

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

IN THE MATTER OF THE COMPLAINT FILED ) ORDER DENYING MOTION  
BY DAN LARSON, MECKLING, SOUTH ) TO DISMISS  
DAKOTA, AGAINST MIDAMERICAN ENERGY )  
COMPANY REGARDING IMPROPER ) CN04-001  
DISCONNECTION AND REQUIREMENT TO )  
REPLACE FURNACE )

On July 7, 2004, the Public Utilities Commission (Commission) received a complaint filed by Dan Larson, Meckling, South Dakota (Complainant), against MidAmerican Energy Company (MidAmerican) regarding improper disconnection and requirement to replace furnace.

On July 7, 2004, the complaint was faxed to MidAmerican. Pursuant to ARSD 20:10:01:09, MidAmerican was notified that it must satisfy the complaint or file an answer in writing with the Commission by July 27, 2004. On July 27, 2004, the Commission received a Motion to Dismiss from MidAmerican.

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

On August 17, 2004, at a regularly scheduled meeting, the Commission considered the Motion to Dismiss. The Commission voted unanimously to deny the Motion to Dismiss. It is therefore

ORDERED, that the Motion to Dismiss is hereby denied.

Dated at Pierre, South Dakota, this 26<sup>th</sup> day of August, 2004.

**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: Melaine Kolbo

Date: 8/27/04

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Gary Hanson  
GARY HANSON, Commissioner

James A. Burg  
JAMES A. BURG, Commissioner