

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

IN THE MATTER OF THE FILING BY) MIDAMERICAN ENERGY COMPANY FOR) APPROVAL OF A DEPARTURE FROM) ELECTRIC ENERGY COST ADJUSTMENT) TARIFF)	ORDER APPROVING DEPARTURE FROM ELECTRIC ENERGY ADJUSTMENT CLAUSE EL02-022
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On October 22, 2002, MidAmerican Energy Company (MidAmerican) filed with the Public Utilities Commission (Commission) an application requesting approval to depart from specific wording of its Electric Energy Cost Adjustment (EECA) Tariff. MidAmerican's filing stated that approval of its request would allow pass-through of certain power cost reductions associated with MidAmerican's settlement of all disputes and litigation with Nebraska Public Power District (NPPD) with respect to the Cooper Nuclear Station. On August 1, 2002, MidAmerican received an up front payment from NPPD which represented reduced energy and capacity for the life of the power purchase contract. The filing states that MidAmerican is willing to flow the South Dakota jurisdictional share of the capacity portion of the August payment through the EECA as a credit over the remaining term of the contract with interest on the declining balance of the payment.

At its regularly scheduled meeting of November 20, 2002, the Commission considered this matter.

Commission Staff recommended approval of the request with the following conditions:

1. Approval of this request is a one time, case specific approval and any future deviation from filed EECA tariffs must be filed for and approved by the Commission before implementation.
2. The EECA currently tariffed is not changed by this approval.
3. No precedent is created by approval of this request.
4. MidAmerican shall agree and respond to reporting requirements as directed by Staff.

The Commission finds it has jurisdiction over this matter pursuant to SDCL 49-34A. The Commission finds that MidAmerican's request to depart from its tariffed Electric Energy Cost Adjustment is just and reasonable and approves MidAmerican's request, subject to the conditions recommended by Commission Staff. It is therefore

ORDERED, that MidAmerican's request to depart from its Electric Energy Cost Adjustment is approved with the following conditions:

1. Approval of this request is a one time, case specific approval and any future deviation from filed EECA tariffs must be filed for and approved by the Commission before implementation.
2. The EECA currently tariffed is not changed by this approval.
3. No precedent is created by approval of this request.
4. MidAmerican shall agree and respond to reporting requirements as directed by Staff.

Dated at Pierre, South Dakota, this 2nd day of December, 2002.

<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>Alaine Kalbs</u></p> <p>Date: <u>12/3/02</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner