

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

**IN THE MATTER OF THE CONSIDERATION)
OF STANDARDS TO GOVERN AVOIDED)
COST DETERMINATIONS)
)
)**

**ORDER TO PROCEED AND
REQUEST FOR COMMENTS
FROM INTERESTED PERSONS**

RM13-002

On September 25, 2013, the staff (Staff) of the South Dakota Public Utilities Commission (Commission) filed a request to open a rulemaking docket as directed in the Commission's Interim Order issued on May 15, 2012, in Docket EL11-006 for the purpose of considering the proper standards under the Public Utility Regulatory Policies Act of 1978, as amended (PURPA) for Qualifying Facility (QF) avoided cost determinations in this state and to receive public comments regarding what rules the Commission should consider.

The Commission has jurisdiction over this matter pursuant to SDCL 1-26, 49-1, and 49-34A, including specifically 49-1-11, 49-34A-4, and 49-34A-93, 16 U.S.C. Chapter 12, § 824a-3, and 18 C.F.R. Part 292.

At its regular meeting on October 9, 2013, the Commission considered whether to proceed with a rulemaking proceeding on PURPA QF avoided cost standards at this time. After extensive discussion, the Commission voted unanimously to open and proceed with a rulemaking docket for the purpose of receiving comments from utilities and other interested persons as to whether rules should be promulgated at this time governing PURPA QF avoided cost determinations in this state, and, if so, what subject matter areas should be addressed and what the substance of any such standards should be. It is therefore

ORDERED, that a rulemaking proceeding shall be conducted for the purpose of receiving comments from utilities and other interested persons as to whether rules should be promulgated at this time governing PURPA QF avoided cost determinations in this state, and, if so, what subject matter areas should be addressed and what the substance of any such standards should be.

Dated at Pierre, South Dakota, this 16th day October, 2013.

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>Joy Lashley</u>
Date: <u>10.16.13</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner