

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY DAVE OVERLAND, SIOUX FALLS,)	COMPLAINT AND CLOSING
SOUTH DAKOTA, AGAINST NORTHERN)	DOCKET
STATES POWER COMPANY REGARDING)	
EXCESSIVE REPAIR CHARGES)	EL98-015

On June 1, 1998, the Public Utilities Commission (Commission) received a complaint from Dave Overland, Sioux Falls, South Dakota, against Northern States Power Company (NSP) regarding excessive charges for repair service. In the complaint, Mr. Overland states that he "hung a hammock between 2 trees and cracked an arm sized branch. While sawing the branch, the tip caught the NSP line and the conduit pulled away from the house but we still had electricity to the lower level of the house. It was a Sunday and I called NSP and 2 men came out and reattached the conduit to the top of the house but they didn't reattach the electrical wire to restore our upstairs electricity. They said we needed to call an electrician to do that as it was frayed. At no time--not when we called NSP on the phone nor when they arrived during the attachment or leaving after approximately 20 minutes did anyone mention a charge. On 4/29/1998 we received a \$401.69 bill and feel we should have been informed so at least we could have waited until Monday when it wouldn't be double time. As a monopoly the charge should be reasonable." Mr. Overland is requesting that the charges be reduced to a reasonable fee. "I also feel the public should be informed that an outrageous fee will be levied on them if they accidentally pull the power line off their house."

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 June 30, 1998, at its regularly scheduled meeting, the Commission considered the matter along with comments from Mr. Overland 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. After considering the comments of Mr. Overland and Jim Wilcox, a representative of NSP, the Commission finds that the charges were consistent with NSP's tariff and there is no basis for the complaint. The Commission accordingly finds no probable cause to pursue the complaint further. (Commissioner Nelson dissenting) It is therefore

ORDERED, that no probable cause having been found, the complaint is hereby dismissed and the docket closed.

Dated at Pierre, South Dakota, this 9th day of July, 1998.

<p>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 Kelbo</u></p> <p>Date: <u>7/10/98</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

James A. Burg
 JAMES A. BURG, Chairman

PAM NELSON, Commissioner, dissenting

Laska Schoenfelder
 LASKA SCHOENFELDER, Commissioner