

**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 NORTHWESTERN ENERGY
)
)
)**

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 January 29, 2018, NorthWestern Corporation dba NorthWestern Energy (NorthWestern) submitted initial comments and on April 3, 2018, NorthWestern filed Additional Comments and Specific Proposals. On August 31, 2018, Staff and NorthWestern filed a Joint Motion for Approval of Settlement Stipulation and Settlement Stipulation, and Staff filed its Memorandum.

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 September 18, 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. The Commission voted unanimously to grant the Joint Motion for Approval of Settlement Stipulation and approve the Settlement Stipulation. It is therefore

ORDERED, that the Joint Motion for Approval of Settlement Stipulation is hereby granted, and the Settlement Stipulation is hereby approved. The Settlement Stipulation is incorporated by reference into this Order the same as if it had been set forth in its entirety herein.

Dated at Pierre, South Dakota, this 21st day of September 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: <u>Karen E. Cromer</u>
Date: <u>09/21/18</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner