

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

IN THE MATTER OF THE FILING BY)
NORTHWESTERN CORPORATION D/B/A)
NORTHWESTERN ENERGY FOR APPROVAL)
OF A CONTRACT WITH DEVIATIONS WITH)
BURLINGTON NORTHERN AND SANTA FE)
RAILROAD)

ORDER APPROVING
CONTRACT WITH
DEVIATIONS

EL08-003

On February 12, 2008, the Public Utilities Commission (Commission) received a filing by NorthWestern Energy Corporation d/b/a Northwestern Energy (NWE) for approval of a Contract with Deviation to construct an electric line to serve the Burlington Northern and Santa Fe Railroad. This project is to provide electrical service to a new switch heater located at Line Segment 2001, Milepost 736.68, City of Redfield, Spink County, South Dakota. NWE filed the following tariff sheet for Commission approval:

Section No. 4, 4th Revised Sheet No. 1, Canceling 3rd Revised Sheet No. 1

At its March 25, 2008, meeting, the Commission considered the request for approval of the Contract with Deviations. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-8.3, 49-34A-10, and 49-34A-11. Further, the Commission finds that NWE's request for approval of a Contract with Deviations and associated tariff revision is just and reasonable and shall be approved for service rendered on and after April 1, 2008. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a Contract with Deviations is in the public interest and is hereby granted; and it is further

ORDERED, that the above-mentioned tariff is approved and is effective for service rendered on and after April 1, 2008.

Dated at Pierre, South Dakota, this 9th day of April, 2008.

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, electronically.
By: <u> Melaine Kalbo </u>
Date: <u> 4/9/08 </u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

 Gary Hanson
GARY HANSON, Chairman

 Steve Kolbeck
STEVE KOLBECK, Commissioner

 Dustin Johnson
DUSTIN M. JOHNSON, Commissioner