

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

**IN THE MATTER OF THE FILING BY OTTER)
TAIL POWER COMPANY FOR APPROVAL OF)
TARIFF REVISIONS)
)**

**ORDER APPROVING
TARIFF REVISIONS

EL08-014**

On May 29, 2008, the Public Utilities Commission (Commission) received a filing by Otter Tail Power Company (Otter Tail) for approval to amend its M-42S tariff to add the following wording to this tariff: "Due to the U.S. Government Energy Act of 2005, after July 1, 2008, the Company will no longer install Mercury Vapor fixtures for new installations." As of January 1, 2008, the U.S. Government Energy Act of 2005 prohibits mercury vapor lamp ballasts from being manufactured or imported in the United States. As such, Otter Tail will no longer be able to purchase mercury vapor fixtures. Otter Tail filed the following tariff sheets for Commission approval:

Section No. 3, Volume I, 5th Revised Sheet No. 94, Canceling 4th Revised Sheet No. 94, Rate Designation M-42S, page 1 of 3, 2 of 3 and 3 of 3

At its July 8, 2008, meeting, the Commission considered the request for approval of the revised tariff sheets. 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-10, and 49-34A-11. Further, the Commission finds that Otter Tail's request for approval of tariff revisions is just and reasonable and shall be approved. As the Commission's final decision in this matter, it is therefore

ORDERED, that Otter Tail's abovementioned tariff sheets are approved and shall be effective for service rendered on and after July 1, 2008.

Dated at Pierre, South Dakota, this 16th day of July, 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><i>Delaine Kolbo</i></u>
Date:	<u>7/16/08</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner