

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

**IN THE MATTER OF THE FILING OF THE  
INVESTIGATION OF THE NATURAL GAS  
INCIDENT OF MARCH 14, 2009, ON  
MONTANA-DAKOTA UTILITIES CO.'S SYSTEM  
IN RAPID CITY, SOUTH DAKOTA.**

)  
)  
)  
)  
)  
)  
**ORDER GRANTING  
WITHDRAWAL OF FILING  
AND CLOSING DOCKET**  
  
**EL07-036**

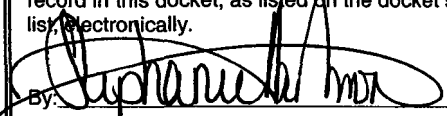
On December 28, 2007, Xcel Energy filed a petition with the Commission for approval of an expanded demand side management program and cost recovery tariff. In its petition, Xcel requested to add several new programs and establish a Demand Side Management Cost Adjustment Factor to be included in rates. On December 31, 2009, Xcel Energy requested that its filing be withdrawn as the duplicative filing of Docket EL09-030 makes this filing unnecessary.

At its regularly scheduled meeting of January 19, 2010, the Commission considered this matter. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-34A. The Commission found that Xcel Energy's request to withdraw its filing is reasonable and closed the docket. It is therefore

ORDERED, that Xcel Energy shall be permitted to withdraw its filing, and it is further

ORDERED, that this docket is closed.

Dated at Pierre, South Dakota, this 28<sup>th</sup> day of January, 2010.

<b>CERTIFICATE OF SERVICE</b>
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></u>
Date: <u>1/28/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

  
DUSTIN M. JOHNSON, Chairman

  
STEVE KOLBECK, Commissioner

  
GARY HANSON, Commissioner