

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

IN THE MATTER OF THE CONSIDERATION)	ORDER OPENING DOCKET
OF THE NEW PURPA STANDARDS)	AND REQUESTING
)	COMMENTS
)	
)	EL06-018

On August 8, 2005, the Energy Policy Act of 2005 ("EPAAct 2005") was signed into law. Certain provisions in the EPAAct 2005 amend the Public Utility Regulatory Policies Act ("PURPA") of 1978. The EPAAct 2005 adds five new federal standards to PURPA. The five standards regard net metering, fuel diversity, fossil fuel generation efficiency, smart metering, and interconnection for distributed resources. Under the EPAAct2005, the Public Utilities Commission (Commission) has varying timelines within which to consider these standards and determine whether to adopt them.

At its May 23, 2006, meeting, the Commission considered how to proceed with the consideration of the new PURPA standards. The Commission has jurisdiction over this matter pursuant to SDCL chapter 49-34A and the Energy Policy Act of 2005. The Commission voted to open a docket to seek comments from interested persons or entities on how to proceed. The Commission requests that interested persons or entities comment on the following questions: 1) Which electric utilities operating in South Dakota are affected by the standards and are subject to the Commission's jurisdiction? 2) Should the Commission open a docket for each utility or open a generic docket encompassing all of the affected utilities? 3) Should the Commission combine all of the standards, some of the standards, or have separate dockets for each standard? 4) Should the Commission hold evidentiary hearings with direct testimony and cross-examination? 5) If the Commission decides to implement any of the standards, should it do so through a rulemaking? 6) With respect to the net metering standard, should the Commission find it is not required to consider this standard given that the Legislature has already considered net metering in a past legislative session? Interested persons or entities may also submit comments on any other issues related to how the Commission should proceed with its consideration of these standards.

The Commission further determined that written comments will be due on or before June 20, 2006. After reviewing the comments, the Commission will determine how it should proceed with its consideration of the PURPA standards. It is therefore

ORDERED, that interested persons or entities may comment on the questions listed above, or other related issues, on or before June 20, 2006.

Dated at Pierre, South Dakota, this 5th day of June, 2006.

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 Karbo

Date: 6/6/06

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Dustin M. Johnson

DUSTIN M. JOHNSON, Commissioner

Gary Hanson

GARY HANSON, Commissioner