

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

IN THE MATTER OF THE COMPLAINT FILED) BY KEVIN OHM ON BEHALF OF TYLER TV &) APPLIANCE, INC., BROOKINGS, SOUTH) DAKOTA, AGAINST NORTHWESTERN) ENERGY REGARDING BILLING))	ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CN02-002
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On July 31, 2002, the Public Utilities Commission (Commission) received a complaint filed by Kevin Ohm on behalf of Tyler TV & Appliance, Inc., Brookings, South Dakota (Complainant), against NorthWestern Energy (NWE) regarding billing.

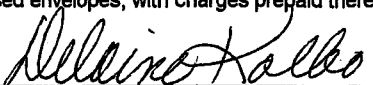
On August 12, 2002, the complaint was faxed to NWE. Pursuant to ARSD 20:10:01:09, NWE was notified that it must satisfy the complaint or file an answer in writing with the Commission by September 3, 2002. The Commission has not received an answer from NWE to this complaint. Commission Staff was informed that settlement had been reached in this matter.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A.

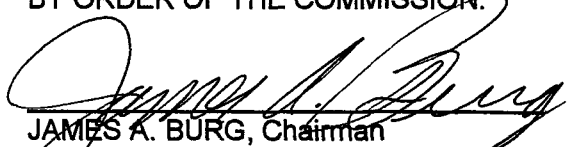
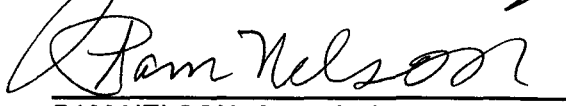

On September 5, 2002, at a regularly scheduled meeting, the Commission considered this matter. Upon recommendation of Commission Staff, the Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 18th day of September, 2002.

CERTIFICATE OF SERVICE	
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:	
Date:	9/19/02
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

 _____ JAMES A. BURG, Chairman
 _____ PAM NELSON, Commissioner
 _____ ROBERT K. SAHR, Commissioner