

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

**IN THE MATTER OF THE FILING BY)
NORTHWESTERN CORPORATION, DBA)
NORTHWESTERN ENERGY FOR APPROVAL)
OF A CONTRACT WITH DEVIATIONS)**

**ORDER APPROVING
CONTRACT WITH
DEVIATIONS**

EL11-026

On October 4, 2011, NorthWestern Corporation dba NorthWestern Energy (NorthWestern) filed for approval of a contract with deviations (Contract). The proposed Contract would extend electric distribution service to a new location for an existing customer and charge the costs associated with such extension to the requesting customer, subject to refund to the extent that energy delivery volumes exceed a specified level. These customer charges and the terms and conditions thereof are not covered in the tariffed rates, terms, and conditions of service currently on file with the Commission. NorthWestern has requested approval of the Contract with less than 30 days notice.

The Commission finds it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically 49-34A-6, 49-34A-8, 49-34A-10, 49-34A-12, and ARSD 20:10:13:09, 20:10:13:10, and 20:10:13:20.

At its regular meeting on October 25, 2011, the Commission considered this matter. Commission Staff recommended approval. Following questions from the Commission regarding the usage adjustment provision in paragraph 2 of the Contract, NorthWestern agreed to notify the customer of the base usage value to be employed in the adjustment calculation and of the inclusion of usage volumes from extensions off the line in the usage volume calculation. Finding that with these commitments, the Contract is just and reasonable, the Commission voted unanimously to approve the Contract with Deviations with less than 30 days notice, effective for service rendered on or after October 25, 2011. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a Contract with Deviations with less than 30 days notice is in the public interest and is hereby granted; and it is further

ORDERED, that the above-mentioned tariff is approved effective for services rendered on and after October 25, 2011.

Dated at Pierre, South Dakota, this 28th day of October, 2011.

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>Joy King</u>
Date: <u>10-28-11</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner