

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

IN THE MATTER OF THE COMPLAINT FILED)
BY THE CITY OF NORTH SIOUX CITY AND)
NORTH SIOUX CITY ECONOMIC)
DEVELOPMENT CORPORATION, NORTH)
SIOUX CITY, SOUTH DAKOTA, AGAINST)
MIDAMERICAN ENERGY COMPANY)
REGARDING COMMERCIAL DEVELOPMENT)
IN THE FLYNN BUSINESS PARK)

ORDER GRANTING MOTION FOR)
APPROVAL OF SETTLEMENT)
STIPULATION; ORDER GRANTING)
REQUEST TO WITHDRAW)
COMPLAINT AND CLOSE THE)
DOCKET)

CE19-001

On November 4, 2019, the City of North Sioux City and North Sioux City Economic Development Corporation (North Sioux City) filed a complaint against MidAmerican Energy Company (MidAmerican) regarding new commercial development in the Flynn Business Park. North Sioux City sought relief in the form of a MidAmerican electric tariff revision which would allow for refundability in the second phase of the Flynn Business Park expansion.

On November 7, 2019, the Commission electronically transmitted notice of the filing and the answer deadline of November 25, 2019, to interested persons and entities on the Commission's PUC Weekly Filings electronic listserv. On November 25, 2019, MidAmerican filed its Answer and Motion to Dismiss. On January 23, 2020, the parties filed a Motion for Approval of Settlement Stipulation and Settlement Stipulation. On January 24, 2020, Commission staff filed its Memorandum.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-34A and ARSD 20:10:01:02.04 and 20:10:01:19.

At its regularly scheduled meeting on February 3, 2020, the Commission considered this matter. Having thoroughly reviewed the filings in the docket, the Commission found that the terms and conditions proposed in the Settlement Stipulation were just, reasonable, and in the public interest and that good and sufficient cause was demonstrated to approve the Settlement Stipulation. The Commission voted unanimously to grant the Motion for Approval of the Settlement Stipulation and to grant the withdrawal of the complaint and close the docket. It is therefore

ORDERED, that the Motion for Approval of Settlement Stipulation is hereby granted. The Settlement Stipulation is incorporated by reference into this Order the same as if it had been set forth in its entirety herein; and it is further

ORDERED, that the request to withdraw the complaint is hereby granted and the docket is closed.

Dated at Pierre, South Dakota, this 6th day of February 2020.

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 or by mail.
By: <u>Adam de Hueck</u>
Date: <u>2/6/20</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner