

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

**IN THE MATTER OF THE REQUEST BY LLOYD) ORDER CLOSING DOCKET
COMPANIES FOR A VARIANCE FROM THE)
INDIVIDUAL METERING REQUIREMENT IN ARSD)
20:10:26:03 FOR THE GROVE AT ELLIS CROSSING)
IN SIOUX FALLS) EL23-009**

On March 23, 2023, the South Dakota Public Utilities Commission (Commission) received an application from Lloyd Companies for a variance from the individual metering requirements set forth in ARSD 20:10:26:03 for The Grove at Ellis Crossing located at 8600 W. 41st Street in Sioux Falls, South Dakota. Lloyd Companies states that the requirement for individual metering would create significant operational and administrative burdens, would require unnecessary equipment costs, and would result in project delivery delays.

On March 27, 2023, the Commission served notice of Lloyd Companies' variance request on the affected utility companies, Xcel Energy and MidAmerican Energy Company, in accordance with ARSD 20:10:26:06. On March 30, 2023, the Commission electronically transmitted notice of the filing and the intervention deadline of April 11, 2023, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. On April 4, 2023, Commission staff filed a letter regarding its analysis of the ARSD 20:10:26:04(6) Individual Metering Exception.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-34A, particularly 49-34A-4 and 49-34A-27, and ARSD Chapter 20:10:26, particularly 20:10:26:03, 20:10:26:04, 20:10:26:05, and 20:10:26:06.

At its regularly scheduled meeting on April 13, 2023, the Commission considered this matter. Finding that the Lloyd Companies' project, The Grove at Ellis Crossing, meets the exception set forth in ARSD 20:10:26:04(6), the Commission unanimously voted to close the docket. It is therefore

ORDERED, that as the Lloyd Companies' project, The Grove at Ellis Crossing, meets the exception set forth in ARSD 20:10:26:04(6) the docket is hereby closed.

Dated at Pierre, South Dakota, this 17th day of April 2023.

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 or by mail.
By: <u>Adam Detwiler</u>
Date: <u>4/17/23</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner