

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

IN THE MATTER OF THE REQUEST FOR A DECLARATORY RULING BY DREAM DESIGN INTERNATIONAL, INC. REGARDING THE APPLICATION OF ARSD § 20:10:26:04(2) TO A RESIDENTIAL COMPLEX INTENDED TO HOUSE SCHOOL OF MINES STUDENTS)))))))	DECLARATORY ORDER REGARDING NOTICE OF EXCEPTION EL12-033
---	---------------------------------	--

On April 25, 2012, the Public Utilities Commission (Commission) received a filing by Dream Designs, Inc. (DDI) requesting a declaratory ruling that DDI has correctly interpreted an exception to individual metering requirements under ARSD 20:10:26:04(2). DDI is in the process of constructing a 34-unit residential complex intended to house students of the South Dakota School of Mines and Technology and requests a declaratory ruling to verify that it has properly interpreted the Administrative Rules of South Dakota (ARSD) and that it may provide master metering in order to allow the students to make one payment for all services and utilities.

On April 26, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of May 11, 2012, to interested individuals and entities. No petitions to intervene or comments were filed. The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A-4, 49-34A-27 and ARSD 20:10:26:03 and ARSD 20:10:26:04 .

At its regularly scheduled meeting on May 22, 2012, the Commission considered this matter. Commission Staff recommended that the Commission find that DDI has correctly interpreted the exception to individual metering requirements set forth in ARSD 20:10:26:04(2) and that this exception applies to the DDI's residential complex which can qualify as a dormitory or residential facility of strictly transient nature. The Commission unanimously voted to find that DDI has correctly interpreted the rules applicable to individual metering requirements and that an exception applies to the planned residential complex. It is therefore

ORDERED, that Dream Designs, Inc. has correctly interpreted that the exception found in ARSD 20:10:26:04(2) to individual metering requirements applies to the planned 34-unit residential complex located in Rapid City, SD.

Dated at Pierre, South Dakota, this 24th day of May, 2012.

<p>CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u>[Signature]</u></p> <p>Date: <u>May 24, 2012</u></p> <p align="center">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

[Signature]
CHRIS NELSON, Chairman

[Signature]
KRISTIE FIEGEN, Commissioner

[Signature]
GARY HANSON, Commissioner