

**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 ESTABLISHING
COMMENT SCHEDULE

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.

On September 26, 2012, the Commission electronically transmitted notice of the filing to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No comments or other filings have been received to date. 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.

On October 16, 2013, the Commission issued an Order to Proceed and Request for Comments from Interested Persons (Order). In the Order, the Commission directed that a rulemaking proceeding 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. In order to facilitate this process and provide procedural guidance to potential commenters and interested parties, the Commission deems it advisable to establish a schedule for comment submissions and responses. It is therefore

ORDERED, that utilities, Staff, and other interested persons wishing to submit comments in this docket on the above-referenced questions shall file initial comments by December 3, 2013. Responsive comments shall be filed by January 10, 2014.

Dated at Pierre, South Dakota, this 22nd 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>10-22-13</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner