

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

IN THE MATTER OF THE COMPLAINT FILED) BY SUSAN COBB, SIOUX FALLS, SD,) AGAINST MIDAMERICAN ENERGY COMPANY) REGARDING DISCONNECTION))	ORDER FINDING NO PROBABLE CAUSE, DISMISSING COMPLAINT AND CLOSING DOCKET NG97-010
--	---	---

On June 25, 1997, the South Dakota Public Utilities Commission (Commission) received a complaint from Susan Cobb (Cobb), Sioux Falls, SD, against MidAmerican Energy Company (MidAmerican) regarding disconnection. Cobb stated that the utilities were put in her daughter's name because she was the only one working. Further, Cobb states that her daughter was almost 18 when this was done and that in less than three weeks from the time the complaint was filed her daughter would turn 18. Subsequent to the application, MidAmerican learned the daughter was a minor. Consequently, a disconnection notice was delivered. In the complaint, Cobb requested that disconnection be stopped. In response, MidAmerican delayed the immediate disconnection order. After the disconnection delay, MidAmerican found the account to be in default of a May 21, 1997 deferred payment arrangement. In accordance with the arrangement, a payment plus the current bill was to have been made on June 19, 1997. No payments have been made on the account since the down payment was made on June 2, 1997. Therefore, the account was subject to disconnection.

On July 15, 1997, at its duly noticed meeting, the Commission reviewed the complaint as well as comments of MidAmerican. Ms. Cobb did not appear.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-34A and ARSD 20:10:01:08.01 and 20:10:01:09.

The Commission found that the disconnection notice for the default account made the original disconnection a moot point. The Commission unanimously voted to find no probable cause of an unlawful or unreasonable act, rate, practice or omission on the part of MidAmerican and to dismiss the Complaint and close the docket. As the Commission's final decision in this matter, it is therefore

ORDERED, that the Commission does not find probable cause of an unlawful or unreasonable act, rate, practice or omission and therefore the Complaint is dismissed and docket NG97-010 is hereby closed.

Dated at Pierre, South Dakota, this 29th day of July, 1997.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Debra Kalko</i></u>
Date: <u>7/29/97</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER FINDING
BY ARNOLD MURRAY CONSTRUCTION,)	PROBABLE CAUSE AND
SIoux FALLS, SD, AGAINST MIDAMERICAN)	NOTICE REQUIRING
ENERGY COMPANY REGARDING)	ANSWER
TRANSFERRING UNPAID BALANCES TO ITS)	
ACCOUNT)	NG97-012

On July 8, 1997, the South Dakota Public Utilities Commission (Commission) received a complaint from Arnold Murray Construction (AMC), Sioux Falls, South Dakota, against MidAmerican Energy Company (MidAmerican) regarding transferring unpaid balances to its account. In the complaint AMC alleges that MidAmerican is transferring final bills from one meter that is inactive to an active meter without providing usage, addresses, etc. AMC states that as a property manager who fee manages for other owners, this practice is very confusing. Further, AMC explains that it is receiving bills for other owners and/or tenants and properties that should not be paid by AMC. With 100+ accounts, AMC alleges that it takes two days of telephone calls to straighten out the billing. In the complaint AMC states that MidAmerican did not have permission to bill in this manner. AMC has requested the Commission to order MidAmerican to stop this practice and to require MidAmerican to obtain consent to bill in this manner.

Pursuant to ARSD 20:10:01:08.01 and 20:10:01:09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On July 29, 1997, at its regularly scheduled meeting, the Commission considered the matter along with comments from AMC and MidAmerican.

The Commission has jurisdiction over this matter pursuant to SDCL 49-34A and ARSD 20:10:01:08.01 and 20:10:01:09. The Commission unanimously voted to find probable cause. It is therefore

ORDERED, that probable cause has been found in this matter and that the complaint shall be forwarded to MidAmerican and MidAmerican shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 4th day of August, 1997.

<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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: <u><i>Helmi Kalbo</i></u></p> <p>Date: <u>8/4/97</u></p> <p align="center">(OFFICIAL SEAL)</p>
--

BY ORDER OF THE COMMISSION:

James A. Burg
 JAMES A. BURG, Chairman

Pam Nelson
 PAM NELSON, Commissioner

Laska Schoenfelder
 LASKA SCHÖENFELDER, Commissioner