

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

IN THE MATTER OF THE REQUEST BY TRINITY)
POINT, LLC FOR A VARIANCE TO THE)
SEPARATE METERING REQUIREMENT IN)
ARSD 20:10:26:03(4) FOR A 48 UNIT MULTI-)
FAMILY HOUSING STRUCTURE IN SIOUX)
FALLS, SOUTH DAKOTA)

**ORDER GRANTING REQUEST
TO WITHDRAW AND
CLOSE DOCKET**

EL15-039

On October 1, 2015, the South Dakota Public Utilities Commission (Commission) received a filing by Trinity Point, LLC, (Trinity Point) requesting a variance of the individual metering requirement contained in ARSD 20:10:26. Trinity Point planned to build a 48 unit multi-family housing structure designed to provide affordable housing to the community of Sioux Falls. Under the lease structure on this project, the landlord planned to pay all utilities and, therefore, Trinity Point planned to master meter the building for electrical and gas services. On October 8, 2015, the Commission electronically transmitted notice of the filing and the intervention deadline of October 23, 2015, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On October 15, 2015, PUC Staff sent a copy of the individual metering variance request to MidAmerican Energy Company in accordance with ARSD 20:10:26:06. On October 19, 2015, notice of the individual metering variance request was published in the Argus Leader in accordance with ARSD 20:10:26:06.

On November 19, 2015, Trinity Point filed a letter requesting to withdraw its filing since Trinity Point's application for tax credits was not approved. The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically SDCL 49-34A-4 and 49-34A-27.

At its regularly scheduled meeting on November 24, 2015, the Commission considered this matter. The Commission unanimously voted to grant Trinity Point's request for withdrawal of its filing and close the docket. It is therefore,

ORDERED, that Trinity Point's request to withdraw and close the docket is hereby granted.

Dated at Pierre, South Dakota, this 4th day of December, 2015.

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>Karen E. Cromer</u>
Date: <u>12/04/2015</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner