

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

IN THE MATTER OF THE FILING BY)	ORDER APPROVING
NORTHWESTERN CORPORATION D/B/A)	CONTRACT WITH
NORTHWESTERN ENERGY FOR APPROVAL)	DEVIATIONS
OF A CONTRACT WITH DEVIATIONS WITH)	
COMMERCIAL ASPHALT, A DIVISION OF)	NG06-004
SPENCER QUARRIES, INC.)	

On April 13, 2006, the Public Utilities Commission (Commission) received a filing by NorthWestern Corporation d/b/a NorthWestern Energy (NWE) requesting approval of a Contract with Deviations with Commercial Asphalt, a Division of Spencer Quarries, Inc. (Commercial Asphalt). NWE is proposing to construct facilities in order to provide expanded service to Commercial Asphalt. NWE has requested approval with less than 30 days notice. NWE filed the following tariff sheet for Commission approval:

Section No. 4, 10th Revised Sheet No. 1, Canceling 9th Revised Sheet No. 1

Because this application was filed subsequent to, but approved prior to a Commission decision in Docket NG04-003, which proposes to revise this same tariff sheet, the tariff sheet now proposed in this docket is:

Section No. 4, 9th Revised Sheet No. 1, Canceling 8th Revised Sheet No. 1

Discussions between Commission Staff and NWE resulted in a modified Page 1 of the Contract with Deviations which was presented to the Commission.

On April 20, 2006, at a regularly scheduled meeting, the Commission considered the request for approval of the modified Contract with Deviations. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-8.3, 49-34A-10, and 49-34A-11. Further, the Commission finds that NWE's request for approval of a Contract with Deviations and associated tariff revision on less than 30 days notice is just and reasonable and shall be approved for service rendered on and after April 24, 2006. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a Contract with Deviations on less than 30 days notice is in the public interest and is hereby granted; and it is further

ORDERED, that the above-mentioned tariff is approved and is effective for service rendered on and after April 24, 2006.

Dated at Pierre, South Dakota, this 25th day of April, 2006.

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: Alaine Kalbo

Date: 4/27/06

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner

Gary Hanson
GARY HANSON, Commissioner