

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF WYOMING**

IN THE MATTER OF THE APPLICATION OF)	
POWDER RIVER ENERGY CORPORATION)	
SUNDANCE, WYOMING, TO REVISE)	DOCKET No. 10014-163-CT-15
ITS RULES AND REGULATIONS)	
PERTAINING TO DEPOSITS AND)	
DISCONNECTION OF SERVICE)	

**SUPPLEMENTAL FILING/REFINEMENT
of Powder River Energy Corporation's Application**

Powder River Energy Corporation (PRECorp), the Applicant herein, respectfully requests the Wyoming Public Service Commission approve the proposed Rules and Regulations as previously filed and supplemented herein as Wyoming PSC Tariff No. 7, Revised Sheets 5R, 5aR, 5bR, 5cR, 7R, and 8R, to be effective September 1, 2015.

In support of its application, PRECorp offers the following facts:

1. PRECorp re-alleges the allegations in its original filing.
2. PRECorp respectfully requests the Wyoming PSC incorporate the revised sheets, as attached.
3. PRECorp has posted on its website, the revised sheets as changes being made to its Rules & Regulations in a form that highlights each change.
4. Communications in regard to this Application are to be addressed to Mr. Michael E. Easley, General Manager and Chief Executive Officer for the Applicant, Post Office Box 930, Sundance, Wyoming 82729 and Mr. Mark L. Hughes, Attorney for the Applicant, Post Office Box 456, Sundance, Wyoming 82729.
5. The Cooperative is respectfully requesting changes to its Rules and Regulations effective September 1, 2015, pursuant to the attachment testimony and exhibits, and that such changes are contained in this filing and by reference are hereby

made a part of this application.

Dated at Sundance, Wyoming, this 31st day of August, 2015.

POWDER RIVER ENERGY CORPORATION

A handwritten signature in blue ink that reads "Michael E. Easley". The signature is written in a cursive style with a large, sweeping flourish at the end.

Michael E. Easley
Chief Executive Officer

Powder River Energy Corporation
P.O. Box 930
Sundance, WY 82729

Wyoming PSC No. 7
1st Revised Sheet No. 5R
Cancels Original Sheet No. 5R

General Information

Section III

-SECURITY DEPOSITS

I. SECURITY DEPOSIT REQUIREMENTS

The Corporation shall require an applicant for electric service or a current electric service customer to provide a security deposit if one or more of the following circumstances exist:

- A. The applicant is applying for service for the first time and does not pass an objective credit screen.
- B. The applicant did not have service with the Corporation for a period of at least twelve (12) consecutive months during the past year and does not pass an objective credit screen.
- C. The customer fails to maintain an acceptable credit history with the Corporation, pursuant to Section III.II, and fails to pass an objective credit screen, pursuant to Section III.III, and is requesting a new service. Any existing services that do not have an acceptable credit rating at that time will also require a security deposit.
- D. The customer fails to maintain an acceptable credit history with the Corporation, pursuant to Section III.II, and fails to pass an objective credit screen, pursuant to Section III.III, and has an average aggregated billing in excess of \$5,000 for 90 days of service.
- E. The applicant or customer has an outstanding balance on a prior service account with the Corporation, or any other balance due the Corporation, for one or more of the following reasons:
 - 1. Non-payment of any undisputed delinquent bill.
 - 2. Failure to reimburse the Corporation for damage due to negligent or intentional acts of the applicant or customer.
 - 3. Obtaining, diverting, or using service without the authorization or knowledge of the Corporation.
- F. The applicant or customer provided information in the application for service that was materially false or materially misrepresented.
- G. The applicant or customer requests service at a location where a former customer who has an outstanding prior service account with the Corporation, or any other balance due to the Corporation, still resides or conducts business.
- ~~H. The applicant or customer has sought any form of debt relief under the Federal~~

Issued by
Michael E. Easley, Chief Executive Officer

Issued: August 31, 2015

Effective: September 1, 2015

Dkt. No. 10014-163-CT-15

Powder River Energy Corporation
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Sundance, WY 82729

Wyoming PSC No. 7
1st Revised Sheet No. 5R
Cancels Original Sheet No. 5R

General Information

Section III

~~Bankruptcy Laws, has been brought within the jurisdiction of the bankruptcy court, or has had a receiver appointed in a state court proceeding within the last five (5) year period immediately preceding a request for service, as allowed by the Federal Bankruptcy Act of 1978, as amended, or as directed by the state court.~~

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Wyoming PSC No. 7
1st Revised Sheet No. 5aR
Cancels Original Sheet No. 5aR

General Information**Section III**

H. The applicant or customer has sought any form of debt relief under the Federal Bankruptcy Laws, has been brought within the jurisdiction of the bankruptcy court, or has had a receiver appointed in a state court proceeding within the last five (5) year period immediately preceding a request for service, as allowed by the Federal Bankruptcy Act of 1978, as amended, or as directed by the state court.

The Corporation shall not require a deposit as a condition of new or continued electric service based on property ownership or location, income level, source of income, employment tenure, nature of occupation, race, creed, sex, age, national origin, marital status, number of dependents, or any other criterion not authorized by these rules and regulations. Rules governing deposits shall be applied uniformly.

II. ACCEPTABLE CREDIT HISTORY

An acceptable credit history is one in which the following requirements apply to all of the customer's service accounts:

- A. No more than two (2) late payments within the most recent twelve (12) month period.
- B. No Non-Sufficient Funds checks within the most recent twelve (12) month period.
- C. No disconnects for non-payment within the most recent twelve (12) month period.

D. The Corporation determines that there is no significant financial risk in continuing to provide service to a specific load or to a non-residential customer class. In the event the Corporation identifies a financial risk, the Corporation shall request Commission approval prior to collecting a deposit under this section D. The application will demonstrate the risk with results of an objective credit screen or other evidence and include a proposal for conditions under which the deposit will be returned. The filing will include, but not be limited to, security deposit amount, retention period, payment terms, and disconnect period.

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Wyoming PSC No. 7
1st Revised Sheet No. 5aR
Cancels Original Sheet No. 5aR

General Information

Section III

~~III. — OBJECTIVE CREDIT SCREEN~~

~~— The Corporation shall conduct an objective credit screen on new applicants, or existing members pursuant to Section III, 1.D., for electric service through the use of commercially available services, such as Dun and Bradstreet, ONLINE Utility Exchange and other similar services deemed appropriate by the Corporation. The factors to be analyzed by the Corporation may include the following:~~

- ~~A. — Overall credit rating~~
- ~~B. — Accounts payable metrics~~
- ~~C. — Customer's payment history with the Corporation~~
- ~~D. — Other available criteria~~

~~Recent information will be weighted more heavily during the objective credit screen process.~~

~~IV. — ADMINISTRATION OF SECURITY DEPOSITS~~

- ~~A. — The amount of a security deposit shall be no more than the average of three (3) months estimated billing.~~
- ~~B. — Security deposits shall be required on new services and/or on existing services that do not have an acceptable credit history.~~
- ~~C. — Security deposits which are held for more than six months shall bear interest from the date of deposit at the annual rate as assigned by the Wyoming Public Service Commission in Sections 241 (c) of its rules.~~

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Powder River Energy Corporation
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Wyoming PSC No. 7
1st Revised Sheet No. 5bR
Cancels Original Sheet No. 5bR

General Information**Section III****III. OBJECTIVE CREDIT SCREEN**

The Corporation shall conduct an objective credit screen on new applicants, or existing members pursuant to Section III.I.D, for electric service through the use of commercially available services, such as Dun and Bradstreet, ONLINE Utility Exchange and other similar services deemed appropriate by the Corporation. The factors to be analyzed by the Corporation may include the following:

- A. Overall credit rating
- B. Accounts payable metrics
- C. Customer's payment history with the Corporation
- D. Other available criteria

Recent information will be weighted more heavily during the objective credit screen process.

IV. ADMINISTRATION OF SECURITY DEPOSITS

- A. The amount of a security deposit shall be no more than the average of three (3) months estimated billing.
- B. Security deposits shall be required on new services and/or on existing services that do not have an acceptable credit history.
- C. Security deposits which are held for more than six months shall bear interest from the date of deposit at the annual rate as assigned by the Wyoming Public Service Commission in Sections 241 (c) of its rules.
- D. When a customer has been disconnected for non-payment in accordance with the collection policy, the customer will be required to make a security deposit in the amount indicated above before service is reconnected if such a deposit is not already being held by the Corporation.
- E. The Corporation shall keep records to show the payment address of applicants and existing customers making a security deposit, the date and amount of the deposit, and each transaction concerning a deposit.
- F. The Corporation shall comply with all rules and regulations as may be adopted by the Wyoming Public Service Commission regarding deposits.
- G. The Corporation shall manage deposits as required by the Uniform Unclaimed Property Act as adopted or amended by the State of Wyoming, W.S. 34-24-101.

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Powder River Energy Corporation
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Wyoming PSC No. 7

Original Sheet No. -5**cbR**

General Information**Section III****V. REFUNDS OF SECURITY DEPOSITS**

- A. Security deposits will be refunded after twelve (12) consecutive months of acceptable credit history pursuant to Section III.II, provided the customer does not have a past due balance at the end of the twelve (12) month period.
- B. Upon final discontinuance of service the Corporation shall refund a customer's security deposit with accrued interest due thereon, provided the customer has no outstanding amount due to the Corporation. If at the time of discontinuance the customer has an outstanding amount due to the Corporation, any deposit and accrued interest will be applied to the amount due with the remaining balance, if any, refunded to the customer.
- C. If the Corporation is unable to make a refund due to a lack of knowledge of a customer's location, it shall retain the deposit until claimed, but no interest will accrue thereon from the date the service was discontinued.

VI. LIEN FOR MATERIALS AND SERVICE

In addition to any security deposits which may be required pursuant to these Rules and Regulations, the Corporation shall have a lien for materials and services provided to a customer. The lien shall attach to the real property of the customer at the location where the materials and services were provided when the amount due to the Corporation is greater than \$5,000 and has been unpaid for ninety (90) days, W.S. 29-2-101 (d).

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Wyoming PSC No. 7
1st Revised Sheet No. 7R
Cancels Original Sheet No. 7R

General Information**Section III**DISCONTINUANCE OF SERVICE

Service may be discontinued to a customer for the following reasons provided that adequate notice, as stated in Commission Rules, has been given.

- 1) Non-payment of bills for electric service.
- 2) Refusal by the customer to provide the Corporation reasonable access to its equipment upon customer's premises.
- 3) Violation of any rule or regulation of the Commission or non-compliance with any applicable federal, state, municipal or other local laws, rules or regulations.
- 4) Violation of, or non-compliance with, an approved rule of service of the Corporation (these rules and regulations of service) or its by-laws.-
- 5) Failure of the customer to make application for electric service.
- 6) Failure to comply with Harmonics Distortion Limitation Regulations.
- 7) Failure to make any security deposits as required by the Corporation and these rules and regulations.

The Corporation may discontinue electric service without advance notice to a customer for any of the following reasons:

- 1) Existence of a dangerous or defective condition of wiring or equipment located adjacent to and which is clearly visible from the Corporation's metering point.
- 2) Unlawful use of electricity.
- 3) Tampering with the Corporation's regulating and measuring equipment or other property.

When service has been discontinued for violation of any of the preceding rules and regulations, the Corporation may make a charge for restoring service as prescribed in its approved tariffs.

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Wyoming PSC No. 7
1st Revised Sheet No. 8R
Cancels Original Sheet No. 8R

General Information**Section III****BILLING AND COLLECTION**

When a prospective customer applies for electric service it is expected that the premises are wired in accordance with the National Electrical Code (ANSI C 1.) and that the customer will accept service at the time the line is completed and ready for operation.

When a new electric service is constructed, the first billing period will commence on the initial date the construction is completed. For an existing electric service, the first billing period will commence on the initial date the electrical meter is installed or the existing meter is read transferring service to a new customer.

All residential customers may be required to take monthly readings of their meters and forward these readings to the office of the Corporation in accordance with procedures established by that office.

All monthly bills will be due and payable upon receipt of the bill.

If the payment for electric service is not received in the Corporation's offices via U.S. mail, electronically, or at one of the banking institutions that offer the Corporation's bill paying service within twenty (20) days of the billing date shown on the billing statement, the bill shall be deemed delinquent and a one-and-one-half percent (1½%) penalty will be added to the monthly billed amount.

All bills paid by mail, if postmarked prior to twenty (20) days after the billing date, shall not be considered delinquent.

Once the account becomes delinquent, a written notice of discontinuance of service shall be mailed to the customer at the last known address of record at least seven (7) days prior to discontinuance of service for residential accounts and three (3) days prior to discontinuance of service for commercial and industrial accounts. Notice of discontinuance shall contain the information and advice as required in Sec. 242.b of the Wyoming Public Service Commission Rules.

If after the period of time allowed by the notice has elapsed and the delinquent account has not been paid, or adequate financial arrangements made with the Corporation for payment thereof, or in the case of the violation of the Corporation's rules and regulations, the Corporation may then terminate service on or after the day specified in the notice. During the winter months (November through April) the Corporation will attempt to contact the customer in person, or by phone, prior to any discontinuance of service. A door note will be used, in the case where an attempt to contact a person has been unsuccessful, prior to any discontinuance of service.

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