





LAW OFFICES OF

## EAST RIVER LEGAL SERVICES

335 N. Main Ave., Suite 300, Sioux Falls, South Dakota 57104-6038

Telephone (605) 336-9230

WATS 1-800-952-3015

RECEIVED

MAR 11 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Fax (605) 336-6919

March 10, 1997

Public Utility Commission  
500 East Capitol  
Pierre, SD 57501

Re: Sour vs NSP

Dear Commission:

Enclosed is the original Complaint in regard to the above dispute.

This is intended as service upon you by mail and Fax.

If you have any questions or concerns in this regard please call me.

Thank you for your attention.

Veda J. Boxwell  
Legal Assistant

RECEIVED

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

MAR 17 1997

COMPLAINANT

RESPONDENT

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

LUANE SOUR  
1415 NORTH DRIVE  
SIOUX FALLS SD 57104  
605-336-8949

NSP  
SIOUX FALLS, SD

AFFIDAVIT OF LUANE SOUR

FAX Received MAR 16 1997

STATE OF SOUTH DAKOTA)

)SS:

COUNTY OF MINNEHAHA)

I, LUANE SOUR, COMPLAINANT HEREIN, AFTER BEING DULY SWORN  
HEREBY DEPOSE AND STATE AS FOLLOWS:

1. THAT I HAVE LIVED AT THE ABOVE ADDRESS SINCE SOMETIME IN JUNE OF 1996 WITH MY TWO SONS, STEPHAN AND SHANE.
2. THE NSP ACCOUNT AT THIS ADDRESS WAS IN STEVEN SOUR'S NAME UPON MOVING IN AND CONTINUES TO BE IN HIS NAME AS OF THE DATE OF THIS AFFIDAVIT.
3. THAT I HAVE NO OUTSTANDING DEBTS OWED TO NSP.
4. THAT STEPHAN SOUR MOVED OUT OF THE ABOVE ADDRESS AROUND THE MIDDLE OF JANUARY, 1997.
5. THAT STEPHAN SOUR NEVER NOTIFIED NSP THAT HE HAD MOVED UNTIL SOMETIME IN FEBRUARY, 1997.
6. THAT AT THAT TIME STEPHAN SOUR REQUESTED THAT THE NSP BILL BE REMOVED OUT OF HIS NAME AND BE PUT IN LUANE SOUR'S NAME.
7. THAT NSP REFUSED.
8. THAT STEPHAN SOUR HAS AGREED TO PAY TO NSP A DELINQUENT NSP BILL INCURRED AT THE ADDRESS IN QUESTION, IN THE AMOUNT OF \$100.58.
9. THAT NSP DOES NOT DISPUTE THIS FACT.
10. THAT MY SERVICE IS IN JEOPARDY OF BEING DISCONNECTED UNTIL STEPHAN SOUR PAYS THE BILL.
11. THAT NSP REFUSES TO TAKE STEPHAN SOUR'S NAME OFF THE ACCOUNT AT AN ADDRESS THAT NSP KNOWS HE DOES NOT LIVE AT, THUS INCURRING MORE DEBT IN HIS NAME FULLY KNOWING THAT HE IS NOT BENEFITING FROM THE SERVICE.
12. THAT I HAVE APPLIED FOR SERVICE AND NSP REFUSES TO PROVIDE ME SERVICES IN MY NAME. THAT MY LEGAL COUNSEL HAS REQUESTED NSP TO GRANT ME SERVICES AND THEY HAVE REFUSED.
13. THAT MY HOUSEHOLD CONSISTS OF MYSELF AND MY SON SHANE.
14. THAT ARSD 20:10:20:01 SETS FORTH 5 REASONS AN APPLICANT

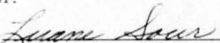
CAN BE REFUSED SERVICES. WE ADDRESS EACH AS FOLLOWS: (1) THAT NEITHER SHANE OR I OWE NSP ANY PAST DUE DEBTS, (2) NSP HAS NOT REQUESTED A DEPOSIT AND THUS IS NOT AN ISSUE, (3) I AM NOT ATTEMPTING TO RETURN SERVICE TO AN INDEBTED HOUSEHOLD, AS NO ONE IN THIS HOUSEHOLD IS INDEBTED TO NSP, THEREFORE, THERE IS NO NEED TO ATTEMPT TO LIQUIDATE, (4) NSP HAS RECORD OF MY PAST UTILITY SERVICE, EMPLOYMENT HISTORY AND PREVIOUS ADDRESS, (5) I HAVE NOT VIOLATED ANY STATE STATUTES OR UTILITY RULES FILED WITH THE COMMISSION CONCERNING EVASION OF PAYMENT USE OF SERVICE FOR UNLAWFUL PURPOSES, INTERFERENCE WITH OR DESTRUCTION OF SERVICE FACILITIES, OR VIOLATION OF SERVICE REGULATION.

15. THAT NEITHER STATE LAW OR THE ARSD ALLOW NSP TO REFUSE TO REMOVE A PERSONS NAME FROM AN ACCOUNT IN A SITUATION WHERE THE INDIVIDUAL NO LONGER RESIDES AT THE RESIDENCE IN QUESTION, HAS REQUESTED SUCH AND HAS AGREED TO LIQUIDATE A DEBT DUE AND OWING AT SUCH RESIDENCE.

16. THAT NSP IS USING THEIR MONOPOLY STATUS TO UNLAWFULLY DENY ME SERVICE AND IS EFFECTIVELY HOLDING MY SERVICE AS HOSTAGE IN ORDER TO ASSURE THAT STEPHEN SOUR PAYS THE DEBT IN QUESTION.

17. THAT I AM FEARFUL THAT NSP WILL REQUEST A DEPOSIT IN RETALIATION FOR FILING THIS COMPLAINT

WHEREFORE, I REQUEST THAT NSP BE ORDERED TO PROVIDE ME SERVICE AS REQUESTED, NOT REQUIRE A DEPOSIT, AND ANY OTHER RELIEF THE COMMISSION DEEMS PROPER AND JUST.

  
LUANE SOUR/COMPLAINANT

Subscribed and sworn to before me this 7<sup>th</sup> day of

March, 1997 at Sioux Falls, South Dakota.

My Commission expires:

1-15-2003

  
Notary Public- South Dakota



EL97-005



## Customer Information

RECEIVED

MAR 2 1 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Luanne Sour established service with NSP at 718 W. 12TH ST #8 Sioux Falls on September 5, 1995  
Following is Ms. Sour's billing and payment history from that date:

Billing Period	Usage kWh	Billing	Payment	Payment Date
September 5, 1995	Connection Charge	\$	12.48	
September 5, 1995	to October 19, 1995	1,900	\$ 140.83	
October 19, 1995	to November 16, 1995	1,162	\$ 80.72	
			\$50.00	November 16, 1995
			\$50.00	November 27, 1995
			\$53.31	December 4, 1995
			\$40.32	December 15, 1995
November 16, 1995	to December 19, 1995	1,440	\$ 96.78	
			\$41.91	January 2, 1996
December 19, 1995	to January 23, 1996	1,557	\$ 102.72	
			\$96.70	February 7, 1996
January 23, 1996	to February 20, 1996	1,262	\$ 86.09	
			\$100.00	March 6, 1996
February 20, 1996	to March 20, 1996	1,350	\$ 91.99	
			\$100.00	April 4, 1996
March 20, 1996	to April 24, 1996	1,714	\$ 115.76	
April 24, 1996	to May 20, 1996	1,239	\$ 90.58	
			\$100.00	June 5, 1996
May 20, 1996	to June 24, 1996	1,126	\$ 82.62	
June 24, 1996	to July 19, 1996	568	\$ 49.17	
Totals	13,338	\$ 959.74	\$ 632.24	Totals
Balance Owed		\$ 327.50		
	Usage kWh	Billing	Payment	

Steve J. Sour established service with NSP at 1416 North Drive Sioux Falls on July 2, 1996  
Following is Mr. Sour's billing and payment history from that date:

Billing Period	Usage kWh	Billing	Payment	Payment Date
July 2, 1996	Connection Charge	\$	12.72	
July 2, 1996	to July 16, 1996	303	\$ 26.41	\$0.00
July 16, 1996	to August 13, 1996	496	\$ 45.19	\$0.00
August 13, 1996	to August 23, 1996	178	\$ 16.25	\$0.00
August 23, 1996	to September 16, 1996	499	\$ 43.03	\$0.00
September 16, 1996	to October 14, 1996	489	\$ 39.04	\$0.00
October 14, 1996	to November 13, 1996	631	\$ 48.11	\$0.00
November 13, 1996	to December 16, 1996	828	\$ 61.28	\$0.00
December 16, 1996	to January 17, 1997	991	\$ 72.05	\$0.00
	Balance from 7010 W 12TH ST #8 transferred in		\$ 327.50	\$0.00
January 17, 1997	to February 17, 1997	699	\$ 52.01	\$0.00
	Minnehaha County Welfare		\$291.00	March 14, 1997
February 17, 1997	to March 18, 1997	773	\$ 57.00	\$0.00
	Salvation Army		\$150.00	March 17, 1997
Totals	5,889	\$ 800.59	\$291.00	
	Usage kWh	Billing	Payment	
Remaining Balance Owed		\$	509.59	

Jim Wilcox  
March 24, 1997



LAW OFFICES OF

# EAST RIVER LEGAL SERVICES

335 N. Main Ave., Suite 300, Sioux Falls, South Dakota 57104-6038  
Telephone (605) 336-9230

WATS 1-800-952-3015

RECEIVED

MAR 27 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Fax (605) 336-6919

March 25, 1997

South Dakota Public Utilities Office  
500 East Capitol  
Pierre, South Dakota 57501-5070

Re: Luane Sour vs. NSP  
EL 97-005

Dear Staff:

At the hearing we had on Monday, March 24, 1997, regarding the above-mentioned case file, NSP testified that they had not arbitrarily put Mr. Shane Sour's name on Mr. Steve Sour's account. Enclosed is a torn copy of an NSP bill dated March 14, 1997 that was sent to Mr. Steve Sour. The address on the bill appears to be 1415 North Drive and it appears that it is Mr. Shane Sour's name that appears directly below Mr. Steven Sour's name. We apologize for its condition, however, Mr. Steve Sour tore it up in frustration.

Please add this document to the record.

Thank you for your attention.

Veda J. Boxwell  
Legal Assistant

cc: NSP

Due	Please Pay	\$
4-97	\$443.59 Thank You!	

M  
cyc 610



EVE J SOUR  
ANE SOUR  
15 NORTH DR  
DIX FALLS SD 5704-0960

1000000247990000044359

of Your Records

Visit the NSP booth at the Sioux Emp  
March 13-16 and the KELO Home an  
March 21-23.

Averages for Billing Period	This Year
Average Temperature	22°
Electricity per Day	25.9
Cost per Day	\$1.93

\* 3 Degrees Warmer

308

**Meter Reading Infor**

	Meter #00340531
55	Estimated Reading on 02/13
78	Company Reading on 01/17
24CR	Total 27 Days
07	
98	
06	
01	

in the Please Pay amount but are

Next Scheduled Meter Reading Date	Date Due
03-14-97	03-14-97

to avoid a late pay charge of 1% of the  
payment of total amount must be receive





LAW OFFICES OF

## EAST RIVER LEGAL SERVICES

335 N. Main Ave., Suite 300, Sioux Falls, South Dakota 57104-6038

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EL 97-005

RECEIVED

APR 14 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Fax (605) 336-6919

April 11, 1997

NSP  
Russell Street  
Sioux Falls, SD 57104

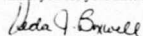
COPY

RE: Luane Sour  
1415 North Drive  
Sioux Falls, SD

Dear Staff:

Pursuant to the hearing we had on March 24, 1997 Ms. Sour is willing to pay her current electricity bill and \$10.00 per month on the last two bills which amount to \$109.01 and Steven Sour will pay \$5.00 per month until the balance of \$100.58 is paid in full. We also are requesting that you remove Shane Sour's name off the account as he has never requested that his name be put on this account.

Thank you for your attention.

  
Veda J. Boxwell  
Legal Assistant

PUC  
Luane Sour  
Steven Sour

Northern States Power Company

500 West Russell  
P.O. Box 968  
Sioux Falls, SD 57101-0968  
Telephone (605) 339-8200

EL 97-005  
Michael J. Hanson  
General Manager and Chief Executive

April 24, 1997

Ms. Veda Boxwell, Legal Assistant  
East River Legal Services  
335 N. Main Av., Suite 300  
Sioux Falls, SD 57104-6038

RE Ms. Luane Sour  
1415 North Drive  
Sioux Falls, SD

Dear Ms. Boxwell:

NSP's standard practice regarding customers under disconnect procedure is to seek one-half of the outstanding balance and make arrangements of equal payments extending to no more than three months. This is a practice we have employed for many years and is consistent with what we require of other customers.

Please understand that NSP employees are empathetic and sympathetic to customers under a disconnection proceeding. I believe our employees are also respectful of those customers having difficulty and understand that circumstances at times places customers in the unavoidable position of being behind in their payments.

Also understand that we have an obligation to seek payment for services rendered from all customers. If we do not, we do a disservice to all of our other customers who are able to make their payments.

Regarding the present matter of Ms. Luane Sour and Mr. Steven Sour, NSP suggests the following arrangement:  
One half of the past due balance under disconnect proceeding now owed of \$104.80 plus three equal monthly payments of \$34.93 along with payment for the current month owed. This arrangement would bring this account current through January 17, 1997. There is an additional \$156.33 owed at present that is not yet under a disconnect procedure.

RECEIVED

APR 24 1997

SOUTH DAKOTA PUBLIC  
UTILITY COMMISSION

8141.11.18

Finally, we need to resolve this issue as the Sour's have not made any payments on this account since they established service at this address on July 2, 1996. If we have not reached satisfactory arrangements by May 15th, we will proceed to disconnect service to the premise.

Sincerely,



Michael J. Hanson  
General Manager and Chief Executive

c SD PUC  
Luane Sour  
Steven Sour



LAW OFFICES OF

**EAST RIVER LEGAL SERVICES**

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

335 N. Main Ave., Suite 300, Sioux Falls, South Dakota 57104-6038

Telephone (605) 336-9230

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Fax (605) 336-6919

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APR 24 1997

April 22, 1997

South Dakota Public Utilities Office  
500 East Capitol  
Pierre, SD 57501-5070

Re: Luane Sour

Dear Staff:

Enclosed is a copy of the letter I wrote to NSP on April 11, 1997 and a copy of the most recent shut-off notice that Mr. Steve Sour received. I have not heard from NSP in regard to my letter of April 11, 1997.

Please schedule a hearing so we can resolve this matter.

Thank you for your attention.

Veda J. Boxwell  
Legal Assistant

cc: Luane Sour  
NSP  
Steve Sour

Enclosures



Northern States  
Power Company

With Your Payment To  
Please Return This Portion

Your Account Number
0404-196-345

Date Due	Please Pay	Amount Enclosed
05-01-97	\$209.59 Thank You!	

210

P.O. BOX 5106  
SIOUX FALLS SD 57117-5106

STEVE J SOUR  
1415 NORTH DR  
SIOUX FALLS SD 57104-0980

**DISCONNECTION  
NOTICE**

0501974040419634540000002095900000020959

PLEASE USE RETURN THIS PORTION FOR YOUR RECORDS

**Questions Call 24 Hours 7 Days A Week**

SIOUX FALLS Area: 955-339-8300  
Outside SIOUX FALLS Area: 800-952-3972

**DISCONNECTION NOTICE**

YOU MUST PAY THE PAST DUE AMOUNT LISTED ABOVE BY THE DUE DATE TO AVOID DISCONNECTION OF YOUR SERVICE. THE AMOUNT BELOW DOES NOT INCLUDE YOUR CURRENT MONTH'S BILL. IMPORTANT: THIS IS A NOTICE OF PENDING DISCONNECTION OF YOUR SERVICE. THE AMOUNT SHOWN ON THIS NOTICE DOES NOT INCLUDE YOUR CURRENT MONTH'S BILL.

Your last bill remains unpaid.

If you have any questions about this amount or if you need to make arrangements for payment, please call the number(s) listed above. Our customer service representatives are available.

Full payment must be received or arrangements must be made at an NSP Business Office by \*\* 05-01-97 \*\* or your service will be disconnected without further notice. If your service is disconnected for nonpayment, a \$12.00 reconnection charge will be added. The electricity will only be turned on during BUSINESS HOURS Monday through Friday from 8:00 a.m. to 5:00 p.m. If your electricity is turned off - only cash (no checks) will be accepted as payment.

If you dispute the account, you must appeal to the Public Utilities Commission, Capitol Building, Pierre, South Dakota 57501 or call 1-800-332-1782 on or before 05-01-97 to avoid disconnection of service.



Northern States  
Power Company

See back of bill for  
more information.

STEVE J SOUR  
1415 NORTH DR  
SIOUX FALLS SD 57104

Account #: 0404-196-345

Date Due	Please Pay
05-01-97	\$209.59



LAW OFFICES OF

## EAST RIVER LEGAL SERVICES

335 N. Main Ave., Suite 300, Sioux Falls, South Dakota 57104-6038

Telephone (605) 336-9230

WATS 1-800-952-3015

Fax (605) 336-6919

April 11, 1997

NSP  
Russell Street  
Sioux Falls, SD 57104

COPY

RE: Luane Sour  
1415 North Drive  
Sioux Falls, SD

Dear Staff:

Pursuant to the hearing we had on March 24, 1997 Ms. Sour is willing to pay her current electricity bill and \$10.00 per month on the last two bills which amount to \$109.01 and Steven Sour will pay \$5.00 per month until the balance of \$100.58 is paid in full. We also are requesting that you remove Shane Sour's name off the account as he has never requested that his name be put on this account.

Thank you for your attention.

*Veda J. Boxwell*  
Veda J. Boxwell  
Legal Assistant

PUC  
Luane Sour  
Steven Sour



RECEIVED

MAY 14 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION



Northern States Power Company  
South Dakota

Jim Wilcox, Manager,  
Community & Government Relations  
500 West Russell Street  
P. O. Box 988  
Sioux Falls, SD 57101-0988  
Telephone (605) 339-8350 fax 339-8204  
email James.C.Wilcox@nspco.com

May 9, 1997

Mr. William Bullard, Executive Director  
South Dakota Public Utilities Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

Dear Mr. Bullard:

Following is a copy of the testimony and points I intend to make at the Commission meeting next Tuesday regarding the Sour complaint. I am providing a copy of this letter to Ms. Boxwell at East River Legal Services in advance of that meeting as well. Also, I have previously distributed a copy of NSP's most recent customer information on Ms. Luane Sour and Mr. Steven Sour. A copy of that customer usage and billing history is attached.

Following are four issues that we believe are pertinent to this case:

- 1) Ms. Boxwell proposes to separate the administration of the collection of the outstanding balance owed by Ms. Luane Sour from that owed by Mr. Steve Sour.

NSP believes that Ms. Luane Sour and Mr. Steve Sour have been part of what SD Administrative Rule 20:10:15.02 (Definition 13) calls an "indebted Household." That is, a group of people living together among whom there is one who is indebted to a gas or electric utility for service provided previously to the residence for which service is now sought.

By her own affidavit before this Commission dated March 7, 1997, Ms. Sour admits that she had lived at 1415 North Drive since sometime in June of 1996 with her two sons Stephan and Shane. That is before the official service to the Sour's was established. Based on this affidavit, we believe that Ms. Luane Sour, Mr. Steve Sour and Mr. Shane Sour were the "beneficial users" of this service and are jointly responsible for the balance on this account.

Ms. Boxwell suggested separating the balance owed into two separate amounts. NSP believes that whatever the two parties do between themselves is their business. As far as NSP is concerned we believe that all of the parties concerned were "beneficial users" of NSP service and the balance owed is a jointly owed amount and should not be separated for purposes of administration of the collection of that amount. In our view, the indebted household rule was established to reduce confusion about who is the responsible party by making all of the parties receiving benefit jointly responsible.

- 2) Establishment of service under Ms. Luane Sour's name.

NSP is presently refusing to close the account with Mr. Steve Sour and open another account in Ms. Luane Sour's name based on AR 20:10:20.01(3). That rule regards reasons for refusal. An applicant (Ms. Sour) is attempting to establish service at an already indebted household and no attempts are forthcoming to liquidate the debt of the household.

NSP will be willing to close the account under Mr. Steve Sour's name and re-establish service under Ms. Luane Sour's name following the successful arrangement for a payment schedule to take care of the balance owed.

- 3) The appropriate size of a monthly payment to pay off an outstanding debt.

MS. Boxwell has proposed a monthly payment of \$15 per month to pay off the balance of \$209.59 that is presently owed. That schedule would require 15 months to pay off. We believe that is an unreasonably long time.

I took an informal poll last week of seven other service providers in SD. Typically they propose, as we do, a 3 month re-payment plan and none of them would be willing to extend an arrangement past October 15th in any given year. This is consistent with NSP's collection policies, however, we are flexible on this and look to the Commission for direction on this matter.

- 4) The removal of Mr. Shane Sour's name from the billing.

NSP maintains an accounting system that will permit two names to appear on the bill. We will be happy to show only one name on the billing for this account. Please understand that our practice is to record the names of all responsible adults of a household in our customer database. This is a practice, we believe, of many service providers, and is in place to prevent name switching on accounts.

NSP would like to resolve this matter. We do not like to disconnect service to any customer. Three social service agencies have contributed to the Sour's account this spring. In the 10 months that the Sour's have had service at this address, they have made no direct payments for any of the electrical services they have enjoyed.

If anyone has any questions, please call me at 339-8350

Sincerely,

Jim Wilcox

c. Mike Hanson  
Ms. Veda Boxwell, East River Legal Services



## Customer Information

Luane Sour established service with NSP at **7010 W. 12TH ST # 8** Sioux Falls on September 5, 1995  
Following is Ms. Sour's billing and payment history from that date

<u>Billing Period</u>		<u>Usage kWh</u>	<u>Billing</u>	<u>Payment</u>	<u>Payment Date</u>
September 5, 1995	Connection Charge		\$ 12.48		
September 5, 1996	to October 19, 1995	1,900	\$ 140.83		
October 19, 1995	to November 16, 1995	1,182	\$ 80.72		
				\$50.00	November 16, 1995
				\$50.00	November 27, 1995
				\$53.31	December 4, 1995
				\$40.32	December 15, 1995
November 16, 1995	to December 19, 1995	1,440	\$ 96.78		
				\$41.91	January 2, 1996
December 19, 1995	to January 23, 1996	1,557	\$ 102.72		
				\$96.70	February 7, 1996
January 23, 1996	to February 20, 1996	1,262	\$ 86.09		
				\$100.00	March 6, 1996
February 20, 1996	to March 20, 1996	1,350	\$ 91.99		
				\$100.00	April 4, 1996
March 20, 1996	to April 24, 1996	1,714	\$ 115.76		
April 24, 1996	to May 20, 1996	1,239	\$ 90.58		
				\$100.00	June 5, 1996
May 20, 1996	to June 24, 1996	1,126	\$ 92.62		
June 24, 1996	to July 19, 1996	568	\$ 49.17		
	Totals	13,338	\$ 959.74	\$ 632.24	Totals
	Balance Owed		\$ 327.50		
		<u>Usage kWh</u>	<u>Billing</u>	<u>Payment</u>	

Steve J. Sour established service with NSP at **1415 North Drive** Sioux Falls on July 2, 1996  
Following is Mr. Sour's billing and payment history from that date

<u>Billing Period</u>		<u>Usage kWh</u>	<u>Billing</u>	<u>Payment</u>	<u>Payment Date</u>
July 2, 1996	Connection Charge		\$ 12.72		
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	Minnehaha County Welfare			\$291.00	March 14, 1997
February 17, 1997	to March 18, 1997	773	\$ 57.00	\$0.00	
	Community Outreach			\$150.00	March 17, 1997
March 18, 1997	to April 17, 1997	613	\$ 47.32		
	Contribution from Salvation Army			\$150.00	April 22, 1997
	Totals	5,889	\$ 847.91	\$591.00	
		<u>Usage kWh</u>	<u>Billing</u>	<u>Payment</u>	
	Remaining Balance Owed		\$ 256.91		
	Less April		\$ (47.32)		

Payment or arrangements needed to prevent disconnection	\$ 209.59
---	-----------

Jim Wilcox  
May 7, 1997





Northern States Power Company  
South Dakota

Jim Wilcox, Manager,  
Government & Community Relations  
500 West Russell Street  
P.O. Box 968  
Sioux Falls, SD 57101-0968  
Telephone (605) 339-8350 fax 339-8231  
internet - WLCJ01@nspco.com

May 7, 1997

Ms. Veda Boxwell, Legal Assistant  
East River Legal Services  
335 N. Main Av., Suite 300  
Sioux Falls, SD 57104-6038

RECEIVED

MAY 12 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

RE: Ms. Luane Sour  
1415 North Drive  
Sioux Falls, SD

Dear Ms. Boxwell:

On Tuesday May 13, 1997, the South Dakota Public Utilities Commission will be hearing this case once again. Enclosed please find a copy of customer information including the billing and payment history of Ms. Luane Sour and Mr. Steven Sour over the past couple of years.

I am sharing this with you in advance of the Commission meeting so you will have the same information that they and I have at that time.

Sincerely,

Jim Wilcox

c. Mike Hanson  
SD Public Utilities Commission



## Customer Information

Luanne Sour established service with NSP at 7010 W 12TH ST #8 Sioux Falls on September 5, 1995  
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June 24, 1996 to July 19, 1996	568	\$ 49.17		
Totals	13,338	\$ 959.74	\$ 632.24	Totals
Balance Owed		\$ 327.50		
	Usage kWh	Billing	Payment	

Steve J. Sour established service with NSP at 1415 North Drive Sioux Falls on July 2, 1996  
 Following is Mr. Sour's billing and payment history from that date

Billing Period	Usage kWh	Billing	Payment	Payment Date
July 2, 1996	Connection Charge	\$ 12.72		
July 2, 1996 to July 16, 1996	303	\$ 26.41	\$0.00	
July 16, 1996 to August 13, 1996	498	\$ 45.19	\$0.00	
August 13, 1996 to August 23, 1996	178	\$ 16.25	\$0.00	
August 23, 1996 to September 16, 1996	499	\$ 43.03	\$0.00	
September 16, 1996 to October 14, 1996	489	\$ 39.04	\$0.00	
October 14, 1996 to November 13, 1996	631	\$ 48.11	\$0.00	
November 13, 1996 to December 16, 1996	828	\$ 61.28	\$0.00	
December 16, 1996 to January 17, 1997	991	\$ 72.05	\$0.00	
Balance from 7010 W 12TH ST #8 transferred in		\$ 327.50	\$0.00	
January 17, 1997 to February 17, 1997	699	\$ 52.01	\$251.00	March 14, 1997
February 17, 1997 to March 18, 1997	773	\$ 57.00	\$0.00	March 17, 1997
Community Outreach			\$150.00	
March 18, 1997 to April 17, 1997	613	\$ 47.32		
Contribution from Salvation Army			\$150.00	April 22, 1997
Totals	5,689	\$ 847.91	\$591.00	
	Usage kWh	Billing	Payment	
Remaining Balance Owed		\$ 256.91		
Less April		\$ (47.32)		

Payment or arrangements needed to prevent disconnection	\$ 209.59
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Jim Wilcox  
 March 24, 1997

0141118

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

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>	<b>ORDER FINDING</b>
<b>BY LUANE SOUR, SIOUX FALLS, SOUTH )</b>	<b>PROBABLE CAUSE AND</b>
<b>DAKOTA, AGAINST NORTHERN STATES )</b>	<b>NOTICE REQUIRING</b>
<b>POWER COMPANY REGARDING HER )</b>	<b>ANSWER</b>
<b>ACCOUNT )</b>	<b>EL97-005</b>

On March 10, 1997, the Public Utilities Commission (Commission) received an affidavit from Luane Sour, Sioux Falls, South Dakota, against Northern States Power Company (NSP) concerning possible disconnection, an alleged refusal by NSP to remove a person's name from an account, and a refusal to provide service to Ms. Sour. Ms. Sour is asking that the Commission order NSP to provide the requested service, that NSP not require a deposit from Ms. Sour, and to provide any other just or proper relief as determined by the Commission. On March 24, 1997, at a duly noticed ad hoc Commission meeting, the Commission considered this complaint along with presentations by Veda Boxwell, paralegal for Ms. Sour and Jim Wilcox, a representative of NSP. The matter was deferred at that time.

Pursuant to SDCL 49-34A-4 and ARSD 20:10:01:08:01, 20:10:01:09, 20:10:01:10, and 20:10:01:11:01, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint and serve it upon NSP.

On May 13, 1997, at its regularly scheduled meeting, the Commission again considered the complaint. Ms. Boxwell and Mr. Wilcox spoke on behalf of the parties. Commission Staff recommended that the Commission find probable cause in order to address certain issues in this complaint which are not specifically addressed by current Administrative Rules and which appear before the Commission on a recurring basis. These issues include:

1. Under what circumstances can utilities add names to an account and what procedures, if any, should be followed by utilities if names are added?
2. When multiple members of an existing indebted household move to a new location, do those consumers remain an indebted household?
3. What length of time is reasonable concerning a payment arrangement?

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A-2, 49-34A-4, and ARSD 20:10:01:08:01 and 20:10:01:09. The Commission voted unanimously to find probable cause, it is therefore,

0141.11.19

ORDERED that pursuant to ARSD 20 10 01 09, the Commission finds that there is probable cause of an unlawful or unreasonable act, rate, practice or omission and the complaint shall be forwarded to NSP which shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 21<sup>st</sup> day of May, 1997.

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	<u>Melvin Kalbs</u>
Date	<u>5/22/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner



RECEIVED

JUN 16 1997

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Northern States Power Company  
South Dakota

Jim Wilcox, Manager  
Community & Government Relations  
500 West Russell Street  
P O Box 988  
Sioux Falls, SD 57101-0988  
Telephone (605) 339-8350 fax 339-8204  
email wjc01@nspco.com

June 12, 1997

Mr. William Bullard, Executive Director  
South Dakota Public Utilities Commission  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

FAX Received JUN 13 1997

Dear Mr. Bullard:

Re: Docket EL97-005 in the matter of the complaint filed by Luane Sour, Sioux Falls, South Dakota, against Northern States Power Company regarding her account.

On Tuesday June 3, 1997 NSP-SD Chief Executive and General Manager Mike Hanson met with representatives of East River Legal Services representing Ms. Luane Sour.

The result of that meeting is as follows:

NSP has agreed to establish service with Ms. Luane Sour at 1415 North Drive.

NSP and Ms. Sour have agreed to a payment plan on the usage and billing amount not in dispute. That plan consists of payment by Ms. Luane Sour of the current month's billing plus \$50 every two weeks until the present remaining balance on the undisputed amount of \$99.37 is paid.

East River Legal Services and Ms. Luane Sour have agreed to help NSP to make contact with Mr. Steven Sour and assist in making arrangements to recover the debt of \$100.58 owed.

As a result of this agreement NSP and Ms. Luane Sour respectfully request the complaint be withdrawn and that Docket EL97-005 be closed.

If anyone has any questions, please call me at 339-8350

Sincerely,

Jim Wilcox

c. Mike Hanson

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED )	ORDER DISMISSING
BY LUANE SOUR, SIOUX FALLS, SOUTH )	COMPLAINT AND CLOSING
DAKOTA, AGAINST NORTHERN STATES )	DOCKET
POWER COMPANY REGARDING HER )	
ACCOUNT )	EL97-005

On March 10, 1997, the Public Utilities Commission (Commission) received an affidavit and complaint from Luane Sour, Sioux Falls, South Dakota, against Northern States Power Company (NSP) concerning possible disconnection, an alleged refusal by NSP to remove a person's name from an account, and a refusal to provide service to Ms. Sour. Ms. Sour asked that the Commission order NSP to provide the requested service, that NSP not require a deposit from Ms. Sour, and to provide any other just or proper relief as determined by the Commission. On March 24, 1997, at a duly noticed ad hoc Commission meeting, the Commission considered this complaint along with presentations by Veda Boxwell, paralegal for Ms. Sour and Jim Wilcox, a representative of NSP. The matter was deferred at that time.

Pursuant to SDCL 49-34A-4 and ARSD 20 10 01 08 01, 20 10 01 09, 20 10 01 10, and 20 10 01 11 01, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint and serve it upon NSP. On May 13, 1997, the Commission again considered the complaint. The Commission voted to find probable cause and ordered the executive director to establish a procedural schedule to hear this matter. The Commission has jurisdiction over this matter pursuant to SDCL 49-34A-2, 49-34A-4, and ARSD 20 10 01 08 01 and 20 10 01 09.

On July 15, 1997, at its regularly scheduled meeting, NSP reported that the parties had resolved all the issues complained of by Ms. Sour. NSP requested dismissal and closure of the docket. Commission Staff recommended that the Commission dismiss the complaint and close the docket. The Commission voted to dismiss the complaint and close the docket. It is therefore

ORDERED, that the complaint be dismissed and that docket EL97-005 be closed.

Dated at Pierre, South Dakota, this 29<sup>th</sup> day of July, 1997.

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: Alfred Kuba

Date: 7/29/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner