

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

**IN THE MATTER OF STAFF'S REQUEST)
TO INVESTIGATE THE EFFECTS OF THE)
TAX CUTS AND JOBS ACT ON SOUTH)
DAKOTA UTILITIES)**

**ORDER GRANTING JOINT)
MOTION FOR APPROVAL OF)
SETTLEMENT STIPULATION)
BETWEEN STAFF AND)
MONTANA-DAKOTA UTILITIES)
CO.)**

GE17-003

On December 21, 2017, the South Dakota Public Utilities Commission (Commission) received a filing from Commission staff (Staff) requesting a docket be opened to investigate the impact of the Tax Cuts and Jobs Act on South Dakota utilities. Staff also filed a Motion Requesting Order Requiring Comments and Securing Tax Effects for Customers as of January 1, 2018 (Motion). In the Motion, Staff requested the Commission investigate the effect the Tax Cuts and Jobs Act (Act) will have on South Dakota utilities and requested the Commission issue an order requiring utilities to submit comments on the effect the Act will have on each utility. Additionally, Staff requested the Commission issue an order that any adjustment to rates due to the Act will be effective on January 1, 2018.

On December 22, 2017, the Commission issued an Order for and Notice of Motion Hearing on Less than 10 Days' Notice. On December 28, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of January 12, 2018, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On December 29, 2017, the Commission issued an Order Requiring Comments; Order Requiring Rates in Effect January 1, 2018, are Subject to Refund; Order Granting Intervention. On September 28, 2018, Staff and Montana-Dakota Utilities Co. (Montana-Dakota) filed a Joint Motion for Approval of Settlement Stipulation and Settlement Stipulation. On October 5, 2018, Staff filed its Memorandum supporting the Settlement Stipulation.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-34A, specifically 49-34A-4, 49-34A-6, 49-34A-8, and 49-34A-26.

At its regularly scheduled meeting on October 16, 2018, the Commission considered this matter. Having thoroughly reviewed the filings in the docket and after making further inquiry of the parties, the Commission found that the terms and conditions proposed in the Settlement Stipulation were just, reasonable, and in the public interest and that good and sufficient cause was demonstrated to approve the Settlement Stipulation, subject to the condition that Montana-Dakota include an interest rate of seven percent for the 2018 refund amounts. The Commission voted unanimously to grant the Joint Motion for Approval of Settlement Stipulation and approve the Settlement Stipulation, subject to the Commission's condition regarding interest. It is therefore

ORDERED, that the Joint Motion for Approval of Settlement Stipulation is hereby granted, and the Settlement Stipulation is hereby approved, subject to the Commission's condition regarding interest. The Settlement Stipulation is incorporated by reference into this Order the same as if it had been set forth in its entirety herein. It is further

ORDERED, that refunds shall be returned to Montana-Dakota's customers in a single payment no later than February 15, 2019. It is further

ORDERED, that a seven percent interest rate shall be applied to the 2018 refunds.

Dated at Pierre, South Dakota, this 23rd day of October 2018.

CERTIFICATE OF SERVICE

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.

By: Karen E. Cremer

Date: 10/23/18

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner