

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

**IN THE MATTER OF THE FILING BY)
MONTANA-DAKOTA UTILITIES CO. FOR)
APPROVAL OF TARIFF REVISIONS)**

**ORDER APPROVING)
TARIFF REVISIONS AND)
GRANTING WAIVER)**

NG10-011

On December 2, 2010, the Public Utilities Commission (Commission) received a filing by Montana-Dakota Utilities Co. (MDU) asking for approval to revise its List of Gas Contracts with Deviations. The existing contract with Countertops, Inc. expired and a new agreement was effective December 1, 2010. MDU states the new agreement for firm deliveries does not contain any deviations from its currently filed tariff and therefore requests that the reference to a contract with Countertops, Inc. be removed from the Summary of Contracts with Deviations. MDU is also requesting a waiver of ARSD 20:10:13:18 as no customers, other than Countertops, Inc., are affected by the change in the tariff. On December 9, 2010, the Commission electronically transmitted notice of the filing to interested parties and entities. No parties sought intervention. The revised tariff sheet is as follows:

South Dakota Gas Rate Schedule
SDPUC Volume No. 2

Section No. 4
9th Revised Sheet No. 1

Canceling 8th Revised Sheet No. 1

At its regularly scheduled meeting of January 4, 2011, the Commission considered this matter. Commission Staff recommended approval of the tariff revision to update MDU's Summary of Contracts with Deviations and to grant the requested waiver of ARSD 20:10:13:18.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-34A-4 and ARSD 20:10:13:18. The Commission finds the filing is just and shall be approved. It is therefore

ORDERED, that MDU's request to revise its tariffed Summary of Contract with Deviations, as described above, is hereby granted. It is further

ORDERED, that MDU be granted a waiver of ARSD 20:10:13:18. It is further

ORDERED, that the above mentioned tariff is approved and is effective for services rendered on and after December 1, 2010.

Dated at Pierre, South Dakota, this 5th day of January, 2011.

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, electronically.
By: <u>[Signature]</u>
Date: <u>01/05/11</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature]
STEVE KOLBECK, Chairman

[Signature]
GARY HANSON, Commissioner

[Signature]
DUSTIN M. JOHNSON, Commissioner