

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

**IN THE MATTER OF THE APPLICATION OF
MONTANA-DAKOTA UTILITIES CO. FOR
AUTHORITY TO INCREASE ITS NATURAL
GAS RATES**

**ORDER CANCELING
HEARING

NG12-008**

On December 21, 2012, the South Dakota Public Utilities Commission (Commission) received an application from Montana-Dakota Utilities (MDU) for approval to increase rates for natural gas service to customers in its South Dakota service territory, consisting of the Black Hills and East River service areas, by approximately \$1.5 million based on MDU's test year ending June 30, 2012. MDU is also proposing to consolidate the Black Hills and East River areas into one rate jurisdiction.

On December 28, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of February 22, 2013, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On January 18, 2013, the Commission issued an Order of Assessment of Filing Fee and Suspension of Imposition of Tariff. On February 19, 2013, Federal Executive Agencies (FEA) filed a Petition to Intervene. On March 6, 2013, the Commission issued an Order granting intervention to FEA. The Commission received a Petition to Withdraw from FEA on April 19, 2013, and on May 10, 2013, the Commission issued an Order Granting Withdrawal.

On May 21, 2013, the Commission issued an Order for and Notice of Procedural Schedule and Hearing setting the matter for hearing beginning at 9:00 a.m. on October 29 in Room 413 of the State Capitol Building in Pierre, SD. On September 27, 2013, the Commission issued an Order Changing Hearing Location. On September 19, 2013, the Commission's staff (Staff) filed a notice of stipulation between the parties to amend the filing date for Staff's testimony from September 27, 2013, to October 1, 2013. On October 24, 2013, Staff filed on behalf of Staff and MDU a Joint Motion for Approval of Settlement Stipulation, Settlement Stipulation, associated tariff sheets, and Staff Memorandum in Support of Settlement Stipulation.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-8.3, 49-34A-8.4, 49-34A-10, 49-34A-11, 49-34A-12, 49-34A-13, 49-34A-13.1, 49-34A-14, 49-34A-17, 49-34A-19, 49-34A-19.1, 49-34A-19.2, 49-34A-21, and 49-34A-22.

The parties having agreed to a cancellation of the hearing scheduled for October 29-31, 2013, to achieve a resolution of this matter through approval of the Settlement Stipulation, it is therefore

ORDERED, that the hearing scheduled for October 29-31, 2013 is canceled. It is further

ORDERED, that this matter shall come before the Commission for decision on the Joint Motion for Approval of Settlement Stipulation on Thursday, October 31, 2013, at 9:30 A.M. CDT in Room 413 of the State Capitol Building.

Dated at Pierre, South Dakota, this 29th day of October, 2013.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u>by Lashley</u></p> <p>Date: <u>10.29.13</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner