

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

**IN THE MATTER OF THE ADOPTION OF)
RULES REGARDING RATE FILING,)
ENERGY FACILITY PLANS, SITING RULES,) DOCKET NO. RM19-001
LOCAL EXCHANGE COMPETITION,)
TELECOM SERVICES, PIPELINE SAFETY,)
AND STRAY VOLTAGE)**

COMES NOW, MidAmerican Energy Company (“MidAmerican”), pursuant to the South Dakota Public Utilities Commission (“Commission”) draft rules and Amendments issued in Docket No. RM19-001, and submits its reply comments concerning the draft rules issued by the Commission on March 26, 2021. In support of its comments, MidAmerican states the following:

I. INTRODUCTION

MidAmerican is a rate-regulated public utility providing electric and natural gas public utility service. MidAmerican provides electric public utility service at retail to approximately 752,000 electric customers and 733,000 natural gas customers in a 10,600-square mile area in Iowa, Illinois, South Dakota, and Nebraska. As a rate-regulated electric and gas public utility, MidAmerican’s retail rates are subject to the authority of the Commission and will therefore be affected by any rules adopted pertaining to rate filing, energy facility plans, siting rules, pipeline safety, and stray voltage, by the Commission in this rulemaking proceeding.

II. COMMENTS

MidAmerican appreciate the proposed modifications incorporated into the March 26, 2021, proposed rules. MidAmerican reasserts the below comment and further urges the Commission to take these comments into consideration prior to adopting the proposed rules.

a. 20:10:21:04 – Existing energy conversion facilities.

The proposed rule 20:10:21:04 strikes “which are facilities where electricity is being generated,” and replaces with “that are owned or operated by the utility to serve South Dakota load.”

MidAmerican reasserts its prior submitted concerns that the new language creates confusion regarding regulatory authority over assets not located within the state of South Dakota. MidAmerican’s generation not located in South Dakota is already under the jurisdiction of, and regulated by, the regulatory authority of the state the existing energy conversion facilities are located. MidAmerican proposes the following change to the language:

For existing energy conversion facilities which are facilities that are owned or operated by the utility located in the state to serve South Dakota load ~~where electricity is being generated the utility~~ shall provide information as follows:

b. 20:10:22:33.02 – Information concerning wind energy facilities.

The rule 20:10:22:33.02 provides, the required information that must be submitted in an application for proposed wind energy facilities.

MidAmerican appreciates the requirements to provide this information at the outset of the project. However, during the course of development and construction of wind facilities, discoveries may be made that would require non-material changes or changes that do not affect the public interest. An example of a change that will not affect the public interest is if a landowner modifies the use of their land and prefers a cable or road relocation. This would be a deviation from the information submitted at the outset of the project but would benefit the landowner and not affect the public interest. MidAmerican urges the Commission retain the ability to request non-material changes to the location of facilities or changes that do not impact the public interest.

MidAmerican reserves the right to participate in future proceedings and provide additional comments as necessary.

WHEREFORE, for the foregoing reasons MidAmerican Energy Company respectfully requests that the Commission give these comments due consideration as it develops rules in this proceeding.

DATED this 6th of April 2021.

Respectfully submitted,
MIDAMERICAN ENERGY COMPANY
By /s/ Katelyn M. Lynch-Butcher
Katelyn M. Lynch-Butcher
666 Grand Avenue, Suite 500
Des Moines, Iowa 50309
Phone: (515) 252-6547
Email:
KMLynch-butcher@Midamerican.com

**ATTORNEY FOR MIDAMERICAN ENERGY
COMPANY**