of \$0.0251 per therm to its Pass-On Rate [Regulated Rate] customers. Commission to consider and act on Application and *Petition for Confidential Treatment of Exhibits D and F (Petition)*.** Morgan Fish, CS, provided a technical *Memo* dated November 20, 2017. James Elliott, BHE's Manager of Regulatory, explained this is the quarterly pass on application for the Torrington division and includes three components: (i) a decrease to the commodity rate; (ii) a decrease to the surcharge rate, as there was a slight over recovery in the commodity balancing account; and (iii) an increase in the working gas storage rate. He concluded that the overall result is a decrease in rates. There were no questions. Steve Mink, Commission Counsel, recommended approval of the application for use on and after December 1, 2017, and granting the *Petition* by *Notice and Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.



3. **Docket No. 30022-300-GP-17 (Record No. 14867). Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy (Casper Division) for authority to pass on through its Commodity Balancing Account a decrease of \$0.0165 per therm to its Pass-On Rate [Regulated Rate] customers. Commission to consider and act on Application and *Petition for Confidential Treatment of Exhibits D and F (Petition)*.** Michelle Bohanan, CS, provided a technical *Memo* dated November 20, 2017. James Elliott, BHE's Manager of Regulatory, explained this is the quarterly pass on application for the Casper division, includes three components and resulted in an overall decrease in rates. Steve Mink, Commission Counsel, corrected a docket number on the Commission Staff *Memo*. There were no questions. Mink recommended approval of the application for use on and after December 1, 2017 and granting the *Petition*, by *Notice and Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.
  
4. **Docket No. 30022-301-GP-17 (Record No. 14868). Application of Black Hills Gas Distribution, LLC d/b/a Black Hills Energy (Gillette Division) for authority to pass on through its Commodity Balancing Account a decrease of \$0.0291 per therm to its Pass-On Rate [Regulated Rate] customers. Commission to consider and act on Application and *Petition for Confidential Treatment of Exhibits D and F (Petition)*.** Jess Bottom, CS, provided a technical *Memo* dated November 21, 2017. James Elliott, BHE's Manager of Regulatory, explained this is the quarterly pass on application for the Gillette division and includes two components and resulted in an overall increase in rates. There were no questions. Steve Mink, Commission Counsel, recommended approval of the application for use on and after December 1, 2017, and granting the *Petition*, by *Notice and Order*, effective immediately. Deputy Chair Fornstrom moved to act as recommended. Commissioner Cooley seconded the motion and Chairman Russell concurred.

Prepared by: Barbara Tomlinson

Date of Next Open Meeting: Thursday, December 7, 2017

ACCEPTED and APPROVED by the Commission on January 11, 2018.

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Chairman William F. Russell