

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

IN THE MATTER OF THE COMPLAINT FILED)	FINAL ORDER AND
BY ARNOLD MURRAY CONSTRUCTION,)	DECISION; NOTICE OF
SIoux FALLS, SD, AGAINST NORTHERN)	ENTRY OF ORDER
STATES POWER COMPANY REGARDING)	
TRANSFERRING UNPAID BALANCES TO ITS)	EL97-013
ACCOUNT)	

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.

At its regularly scheduled July 29, 1997, meeting, the Commission found probable cause of an unlawful or unreasonable act, rate, practice, or omission and served the complaint on NSP. NSP filed its response on August 15, 1997.

Pursuant to its Order for and Notice of Hearing dated September 18, 1997, a hearing was held on September 30, 1997, at the Days Inn Empire, 3401 Gateway Boulevard, Sioux Falls, South Dakota. At the end of the hearing, the Commission took the matter under advisement.

At its November 18, 1997, meeting, the Commission considered this matter. The Commission voted to find that NSP's method of transferring of final bills is reasonable.

Based on the evidence and testimony presented at the hearing, the Commission makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

I

On July 8, 1997, the 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. Exhibit 1.

II

Bonnie Murray, a representative of AMC, stated that AMC objected to the transferring of balances and wanted the Commission to prohibit NSP from transferring

balances. Tr. at 11, 31. Ms. Murray also stated that if bills were transferred, she would prefer that the transfers show the address, not just the account number. Tr. at 22. Ms. Murray also objected to NSP billing errors. Tr. at 27-28.

III

Marilyn Heidemann, a NSP representative, stated that when NSP finalizes an account, the customer is issued a final bill. Tr. at 34. The due date on that final bill is approximately 30 days. Id. If the bill is not paid by the due date, seven days later it is transferred to another active account under the same name and rate class. Id. The transfer is done automatically. Tr. at 35. With respect to the alleged billing errors, Ms. Heidemann stated that she did not believe that these were company errors but probably involved disputes between the landlord and the tenant as to what date the tenant was responsible for the bill. Tr. at 44.

IV

The Commission finds that NSP's practice of transferring bills from inactive accounts to active accounts that involve the same name and class of service is a reasonable practice because NSP itemizes the transfers and provides account numbers for those transfers.

CONCLUSIONS OF LAW

I

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-34A, and ARSD 20:10:01:15.

II

The Commission finds that NSP's practice of transferring bills from inactive accounts to active accounts that involve the same name and class of service is a reasonable practice because NSP itemizes the transfers and provides account numbers for those transfers.

It is therefore

ORDERED that the Commission finds that NSP's practice of transferring bills from inactive accounts to active accounts that involve the same name and class of service is a reasonable practice because NSP itemizes the transfers and provides account numbers for those transfers.

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that this Order was duly entered on the 2nd day of December, 1997. Pursuant to SDCL 1-26-32, this Order will take effect 10 days after the date of receipt or failure to accept delivery of the decision by the parties.

Dated at Pierre, South Dakota, this 2nd day of December, 1997.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u>Melaine Kalbo</u></p> <p>Date: <u>12/4/97</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

PAM NELSON, Commissioner
dissenting

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

