

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

IN THE MATTER OF THE EVANGELICAL )  
LUTHERAN GOOD SAMARITAN SOCIETY'S )  
NOTICE TO THE COMMISSION AND REQUEST )  
FOR DETERMINATION OF AN EXCEPTION TO )  
INDIVIDUAL METERING REQUIREMENTS )  
UNDER ARSD § 20:10:26:04(6) FOR A )  
PLANNED 44-UNIT RESIDENTIAL COMPLEX )

**ORDER DISMISSING  
NOTICE AND  
REQUEST FOR  
DETERMINATION**

**NG12-003**

On May 11, 2012, the Evangelical Lutheran Good Samaritan Society (ELGSS) filed with the South Dakota Public Utilities Commission (Commission) a notice of its plans to construct a forty-four (44) unit project and to incorporate a central gas hot water system and master metered electric system. The housing project has been selected to receive a conditional reservation of housing tax credits by the South Dakota Housing Development Authority and will serve as a low-income housing project for persons of sixty-two (62) years of age or older. The project will be located in downtown Sioux Falls at the intersection of North Main Avenue and West Third Street.

On May 17, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of May 21, 2012, to interested individuals and entities. No parties sought intervention.

At its regularly scheduled meeting on May 22, 2012, the Commission considered this matter. Commission Staff explained that the gas usage will be for a central hot water system only and that the electric supplier will be the city of Sioux Falls, a utility not subject to the Commission's master metering rules in ARSD 20:10:26. Staff recommended dismissing the matter as all issues identified in the petition fall outside the Commission's jurisdiction. The Commission found that it lacks jurisdiction over this matter and unanimously voted that the petition be dismissed and the above-mentioned docket closed. It is therefore,

ORDERED, that the above-referenced request for determination is dismissed and the docket closed.

Dated at Pierre, South Dakota, this 24<sup>th</sup> day of May, 2012.

<b>CERTIFICATE OF SERVICE</b>
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>May 24, 2012</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature]  
CHRIS NELSON, Chairman

[Signature]  
KRISTIE FIEGEN, Commissioner

[Signature]  
GARY HANSON, Commissioner