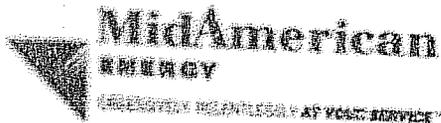


NG 99-008





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SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

MidAmerican Energy  
401 Douglas Street  
Sioux City, Iowa 51101  
712 277-7567 Telephone  
712 277-7373 Fax  
smstewart@midamerican.com

Suzon M. Stewart  
Senior Managing Attorney

November 5, 1999

Mr. William C. Bullard  
Executive Secretary  
South Dakota Public Utilities Commission  
Capitol Building  
500 E. Capitol Avenue  
Pierre, SD 57501

By Overnight Delivery

RE: Request for Approval of Contract for Competitive Pricing Transportation Service

Dear Mr. Bullard:

Enclosed for filing please find eleven copies of documents pertaining to MidAmerican Energy Company's ("MidAmerican") Competitive Pricing Transportation Service Tariff. MidAmerican respectfully requests expedited approval of the attached Natural Gas Distribution Agreement ("Agreement") between MidAmerican and the University of South Dakota ("USD"). MidAmerican requests expedited consideration of this Agreement to permit the citizens of South Dakota to receive the benefits of the competitive natural gas distribution rate proposed hereunder. This contract has been approved by the South Dakota Board of Regents and USD concurs in this request for expedited treatment.

MidAmerican also proposes a revision of its South Dakota Gas Sales Tariff, S.D.P.U.C. Section No. IV, Sheet 1, to reflect this contract with deviation. MidAmerican requests an effective date of November 19, 1999. MidAmerican requests any necessary waivers to permit expedited consideration.

Earlier this year, USD contacted MidAmerican and advised that it intended to construct a direct connection to Northern Natural Gas ("NNG"), thereby bypassing MidAmerican's distribution system, unless revised terms and conditions for natural gas distribution service could be negotiated that reflect the costs USD would incur to proceed with the direct connection. USD and MidAmerican have negotiated a gas distribution contract, the effect of which is to defer a direct connect for at least 20 years.

The Agreement has benefits for both USD and MidAmerican and its customers. USD will realize reduced costs that are comparable to what it would have incurred had it proceeded with the NNG direct connect.

Page 2

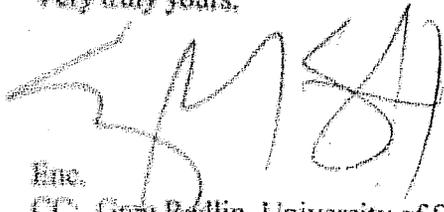
November 5, 1999

Mr. William C. Bullard

**Request for Confidential Treatment:** Attached to this letter and marked "Confidential" is a copy of the Agreement and a summary and further support for its approval by the Commission. MidAmerican requests the Agreement and summary be afforded confidential treatment by the Commission and maintained in confidence in the Commission's locked file for an indefinite period of time as provided for in its rules 20:10:01:39-44. The Agreement and summary contain negotiated prices and terms and constitute trade secrets of MidAmerican Energy Company. If the Agreement and summary are disclosed, other potential candidates for a competitive gas transportation rate will be afforded an unfair negotiation advantage. Withholding the agreement from public disclosure is in the public interest because it will maximize the revenue that is received from customers that negotiate competitive gas transportation contracts in the future. MidAmerican requests the Agreement and summary be retained in confidence by the Commission for the term of the Agreement, or for 20 years from the date of its approval, whichever is longer.

Please feel free to contact the undersigned, if you have questions regarding this filing from the perspective of MidAmerican Energy Company. If you have questions regarding this filing from the perspective of the University of South Dakota, please feel free to contact Greg Redlin at (605) 677-5661.

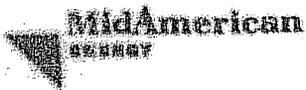
Very truly yours,



Enc.

CC: Greg Redlin, University of South Dakota

Tracy Thorne, Department of Administration, State of South Dakota



MIDAMERICAN ENERGY COMPANY  
P.O. Box 778  
Sioux City, Iowa 51102

SOUTH DAKOTA GAS SALES TARIFF  
SD P.U.C. Section No. IV  
First Revised Sheet No. 1  
Cancels Original Issue Sheet No. 1

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**CLASS OF SERVICE: Contracts with Deviations**

Alumax Yankton Plant Natural Gas Service Agreement

University of South Dakota

**RECEIVED**

NOV 08 1999

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

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Date Filed: November 4, 1999 Effective Date: November 19, 1999

Issued By: James J. Howard  
Vice President



MIDAMERICAN ENERGY COMPANY  
P.O. Box 778  
Sioux City, Iowa 51102

SOUTH DAKOTA GAS SALES TARIFF  
SD P. C. Section No. IV  
First Revised Sheet No. 1  
Cancels Original Issue Sheet No. 1

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**CLASS OF SERVICE:** Contracts with Deviations

Alumax Yankton Plant Natural Gas Service Agreement

University of South Dakota

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Date Filed: November 4, 1999 ~~Sept. 22, 1995~~      Effective Date: November 19, 1999 ~~15-1995~~

Issued By: James J. Howard, Vice President  
Gas Administrative Services

CONFIDENTIAL

# [ \ ]

**FIRST AMENDMENT TO NATURAL GAS DISTRIBUTION AGREEMENT**

This First Amendment to the Natural Gas Distribution Agreement entered into by and between MIDAMERICAN ENERGY COMPANY, an Iowa corporation (herein referred to as "MidAmerican") and the UNIVERSITY OF SOUTH DAKOTA, a South Dakota public university (herein referred to as "USD") is made this 3rd day of Nov., 1999. MidAmerican and USD may individually and collectively be referred to herein as "Party" and Parties" respectively.

WHEREAS, MidAmerican and USD have entered into a Natural Gas Distribution Agreement (herein referred to as the "Agreement") on July 26, 1999; and

WHEREAS, the Parties wish to amend the Agreement.

NOW, THEREFORE, in consideration of the premises, and mutual covenants and conditions contained in the Agreement, the Parties agree as follows:

1. Article X. "Miscellaneous" is amended by replacing Section X.H. with the following:

"H. Should this Agreement be changed or amended after the Effective Date by final order of a regulatory authority exercising jurisdiction over this Agreement, the effect of which is to materially modify the economic benefits of the Agreement for a Party, the Parties shall meet within thirty (30) days to negotiate revisions to this Agreement that would provide for continued delivery service from MidAmerican. If, after thirty (30) days from the initial meeting, the Parties are unable to agree upon a revision to this Agreement, either Party may terminate the Agreement. If the changes or amendments to the Agreement imposed by the regulatory authority result from the unilateral requests of USD, MidAmerican shall not be required to make a lump-sum payment for early termination pursuant to Article VIII.E.

2. In all other respects the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly executed in duplicate as of the day and year first above written.

MIDAMERICAN ENERGY COMPANY

UNIVERSITY OF SOUTH DAKOTA

BY: Larry W. De Jong

BY: James W. Abbott

Name: Larry W. De Jong

Name: James W. Abbott

Title: Vice President

Title: President

South Dakota Public Utilities Commission

**WEEKLY FILINGS**

For the Period of November 4, 1999 through November 10, 1999

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Koibo within five business days of this filing.  
Phone: 605-773-3705 Fax: 605-773-3809

**CONSUMER COMPLAINTS**

**CT99-053** In the Matter of the Complaint filed by Storbeck Trucking, Inc., Huron, South Dakota, against Sprint Communications Company L.P. Regarding Unauthorized Switching of Services.

The Commission received a formal complaint from Doris Storbeck of Storbeck Trucking, Inc., Huron, South Dakota, on November 5, 1999, alleging that their intrastate long distance service was switched to Sprint without authorization. The Complainant is requesting that the charges be removed and compensation for inconvenience be awarded.

Staff Analyst: Leni Healy  
Staff Attorney: Karen Cremer  
Date Filed: 11/05/99  
Intervention Deadline: NA

**CT99-054** In the Matter of the Complaint filed by Tom and Corliss Vergeldt, Aberdeen, South Dakota, against MCI WorldCom Regarding Switching Rates.

On November 8, 1999, the Commission received a formal complaint from Tom and Corliss Vergeldt, Aberdeen, South Dakota, against MCI. The Complainants allege that a telemarketer promised they would get a rate of 5 cents per minute, any time of the day or night. The Complainants claim they questioned the telemarketer twice to confirm the rate. When they received the material sent by MCI, the Complainants discovered that their rates were not as described by the telemarketer. The Complainants called the numbers provided several times to get the service canceled. A representative of MCI indicated that they were not customers of MCI. They received a billing with high rates from MCI. The Complainants are seeking to have the charges dismissed, a \$1000 damage award and \$20,000 fine.

Staff Analyst: Leni Healy  
Staff Attorney: Karen Cremer  
Date Filed: 11/08/99  
Intervention Deadline: NA

**CT99-055 In the Matter of the Complaint filed by L & M Land Management, Huron, South Dakota, against Accutel Communications, Inc. Regarding Unauthorized Switching of Services.**

On November 9, 1999, the Commission received a formal complaint from Ardelle Fosheim on behalf of L & M Land Management. The Complainant alleges that Accutel added charges to their telecommunications billing without authorization. The Complainant seeks to have all charges associated with this activity removed and \$1000 for inconvenience.

Staff Analyst: Leni Healy  
Staff Attorney: Camron Hoseck  
Date Filed: 11/09/99  
Invention Date: NA

### **ELECTRIC**

**EL99-017 In the Matter of the Filing for Approval of Changes to Assigned Service Areas of Intercounty Electric Association, Inc. and Tri-County Electric Association, Inc.**

Tri-County Electric and Intercounty Electric have requested that the Commission transfer the existing territorial Agreements of the two existing entities to Central Electric Cooperative, Inc., effective January 1, 2000.

Staff Analyst: Martin Bettmann  
Staff Attorney: Karen Cremer  
Date Filed: 10/14/99  
Intervention Deadline: NA

**EL99-018 In the Matter of the Filing for Approval of Changes to Assigned Service Areas of Lincoln-Union Electric Company and Turner-Hutchinson Electric Cooperative, Inc.**

Lincoln-Union Electric and Turner-Hutchinson Electric have requested that the Commission transfer the existing territorial Agreements of the two existing entities to Southeastern Electric Cooperative, Inc., effective January 1, 2000.

Staff Analyst: Martin Bettmann  
Staff Attorney: Karen Cremer  
Date Filed: 10/14/99  
Intervention Deadline: NA

## NATURAL GAS

**ND08-050** In the Matter of the Filing by MidAmerican Energy Company for Approval of a Contract with Deviations with the University of South Dakota.

On November 2, 1999, MidAmerican Energy filed a proposed contract with deviations to serve the University of South Dakota at Vermillion pursuant to its Competitive Pricing Transportation Service currently tarified with the Commission. The contract is the result of negotiations taking place after the University notified MidAmerican that it intended to build pipeline facilities to bypass MidAmerican.

Staff Analyst: Dave Jacobson  
Staff Attorney: Camron Hoseck  
Date Filed: 11/08/99  
Intervention Deadline: NA

## TELECOMMUNICATIONS

**TC99-104** In the Matter of the Application of Connect!LD, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.

Connect!LD, Inc. (Connect!) seeks a Certificate of Authority to offer presubscribed "1+" and toll free inbound services throughout South Dakota. Connect! intends to offer its services to business and residential customers.

Staff Analyst: Heather Forney  
Staff Attorney: Camron Hoseck  
Date Filed: 11/04/99  
Intervention Date: 11/26/99

You may receive this listing and other PUC publications via our website or via internet e-mail. You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc/>

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

<b>IN THE MATTER OF THE FILING BY )</b>	<b>ORDER APPROVING</b>
<b>MIDAMERICAN ENERGY COMPANY FOR )</b>	<b>CONTRACT WITH</b>
<b>APPROVAL OF A CONTRACT WITH )</b>	<b>DEVIATIONS</b>
<b>DEVIATIONS WITH THE UNIVERSITY OF )</b>	
<b>SOUTH DAKOTA )</b>	<b>NG99-008</b>

On November 8, 1999, the Public Utilities Commission (Commission) received a filing by MidAmerican Energy Company (MidAmerican) requesting approval of its South Dakota Gas Sales Tariff, S.D.P.U.C. Section No. IV, Sheet No. 1, covering Contracts with Deviations and the underlying contract with the University of South Dakota, a South Dakota public university (USD), Vermillion, South Dakota. The proposed contract becomes effective on the date of Commission approval and is effective through June 30, 2020, and year to year thereafter unless written notice of termination is given twelve months prior to the end of the initial term or any subsequent renewal term. The contract is for distribution services and was filed as a confidential document pursuant to Commission rules.

MidAmerican further requested an expedited consideration of its application and necessary waivers to accomplish implementation.

On November 15, 1999, at a regularly scheduled meeting, the Commission considered the request for approval of the Contract with Deviations. Commission Staff recommended approval with the condition that approval by the Commission should not be construed as approval of the method of payment by USD.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-10, and 49-34A-11. Further, the Commission finds that MidAmerican's request for approval of a Contract with Deviations is just and reasonable and shall be approved. Further, the Commission finds that MidAmerican has satisfactorily met the criteria of ARSD 20:10:13:36 and it shall be permitted to implement its tariff upon less than thirty days notice, upon the effective date of this Order. As the Commission's final decision in this matter, it is therefore

**ORDERED**, that as of the date of this Order, the request seeking approval of a Contract with Deviations is in the public interest and is hereby granted, upon the condition that approval by the Commission shall not be construed as approval of USD's method of payment; and it is further

**ORDERED**, that a waiver of the notice requirements of ARSD 20:10:13:15 and 20:10:13:17 shall be granted and pursuant to ARSD 20:10:13:20 the tariff may become effective upon less than thirty days notice; and it is further

ORDERED, that the above-mentioned tariff is approved and is effective for service rendered on and after the date of this order.

Dated at Pierre, South Dakota, this 18<sup>th</sup> day of November, 1999.

<b>CERTIFICATE OF SERVICE</b>	
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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By: <u><i>Delvin Kello</i></u>	
Date: <u>11/22/99</u>	
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner

**MidAmerican**  
ENERGY

MidAmerican Energy Company  
401 Douglas Street  
P. O. Box 778  
Sioux City, Iowa 51102  
712.277.7500 Telephone

February 15, 2000

Mr. William C. Bullard  
Executive Secretary  
South Dakota Public Utilities Commission  
Capitol Building  
500 E Capitol Avenue  
Pierre, S.D. 57501

**RECEIVED**

FEB 17 2000

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Re: Gas Compliance Tariff Docket No. NG 99-008

Dear Mr. Bullard:

Enclosed for filing please find 7 copies of the South Dakota Gas Sales Tariff, S.D.P.U.C. Section No. IV, First Revised Sheet No. 1, effective November 18, 1999.

This gas tariff is filed in compliance with the South Dakota Public Utilities Commission order in Docket No. NG99-008 issued November 18, 1999.

Please feel free to contact me if you have any questions concerning this filing. Please file stamp one copy and return in the attached self-addressed envelope.

Sincerely,

  
Marvin G. Sorensen  
Gas Pricing Strategist

Cc: Dave Jacobson - S.D.P.U.C. Staff  
Suzan Stewart - MEC Attorney



MIDAMERICAN ENERGY COMPANY  
P.O. Box 776  
Sioux City, Iowa 51102

SOUTH DAKOTA GAS SALES TARIFF  
SD P.U.C. Section No. IV  
First Revised Sheet No. 1  
Cancels Original Issue Sheet No. 1

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**CLASS OF SERVICE:** Contracts with Deviations

Alumar Yankton Plant Natural Gas Service Agreement

University of South Dakota

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Date Filed: November 4, 1999 Effective Date: November 18, 1999

Issued By: James J. Howard  
Vice President