

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

IN THE MATTER OF THE FILING BY) ORDER GRANTING WAIVER
MONTANA-DAKOTA UTILITIES CO. FOR)
APPROVAL OF A WAIVER OF ITS) NG05-006
PURCHASED GAS ADJUSTMENT TARIFF)

On June 13, 2005, the Public Utilities Commission (Commission) received a filing from Montana-Dakota Utilities Company (MDU) for approval of a waiver of the annual May 1 date to update the Surcharge Adjustment which amortizes the balance of the Unrecovered Purchase Gas Account over a 12 month period. Montana-Dakota is requesting the waiver so that it can implement an out of cycle change to the Surcharge Adjustment in order to pass back a refund it recently received from Williston Basin Interstate Pipeline Company. The refund resulted from a recent decision by the Federal Energy Regulatory Commission concerning a rate increase request filed by Williston Basin in 1999 in Docket RP00-107. On June 20, 2005, the Commission received a letter from MDU requesting a waiver of the 30 days notice required in ARSD 20:10:13:15, 20:10:13:17 and 20:10:13:18.

At its regularly scheduled meeting on June 28, 2005, the Commission considered this matter. Commission Staff recommended approval of the waiver and request for approval with less than 30 days notice pursuant to ARSD 20:10:13:20.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A-4 and 49-34A-6. The Commission further finds that the filing is just and reasonable and shall be approved. As the Commission's final decision in this matter, it is therefore

ORDERED, that the requests seeking approval of a waiver of MDU's purchased gas adjustment tariff and approval with less than 30 days notice are hereby granted.

Dated at Pierre, South Dakota, this 30th day of June, 2005.

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>Rebecca Kolbo</u>
Date: <u>7/1/05</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Robert K. Sahr
ROBERT K. SAHR, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner