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BY: E-filing

Ms. Patty Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Ave.
Pierre, SD 57501

RE: RM 11-001 – In the Matter of the Gas and Electric Customer Billing Rules and Adoption of Rules Regarding Renewable, Recycled and Conserved Energy

Dear Ms. Van Gerpen:

MidAmerican Energy Company (MidAmerican) respectfully submits the following limited comments in Docket No. RM 11-001. MidAmerican participated in the informal comment process for these rules and provided comments at the South Dakota Public Utilities Commission (Commission) public hearing held on November 9, 2011. MidAmerican appreciates the opportunity to provide additional written comments. As MidAmerican indicated at the public hearing, MidAmerican generally supports the Commission's proposed rules in Docket No. RM11-001, and respectfully requests the Commission consider two changes in 20:10:17:09 and 20:10:38:07 as explained further below.

Customer Billing Rules

MidAmerican appreciates the effort given to craft balanced rules regarding billing adjustments. MidAmerican agrees with the overall intent and with many of the proposed changes. MidAmerican, however, has a concern that 20:10:17:09 does not provide a time limit for charges and refunds.

20:10:17:09

Rule 20:10:17:09 does not include language limiting the length of time for refunds, but these rules do limit the length of a time a customer may be back-billed. Utilities have record retention limits, and it would not be uncommon for a meter error to continue for several years without being identified. MidAmerican notes that rules 20:10:17:06 and 20:10:17:07 pertain to fast and slow meter errors, and due to their nature, those types of meter may never be able to be

traced back to the date of the error. However, rule 20:10:17:09 pertains to meter errors that may be able to be tracked back to the date of error, but the error may have occurred for several years. The accuracy of records diminishes over time and calculating refunds or charges becomes more inaccurate the farther back the amount is calculated. To address this concern, MidAmerican suggests the rules limit the refunds or changes to five years and suggests the following language:

A refund or charge shall be calculated as accurately as possible from the date of the error, **not to exceed five years.** However, for a residential customer, a charge for an error may not exceed on year.

Renewable, Recycled and Conserved Energy Rules

MidAmerican generally supports the proposed rules regarding Renewable, Recycled and Conserved Energy. MidAmerican, however, offers the following comments regarding clarification in proposed section 20:10:38:07.

20:10:38:07

Proposed Rule 20:10:38:07 requires electric providers that generate electricity from renewable sources and retire renewable energy credits ("RECs") to provide information to Commission. Public Utilities are required to file a report on their retirements of RECs to meet the renewable energy objective. MidAmerican suggests limiting the reporting requirement of this rule to only public utilities that have chosen to comply with the objective using renewable or recycled resources. A public utility that has chosen the option of meeting the objective with conserved energy may also generate renewable or recycled energy. However, in that case renewable production will not be relevant to the objective and should not need to be reported.

MidAmerican suggests this clarification since it has a very small load in South Dakota and will comply with the objective using conserved resources. However, MidAmerican owns or has contractual rights to the output of substantial wind generation equipment located in Iowa. The proposed reporting requirement implies that public utilities register all of their renewable resources with regional tracking systems such as MRETS. However, MidAmerican has several renewable resources not registered in regional tracking systems. Yet, this does not mean MidAmerican Renewable Energy Credits (REC) are untracked, not documented or not auditable by an outside party. MidAmerican has documentation for all REC generation and sales, and a majority of MidAmerican RECs are sold as "Green-e certifiable," meaning the RECs meet the criteria of the independent certification and verification program established by Center for Resource Solution's Green-e Energy program.

If the reporting requirements were limited to utilities who choose to comply using renewable or recycled resources, then MidAmerican's concerns are no longer relevant since it will opt to comply using conserved energy. Therefore, MidAmerican suggests the following language to address its concern:

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A provider of electricity complying with the rules using combined renewable and recycled energy, who that generates electricity from renewable electricity or recycled resources energy, and that who retires renewable energy credits shall provide to the commission:

MidAmerican appreciates the opportunity to provide further comments in this docket and supports the Commission's rules and respectfully requests the Commission consider the two slight changes suggested above.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jennifer S. Moore". The signature is fluid and cursive, with the first name being the most prominent.

Jennifer S. Moore
Senior Attorney