



MidAmerican Energy
106 East Second Street
Davenport, Iowa 52801
563 333-8006 Telephone
563 333-8021 Fax
E-mail: jmoore@midamerican.com

Jennifer S. Moore
Senior Attorney

February 24, 2010

Filed by E-Filing

Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501-5070

Re: Docket CN09-002
In the Matter of the Complaint filed by Mark Pyle, A Plus Towing, Sioux Falls, South Dakota, against MidAmerican Energy Company Regarding a Billing Dispute

Dear Ms. Van Gerpen:

Enclosed for filing please find the Supplemental Answer and Motion to Dismiss of MidAmerican Energy Company in the above-captioned proceeding.

Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer S. Moore". The signature is written in a cursive style and is positioned above a light gray rectangular box.

Encl.

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

Mark Pyle,)	
)	
Complainant)	
)	
vs.)	Docket No. CN09-002
)	
MidAmerican Energy Company,)	
)	
Respondent.)	

SUPPLEMENTAL ANSWER AND MOTION TO DISMISS

MidAmerican Energy Company (MidAmerican) hereby provides its Supplemental Answer to the above-captioned Complaint:

1. On January 11, 2010, MidAmerican submitted its Answer to the South Dakota Public Utilities Commission (Commission) requesting that the Commission suspend the proceeding to conduct an investigation of approximately 12 percent of the meters for MidAmerican’s American 425 series in South Dakota. MidAmerican stated that if it found that five percent of more of the meters are programmed incorrectly, then it would investigate more meters and also report back to the Commission. MidAmerican based the five percent acceptance standard on the Military Standard 105D, which is the most widely used acceptance-sampling system and a generally accepted standard for meter sampling in the industry.

2. In an effort to resolve the Instant Complaint, MidAmerican completed an investigation of approximately 12 percent of the meters in the American 425 series in South Dakota and found that less than five percent of the meters were programmed

incorrectly. Out of the 282 meters investigated, MidAmerican found six that were programmed incorrectly, which constitutes approximately 2.1 percent of the sample.

3. MidAmerican admits it has a written program for the inspection and testing of its new meters and meters removed from service to determine the necessity for adjustment, replacement or repair. MidAmerican further admits it complies with the manufacturer's recommendations and accepted good practice for new meters and meters removed from service. Accepted good practice is representative of the guidelines set forth in the American National Standard for Gas Displacement Meters (500 Cubic Feet Per Hour Capacity and Under), ANSI B109.1-2000; American National Standard for Diaphragm Type Gas Displacement Meters (Over 500 Cubic Feet Per Hour Capacity), ANSI B109.2-2000; American National Standard for Rotary Type Gas Displacement Meters, ANSI B109.3-2000; Measurement of Gas Flow by Turbine Meters, ANSI/ASME MFC-4M-1986 (Reaffirmed 2008); and Orifice Metering of Natural Gas and Other Related Hydrocarbon Fluids, API MPMS Chapter 14.3, Parts 1-4.

4. MidAmerican has reviewed its meter installation process, and based upon the findings, has concluded that in addition to its good practices, additional validation measures can be put in place to minimize the likelihood that a programming error would occur. Until these additional validation measures are implemented, MidAmerican will limit the charges for the drive rate programming errors to one year. If the charges are less than \$500, MidAmerican will not back-bill customers because it is not cost effective to process the bill.

5. MidAmerican discussed the testing results with the Complainant and also indicated that the Company would only back-bill for one year. The Complainant

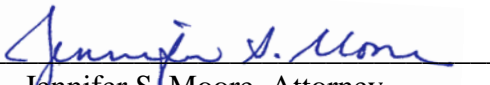
indicated that the offer was reasonable. Therefore, the issues raised by the Complainant are resolved and the complaint should be dismissed.

WHEREFORE, as MidAmerican has not violated any law, statute, order or rule in connection with the matters set forth in the instant Complaint and MidAmerican Energy Company has resolved the issue with the Complainant, therefore, MidAmerican Energy Company respectfully requests the Commission dismiss the Complaint.

Dated this 24th day of February, 2010.

Respectfully submitted,

MIDAMERICAN ENERGY COMPANY

By: 
Jennifer S. Moore, Attorney
MidAmerican Energy Company
One RiverCenter Place
106 East Second Street
P.O. Box 4350
Davenport, Iowa 52808
563/333-8006 (Voice)
563/333-8021 (Facsimile)
jsmoore@midamerican.com

CERTIFICATE OF SERVICE

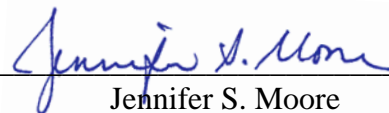
I certify that on this 23rd day of February, 2010, a true and correct copy of the attached Supplemental Answer and Motion to Dismiss in Commission Docket No. CN09-002 was sent in accordance with the Administrative Rules of the South Dakota Public Utilities Commission.

Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501-5070
patty.vangerpen@state.sd.us

Ms. Deb Gregg
Consumer Affairs Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501-5070
deb.gregg@state.sd.us

Mark Pyle
Appearance Plus d/b/a A Plus Towing and Repair
1309 E Walnut Street
Sioux Falls, South Dakota 57103

Ms. Kara Semmler
Staff Attorney
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501-5070
kara.semmler@state.sd.us



Jennifer S. Moore