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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY)
NORTHERN STATES POWER COMPANY)
(NSP) FOR AN ORDER RELATING TO THE)
PROPOSED MERGER BETWEEN NSP AND)
WISCONSIN ENERGY CORPORATION.)

ORDER FINDING
NO JURISDICTION

EL95-021

On August 4, 1995, the Public Utilities Commission (Commission) received a filing from Northern States Power Company (NSP) seeking confirmation from the Commission that approval of the proposed merger between NSP and Wisconsin Energy Corporation was not required under South Dakota law as the transaction is subject to the jurisdiction of a federal agency or authority. NSP further requested an order disclaiming jurisdiction.

At its regularly scheduled August 23, 1995, meeting, the Commission considered this matter Pursuant to SDCL 49-34A-38 and 49-34A-38.1. Commission Staff recommended that the Commission find that it has no jurisdiction in this matter as the proposed merger is exempt from the Commission's regulation.

As the Commission's final decision in this matter, it is therefore

ORDERED, that the Commission finds that it has no jurisdiction in this matter.

Dated at Pierre, South Dakota, this _____ day of September, 1995.

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 by facsimile or by first class mail, in properly addressed envelopes with charges prepaid thereon.	
By _____	
Date _____	
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION.

Kenneth Stofferahn
KENNETH STOFFERAHN, Chairman

James A. Burg
JAMES A. BURG, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner