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May 26, 2010

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

Re: Docket CE10-001
In the Matter of the Complaint Filed by Convenient Loan, Sioux Falls,
South Dakota, Against Xcel Energy Regarding a Billing Dispute.

Dear Ms. Van Gerpen:

Enclosed for filing please find Xcel Energy's Answer to the Complaint filed by Convenient Loan in this matter.

If anyone has any questions, please call me at 339-8350

Sincerely,

A handwritten signature in cursive script that reads 'J Wilcox'.

Jim Wilcox

c. Laura McCarten
Melissa Gomez, Gentry Finance

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

GENTRY FINANCE,)	
)	DOCKET NO. CE10-001
COMPLAINANT)	
)	
-vs-)	
)	ANSWER
XCEL ENERGY,)	
)	
RESPONDENT)	

Northern States Power Company, a Minnesota corporation (“Xcel Energy” or the “Company”) respectfully hereby provides its Answer to the above-captioned Complaint:

1. Xcel Energy denies that it has violated any law, statute, order or rules in connection with statements made by to Gentry Finance a/k/a Convenient Loan (“Convenient Loan”) in the above-entitled docket regarding electric service provided to 119 S Main Avenue, Sioux Falls, South Dakota, Account Number 51-4412128-0.

2. Xcel Energy admits that it established retail electric service with Convenient Loan located at 119 S. Main Avenue, Sioux Falls, South Dakota on August 1, 1998. Xcel Energy admits that Company records track the location of this customer as premises Number 303733134 and service is provided through Meter Number 3125488.

3. Based on information and belief, Xcel Energy admits that Legacy Real Estate is the property manager for storefronts located on Main Avenue, Sioux Falls, South Dakota, including 117 South Main Avenue and 119 South Main Avenue.

4. Xcel Energy admits that on August 28, 2007, Xcel Energy received a “stop service” order from Legacy Real Estate for Meter Number 3125323. Xcel Energy further admits that Meter Number 3125323 metered electric service provided at 117 S. Main Ave, Sioux Falls, South Dakota.

5. Based on information and belief, Xcel Energy admits that in the fall of 2007 an electric furnace was installed at 119 S. Main Ave., Sioux Falls, South Dakota, and the wiring for the new electric furnace was not connected to Convenient Loan's existing Meter Number 3125488 but was instead connected to the adjacent Meter Number 3125323 that metered service to the adjacent space at 117 S. Main Avenue. Xcel Energy provides as Exhibit 2 photographs depicting the wiring from the meter to the electric furnace. Xcel Energy admits that it was not involved in the installation of this connection.

6. Xcel Energy admits that it has no records that indicate Convenient Loan, Legacy Real Estate or any other party contacted Xcel Energy to establish service for the new furnace served from Meter Number 3125323.

7. Xcel Energy admits that in April, 2008, a computer program alerted Xcel Energy of an "unknown user" at 117 S. Main Ave in Sioux Falls. Xcel Energy admits that letters seeking to establish the identity of the "unknown user" were sent to that address and were returned undeliverable. Xcel Energy further admits that later in 2008, the Company initiated an investigation and contacted Legacy Real Estate. Xcel Energy admits that Legacy Real Estate did not assist in the investigation.

8. Xcel Energy admits that Company employees finally discovered that electric service was provided to an electric furnace in 119 S. Main Ave through Meter Number 3125323 in 2009.

9. Xcel Energy admits that it contacted Convenient Loan after the Company discovered that service to Convenient Loan's electric furnace was provided by Meter Number 3125323. Xcel Energy admits that the attached Exhibit 1 depicts the meter readings and billing amounts for meter number 3125323 from Jan 1, 2008 to the present. Xcel Energy admits that no payments have been received for energy used since that time and measured by meter number 3125323. The balance owed on this account is \$9,143.87.

10. Xcel Energy admits that Exhibit 3 depicts a graph of the energy usage (kWh) measured by meter number 3125323 over the past two years compared to a graph of the Heating Degree Days for Sioux Falls as provided by the US Weather Service. Xcel Energy asserts that the chart and correlation of data validates that the meter is accurately recording the heat energy that one would expect to see consumed during each of these months.

11. Xcel Energy admits that Complainant has made timely payments from 1998 through 2009 for balances owing on the account metered by Meter Number 3125488.

12. Xcel Energy believes that the date of the error can be fixed with reasonable certainty in our records to Jan 1, 2008 and that the proper charge can be computed from that date.

13. Xcel Energy admits that it is willing to enter into a payment arrangement with Convenient Loan to allow the repayment of the moneys owed over time. The Company suggests a repayment period of six months to no more than 12 months.

WHEREFORE Xcel Energy prays that the Commission dismiss the complaint filed by Convenient Loans in this docket, and hold it for naught.

Dated this 26th day of May, 2010.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

BRETT KOENECKE

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CERTIFICATE OF SERVICE

Brett Koenecke of May, Adam, Gerdes & Thompson LLP hereby certifies that on the 26th day of May, 2010, he transmitted electronically a true and correct copy of the foregoing in the above-captioned action to the following at their last known e-mail addresses, to-wit:

Patricia Van Gerpen
patty.vangerpen@state.sd.us

Kara Semmler
kara.semmler@state.sd.us

Deb Gregg
deb.gregg@state.sd.us

Jim Wilcox
james.c.wilcox@xcelenergy.com

Elizabeth Horner
elizabeth.a.horner@xcelenergy.com

And a true and correct copy of the foregoing in the above-captioned action by first class mail postage thereon prepaid to the following at its last known address, to-wit:

Convenient Loan
119 South Main Avenue
Sioux Falls, SD 57104



Brett Koenecke