BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY ARNOLD MURRAY CONSTRUCTION, SIOUX FALLS, SD, AGAINST NORTHERN STATES POWER COMPANY REGARDING TRANSFERRING UNPAID BALANCES TO ITS ACCOUNT	)	ORDER FINDING PROBABLE CAUSE AND NOTICE REQUIRING ANSWER EL97-013

On July 8, 1997, the South Dakota Public Utilities Commission (Commission) received a complaint from Arnold Murray Construction (AMC), Sioux Falls, South Dakota, against Northern States Power Company (NSP) regarding transferring unpaid balances to its account. In the complaint, AMC states that NSP is transferring final bills from one meter that is inactive to active meters without giving addresses, usage, etc. AMC explains that as a property manager who fee manages, this practice is very confusing. AMC alleges that it has found bills for other owners and/or tenants in its bill. Further, AMC states that it did not give NSP permission to bill in this manner. AMC has requested the Commission to order NSP to stop this practice.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On July 29, 1997, at its regularly scheduled meeting, the Commission considered the matter along with comments from AMC and NSP.

The commission has jurisdiction over this matter pursuant to SDCL 49-34A and ARSD 20:10:01:08.01 and 20:10:01:09. The Commission unanimously voted to find probable cause. It is therefore

ORDERED, that probable cause has been found in this matter and that the complaint shall be forwarded to NSP and NSP shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 4th day of August, 1997.

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: Delaine Kacks

Date: 8/4/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg

JAMES A. BURG, Chairman

Pam Nelson

PAM NELSON, Commissioner

Laska Schoenfelder

LASKA SCHOENFELDER, Commissioner