

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

<b>IN THE MATTER OF THE APPLICATION FOR AN ORDER</b>	)	<b>ORDER</b>
<b>ESTABLISHING A NATURAL GAS LOCAL DISTRIBUTION UTILITY,</b>		<b>GRANTING</b>
<b>AND TO ESTABLISH INITIAL NATURAL GAS TRANSPORTATION</b>	)	<b>REQUEST</b>
<b>RATES FOR NORTHERN STATES POWER COMPANY</b>		
	)	<b>NG97-021</b>
	)	

On December 16, 1997, Northern States Power Company (NSP), filed with the Public Utilities Commission (Commission) an application for an order establishing a natural gas local distribution utility, and to establish initial natural gas transportation rates. The initial rate will allow NSP-SD to serve the new Hutchinson Technology, Inc. (HTI) facility in the Sioux Empire Development Park Number 5 in eastern Sioux Falls, SD through a new distribution lateral pipeline. HTI had contacted NSP-SD and requested the proposed service. The proposed tariff, rate schedule, and form of service agreement would establish NSP-SD as a regulated utility in the state of South Dakota, subject to Commission jurisdiction. The proposed maximum rate is a volumetric rate per Mcf with a per month fixed customer service charge. At present, only HTI is affected by the proposed rate and tariff.

NSP is also requesting that the Commission waive the tariff schedule arrangement and form of tariff rules found at ARSD 20:10:13:04 and 20:10:13:05 to the extent necessary to accept the proposed tariff and rates on the proposed effective date of January 16, 1998. NSP also requests waiver of any other Commission rules necessary to allow the tariff and rate to be effective on the date requested. NSP has further requested the Commission to approve the proposed initial rate, subject to refund and subject to hearing, within 30 days following the date of the filing.

At its regularly scheduled meeting of January 8, 1998, the Commission ordered that pursuant to SDCL 49-1A-8, NSP shall be assessed a filing fee as requested by the executive director up to the statutory limit of \$100,000 and February 9, 1998, was established as the deadline for intervention. The Commission took under advisement the request by NSP to permit it to flow gas to its one customer, HTI.

On January 12, 1998, at a duly noticed ad hoc meeting, the Commission considered the matter of permitting NSP to flow gas in order to accommodate its one customer, HTI. The Commission unanimously voted to allow NSP to flow gas through its pipeline, subject to refund, in order to accommodate its customer, HTI. It is therefore

**ORDERED** that NSP shall be allowed to flow gas through its pipeline, subject to refund, in order to accommodate its customer, HTI.

Dated at Pierre, South Dakota, this 28th day of January, 1998.

**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: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner

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LASKA SCHOENFELDER,  
Commissioner