

BEFORE THE PUBLIC SERVICE COMMISSION OF WYOMING

IN THE MATTER OF THE APPLICATION OF )  
BLACK HILLS ENERGY, A DIVISION ) Docket No. 30003-68-GT-16  
OF CHEYENNE LIGHT, FUEL AND POWER ) (Record No. 14358)  
COMPANY, FOR AUTHORITY TO REVISE )  
THE NOMINATION TIMES FOR THE )  
NATURAL GAS TRANSPORTATION )  
SERVICE SECTION OF ITS TARIFF P.S.C. )  
WYOMING NO. 1 )

NOTICE AND ORDER  
(Issued April 29, 2016)

This matter is before the Wyoming Public Service Commission upon the Application of Black Hills Energy, a Division of Cheyenne Light, Fuel and Power Company d/b/a Black Hills Energy (BHE or the Company), for authority to revise the nomination times for the Gas Transportation Service Section of Its Tariff P.S.C. Wyoming No. 1.

The Commission, having reviewed the Application, its files regarding BHE, applicable Wyoming utility law, and otherwise being fully advised in the premises, FINDS and CONCLUDES:

1. BHE is a public utility as defined in W.S. § 37-1-101(a)(vi)(C), providing retail electric service, and W.S. § 37-1-101(a)(vi)(D), providing retail natural gas service, under Certificates of Public Convenience and Necessity issued by the Commission. BHE is subject to the Commission's jurisdiction pursuant to W.S. § 37-2-112. The Company provides electric and natural gas public utility services in the city of Cheyenne and to specified adjacent rural areas.

2. On March 31, 2016, BHE submitted an Application requesting authority to revise its existing tariffs to: [i] reflect recent actions by the Federal Energy Regulatory Commission (FERC); [ii] change nomination times for Gas Transportation to align with upstream interstate pipelines; and [iii] reflect the Company's operational nomination procedures. If approved, the proposed tariff changes will have no effect on the Company's revenues. The requested effective date is June 1, 2016. However, BHE requested a waiver of the nomination times and related provisions of its current tariff because the Company began adhering to FERC Order No. 809 effective April 1, 2016

3. BHE's Application came before the Commission for consideration pursuant to due notice at its open meeting of April 21, 2016. Bill Meckling, Manager-Regulatory Affairs, and Harry Ono, Senior Manager Gas Supply Planning and Forecasting, participated by telephone. Meckling provided a summary of the Application stating the Company was requesting [i] its tariffs be effective June 1, 2016, and [ii] a waiver of the time and nomination procedures that exist in the Company's current tariffs if the Commission determines a waiver was necessary. He explained that FERC Order 809 issued on April 16, 2015, changed the nomination times for the Timely Nomination Cycle from the day before the gas actually flows from 11:30 am (central time) to 1:00

pm (central time). It also added a third nomination time, intraday nomination, which allows shippers another opportunity during the gas operating day to adjust their nomination times in terms of truing up. Meckling explained that BHE's current tariffs contains language regarding nomination times that comport with the old nomination times and which were in effect before April 1, 2016. Shippers were notified of the change in nomination times and that they would be effective April 1, 2016, via the Company's electronic bulletin board. Meckling stated the Company was only requesting a waiver should the Commission determine that one was necessary. Therefore, the Company requested that in order for the tariffs to align with the new FERC rules, the Application be approved effective as of April 16, 2016. Staff noted that FERC Order 587, a companion order to FERC Order 809, requires compliance filings and that each pipeline file separate tariffs reflecting the change standards by February 1, 2016 to take effect April 1, 2016. In light of the Company's remarks, Staff recommended that the Commission not grant a waiver back from April 1, 2016. Staff recommended approving the Application and tariffs for usage on and after April 25, 2016 to match the usage dates approved in Docket No. 30022-266-GT-16.

4. Based on the Application, representation of the Company and the recommendation of Staff, the Commission finds that approval of BHE's Application will allow the Company to be in in compliance with FERC and upstream shippers. Approval of BHE's Application is in the public interest and should be approved, effective for service rendered on and after April 25, 2016, subject to notice, protest, intervention, possible hearing, refund, change, further investigation and further order of the Commission.

5. Public notice in this matter shall be as follows:

#### PUBLIC NOTICE

The Wyoming Public Service Commission (Commission) has given Cheyenne Light, Fuel and Power Company d/b/a Black Hills Energy (BHE or the Company), authority to revise the nomination times for the Gas Transportation Service Section of Its Tariff P.S.C. Wyoming No. 1 effective for usage on and after April 25, 2016. The nomination times for the Gas Transportation Service have been changed from 11:30 am (central time) to 1:00 pm (central time). BHE has also added a third nomination time, intraday nomination to allow shippers another opportunity during the gas operating day to adjust their nomination times. The Commission's approval is subject to notice, protest, intervention, possible hearing, refund, change, further investigation and further order of the Commission.

BHE's Application is on file with the Commission at its offices in Cheyenne, Wyoming, and at the Company's offices in Cheyenne, Wyoming, and may be inspected by any interested person during regular business hours.

Anyone who wants to file an intervention petition, request for a public hearing, or a statement, public comment or protest in this matter must file in writing with the Commission on or before May 27, 2016. A proposed intervention or request for hearing must set forth the grounds under which they are made and the position and interest of the petitioner in this proceeding.



If you want to intervene in this matter or request a public hearing that you will attend, or want to make a statement, a protest or a public comment, and you require reasonable accommodation for a disability, please contact the Commission at (307) 777-7427, or write to the Commission at 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002, to make arrangements. Communications impaired persons may also contact the Commission by accessing Wyoming Relay at 711. Please mention Docket No. 30003-68-GT-16 in your communications.

Dated: April 29, 2016.

IT IS THEREFORE ORDERED:

1. Pursuant to open meeting action taken on April 21, 2016, the Application of Black Hills Energy, a Division of Cheyenne Light, Fuel and Power Company d/b/a Black Hills for authority to revise the nomination times for the Gas Transportation Service Section of Its Tariff P.S.C. Wyoming No. 1 is approved, effective for usage on and after April 25, 2016, subject to notice, protest, intervention, refund, opportunity for hearing, and such other orders as the Commission may deem appropriate.

2. This *Notice and Order* is effective immediately.

MADE and ENTERED at Cheyenne, Wyoming, on April 29, 2016.

PUBLIC SERVICE COMMISSION OF WYOMING



ALAN B. MINIER, Chairman



KARA BRIGHTON, Commissioner



LORI L. BRAND, Assistant Secretary