

**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 DISMISSING  
AND  
CLOSING DOCKET**

**RM13-002**

On September 25, 2013, the Commission 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, 2013, the Commission electronically transmitted notice of the filing to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv.

On October 16, 2013, the Commission issued an Order to Proceed and Request for Comments from Interested Persons. On October 22, 2013, the Commission issued an Order Establishing Comment Schedule. On January 29, 2014, the Commission issued an Order to Proceed Regarding LEO Creation Rules and Establishing Comment Deadline. On November 5, 2015, Staff filed a set of rules for consideration. On November 30, 2015, the Commission issued an Order Establishing Comment Deadlines. On September 11, 2018, Staff filed a letter requesting that the docket be dismissed and closed due to the stale nature of the proposed rules and comments.

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 September 18, 2018, the Commission considered this matter. Having heard from interested persons on this matter, the Commission voted unanimously to dismiss and close the docket. It is therefore

ORDERED, that this docket is dismissed and closed.

Dated at Pierre, South Dakota, this 21st day of September 2018.

<b>CERTIFICATE OF SERVICE</b>
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>Karen E. Cremer</u>
Date: <u>09/21/18</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen

KRISTIE FIEGEN, Chairperson

Gary Hanson

GARY HANSON, Commissioner

Chris Nelson

CHRIS NELSON, Commissioner