

**IOWA DEPARTMENT OF COMMERCE
UTILITIES DIVISION**

MINUTES OF THE UTILITIES BOARD

A meeting was held on May 17, 2016, commencing at 9:00 a.m. in the Iowa Utilities Board Hearing Room, 1375 East Court Avenue, Des Moines, Iowa. Board Members attending were Chair Geri Huser, Board Member Libby Jacobs, and Board Member Nick Wagner.

Chair Huser asked if there was any discussion on the consent items and being none, the Board's April 21, 2016, meeting minutes, Notification of Administrative Actions, and Notification of Board Orders were adopted by unanimous consent.

Board General Counsel staff Jennifer Johnson updated the Board on the status of Docket No. RMU-2015-0002, Amendments to Telecommunications Service Regulations [199 Iowa Administrative Code 22]. Board Member Jacobs motioned for the Board to approve the order commencing a rule making in the docket with an extended deadline of July 1, 2016, for written comments and Board Member Wagner seconded the motion, which the Board unanimously approved. The Board members noted the Board intends to maintain its regulatory authority of Voice over Internet Protocol (VoIP) service.

Board General Counsel staff Ben Flickinger discussed the Board order to be issued in Docket No. RPU-2015-0003: MidAmerican Energy Company, regarding the utility's application to implement a capital infrastructure investment rate (tracker) mechanism. Board Member Jacobs motioned for the Board to approve the order, Board Member Wagner seconded, and the Board unanimously approved the motion. The Board members noted MidAmerican would be required to file information by May 23, 2016, as to why it had begun charging customers for the tracker prior to Board approval.

Flickinger and Chief Operating Officer Cecil Wright discussed Docket No. SPU-2015-0039 (TF-2015-0352), regarding farm tap natural gas service and notice of public comment meetings for farm tap customers of Black Hills/Iowa Gas Utility Company, LLC d/b/a Black Hills Energy. Board Member Jacobs motioned for the Board to approve an order, Board Member Wagner seconded, and the Board unanimously approved the motion.

Deputy Executive Secretary Judi Cooper provided the agency monthly financial report, Wright presented information on the active review of Board rules, and Board staff Kerri Johannsen discussed plans to include various Board-related information on an open data Website of the State of Iowa.

Board General Counsel David Lynch provided an update on Docket No. HLP-2014-0001, Dakota Access, LLC. He stated that on May 5, 2016, Dakota Access filed a request with the Board to begin construction in Iowa outside of the Board required pre-notification zones. Lynch noted the Board has typically approved construction only upon all other approvals being acquired. Lynch said the Board, in a previous order, limited the company to using hand tools to remove trees and bushes in the affected areas requiring approval of the Army Corps of Engineers and heavy equipment had since become necessary to complete the clearing of those areas. Lynch recommended Board staff schedule a conference call with the parties and discuss with them how to make the appropriate filings for the Board's consideration regarding the matter. Board Member Jacobs asked Board staff to arrange the call and to report back to the Board in writing and Consumer Advocate Mark Schuling stated that the Office of Consumer Advocate concurred. Lynch noted that two petitions for judicial review of the Board's decision in this docket (related to eminent domain) had been dismissed to be refiled with changes, but had not yet been refiled.

Regi Goodale, Iowa Association of Electric Cooperatives Director of Regulatory Affairs, made an electric rate design presentation related to distributed generation in Iowa. Consumer Advocate Mark Schuling stated it was the fourth monthly meeting where the Board had heard presentations on renewable distributed generation and that additional information and discussion was needed because of minimal penetration in Iowa.

Chair Huser announced that the Board's next monthly meeting would be held on June 21, 2016. The meeting adjourned at 10:55 a.m. Recorded by Rob Hillesland.

Approved at the June 21, 2016, Board meeting.

UTILITIES BOARD

/s/ Geri D. Huser

Chair

ATTEST:

/s/ Trisha M. Quijano
Executive Secretary, Designee