



December 4, 2015

J. Vincent Jones  
[Vince.Jones@woodsfuller.com](mailto:Vince.Jones@woodsfuller.com)  
Extension 615

South Dakota Public Utilities Commission  
Capitol Building, First Floor  
500 East Capitol Ave  
Pierre, SD 57501-5070

Re: RMB Associates, LLC. – Graystone Heights Apartments  
Docket No. GE15-003

Dear Commissioners:

As you know, this firm represents RMB Associates, LLC (“RMB”) with regard to its application for a variance to the master metering requirements for gas and electricity (Docket No. GE15-003). The variance request is currently scheduled to be considered by the PUC on December 8, 2015.

Based on discussion by the Commissioners at recent meetings, we believe that RMB may fall into one of the exceptions to the master metering requirement under Administrative Rule 20:10:26:04. Specifically, that rule provides:

Individual meters are not required and no variance need be requested under the following circumstances: . . . (6) For multiple-occupancy buildings which have central heating or cooling systems, central ventilating systems, or central water heating systems. However, the applicant shall notify the commission so it may determine whether the applicant’s system falls within this exception or whether the applicant is required to file an application for a variance.

Please see the attached memorandum from West Plains Engineering, Inc. This memorandum describes the water heating system for the Graystone Heights Apartments, which will be a central water heating system.

RMB would request that the PUC make a determination, under Administrative Rule 20:10:26:04(6), that no variance is required for gas or electricity because the apartment project will have a central water heating system. Should the PUC determine that no variance is needed,

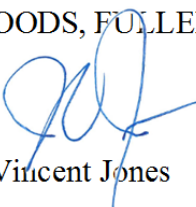
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we would withdraw our variance application. Should the PUC determine that a variance is required for the project, we would ask that the PUC consider our variance application on its merits at the currently scheduled time.

Thank you.

Sincerely,

WOODS, FULLER, SHULTZ & SMITH P.C.



J. Vincent Jones