



A Subsidiary of MDU Resources Group, Inc.

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June 14, 2024

Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
State Capitol Building
500 East Capitol Avenue
Pierre, SD 57501-5070

**RE: Request for Waiver of SDCL 49-34A-17(3)
Docket No. EL23-020**

Montana-Dakota Utilities Co. (Montana-Dakota) herewith electronically submits this Request for Waiver of South Dakota Codified Law (SDCL) 49-34A-17 to the South Dakota Public Utilities Commission in the above referenced docket, the Company's Application to increase electric rates in South Dakota.

SDCL 49-34A-17(3) reads, in part,

Upon completion of the hearings and decision, the commission may by further order require the public utility to refund, with interest, to customers, the portion of the increased rates found to be unjust, unreasonable, or discriminatory. The refund shall be carried out as provided in §§ 49-34A-22 and 49-34A-23. If the commission does not issue a final decision **within twelve months from the date the proposed rate or practice was filed, the commission may not require a refund of increased rates charged after the twelve months** (emphasis added).

Montana-Dakota filed with the Commission a request to increase its natural gas rates on August 15, 2023 and implemented interim rates on March 1, 2024. Following discussion with Commission Staff, Montana-Dakota is now requesting a waiver of SDCL 49-34A-17(3) to allow the Company and Commission Staff additional time to resolve all outstanding issues in the case. Montana-Dakota recognizes that the additional time may cause the Commission to exceed the twelve month statutory deadline where no refund would be required of the Company. Upon a final order in this case, Montana-Dakota will propose a refund plan for refunding to customers the difference between the increase in rates implemented March 1, 2024 and that ultimately authorized by the Commission.

Sincerely,

/s/ Travis R. Jacobson

Travis R. Jacobson
Director of Regulatory Affairs

cc: Brett Koenecke