

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

IN THE MATTER OF THE APPLICATION OF)	ORDER CANCELLING
MIDAMERICAN ENERGY COMPANY FOR)	HEARING; ORDER FOR AND
AUTHORITY TO INCREASE RATES FOR)	NOTICE OF HEARING TO
NATURAL GAS SERVICE)	CONSIDER SETTLEMENT
)	AGREEMENT
)	NG98-011

On November 23, 1998, MidAmerican Energy Company (MidAmerican), filed with the Public Utilities Commission (Commission) an application to increase natural gas rates in South Dakota. The application seeks an overall increase in rates in the amount of \$3,218,414 or approximately 6.5%. The Company requested a change in rates to become effective for billings after December 23, 1998.

SDCL 49-1A-8 authorizes the Commission to require a deposit of up to one hundred thousand dollars (\$100,000) in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing.

At its regularly scheduled meeting of December 7, 1998, the Commission considered this matter. The Commission found that pursuant to SDCL 49-1A-8, MidAmerican shall be assessed a filing fee as requested by the executive director up to the statutory limit of \$100,000. The Commission further established an intervention deadline of thirty days beyond the date of the Order. Pursuant to SDCL 49-31-14, the Commission suspended the operation of the schedule of rates proposed by MidAmerican for 90 days beyond December 23, 1998. By Order dated March 31, 1999, the Commission extended the suspension through May 24, 1999.

The Commission set the matter for hearing for April 19-21, 1999, starting at 9:00 A.M. CDT, on April 19, 1999, in Room 412, State Capitol, Pierre, South Dakota. On April 8, 1999, the Commission received a letter from Commission staff stating that MidAmerican and Commission staff had reached a settlement agreement. Staff requested that the Commission consider it on April 21, 1999.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A, including 1-26-18, 1-26-19, 49-34A-2, 49-34A-3, 49-34A-4, 49-34A-6, 49-34A-8, 49-34A-8.1, 49-34A-10, 49-34A-11, 49-34A-12, 49-34A-13, 49-34A-13.1, 49-34A-14, 49-34A-16, 49-34A-17, 49-34A-19, 49-34A-19.1, 49-34A-19.2, 49-34A-20, 49-34A-21, 49-34A-22, and 49-34A-23.

Based on staff's letter, the Commission shall cancel the hearing set for April 19-21, 1999, which was scheduled to hear the testimony of the parties. Instead, the Commission shall hear from the parties concerning the settlement agreement on April 21, 1999, at 1:30 P.M. CDT, in Room 412, of the State Capitol, Pierre, South Dakota.

It is therefore

ORDERED, that the hearing scheduled for April 19-21, 1999, is cancelled; and it is

FURTHER ORDERED, that the Commission shall hear from the parties concerning the settlement agreement on April 21, 1999, at 1:30 P.M. CDT, in Room 412, of the State Capitol, Pierre, South Dakota.

Dated at Pierre, South Dakota, this 14th day of April, 1999.

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>William Kalbo</u>
Date:	<u>4/15/99</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