

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE REQUEST BY)
RMB ASSOCIATES, LLC FOR A)
VARIANCE TO THE SEPARATE)
METERING REQUIREMENT IN)
20:10:26:03(1) FOR GRAYSTONE)
HEIGHTS APARTMENTS – A 331 UNIT)
APARTMENT IN SIOUX FALLS,)
SOUTH DAKOTA)**

**ORDER GRANTING MASTER
METERING VARIANCE**

GE15-003

On November 4, 2015, RMB Associates, LLC (RMB) filed a request for a variance of the individual metering requirement contained in ARSD 20:10:26:03(1). RMB plans to build a 331 unit apartment project in southeast Sioux Falls. Under the lease structure on this project, the landlord is going to pay all utilities. Therefore, pursuant to ARSD 20:10:26:05, RMB is requesting to master meter the building for electrical and gas services. On November 5, 2015, RMB filed a revised request for a variance clarifying they were not requesting a formal and separately scheduled hearing.

On November 5, 2015, the Commission electronically transmitted notice of the filing and the intervention deadline of November 20, 2015, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On November 5, 2015, pursuant to ARSD 20:10:26:06, the Commission sent notice of RMB's request to MidAmerican Energy Company and Southeastern Electric Cooperative, Inc. On November 10, 2015, the Commission published notice of the filing in the Sioux Falls, South Dakota Argus Leader newspaper. No petitions to intervene or comments were filed. On December 4, 2015, RMB filed a letter requesting that the Commission make a determination under ARSD 20:10:26:04(6) that no variance is required for gas or electric service as the proposed apartment project will have a central water heating system.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-34A, particularly 49-34A-4, and ARSD Chapter 20:10:26, particularly 20:10:26:03(1), 20:10:26:04, 20:10:26:05, and 20:10:26:06.

At its regularly scheduled meeting on December 8, 2015, the Commission considered this matter. Finding that RMB's request for a variance put forth compelling reasons for granting a variance, including, cost effectiveness, energy efficiency, and energy conservation effects, the Commission voted unanimously to approve the request.

It is therefore

ORDERED, that RMB's request for a master metering variance for Graystone Heights Apartments in Sioux Falls, South Dakota, is hereby granted.

Dated at Pierre, South Dakota, this 18th day of December, 2015.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.</p> <p>By: <u>Karen E. Cremer</u></p> <p>Date: <u>12/18/2015</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner