

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

IN THE MATTER OF THE REQUEST BY RPG ENERGY)
GROUP ON BEHALF OF ELMINGTON CAPITAL)
GROUP, LLC FOR A VARIANCE FROM THE)
INDIVIDUAL METERING REQUIREMENT IN ARSD)
20:10:26:03 FOR A 200 FAMILY UNIT AND 49 SENIOR)
UNIT PROJECT IN RAPID CITY, SD)
)

ORDER GRANTING
MASTER METERING
VARIANCE

EL23-018

On July 19, 2023, the South Dakota Public Utilities Commission (Commission) received a request from RPG Energy Group on behalf of Elmington Capital Group, LLC (RPG Energy) for a variance of the individual metering requirement contained in ARSD 20:10:26. RPG Energy plans to build a 249-unit housing complex comprised of 200 family units and 49 senior units designed to provide affordable housing to the community of Rapid City. This project will also include a solar PV array on site to provide renewable energy to the development. Under the lease structure on this project, the Landlord is going to pay all utilities. Therefore, RPG Energy is requesting to master meter the building for electrical and gas services.

On July 20, 2023, the Commission electronically transmitted notice of the filing and the intervention deadline of August 4, 2023, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On July 21, 2023, the Commission served notice of RPG Energy's variance request on the affected utility company, Black Hills Power, Inc., in accordance with ARSD 20:10:26:06. On August 3, 2023, notice of the master metering variance request was published in the Rapid City, South Dakota, Rapid City Journal newspaper in accordance with ARSD 20:10:26:06. No petitions to intervene or comments were filed.

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 August 29, 2023, the Commission considered this matter. Finding that RPG Energy's request for a variance set forth compelling reasons for granting the variance, including cost effectiveness, energy efficiency, and energy conservation effects, the Commission unanimously voted to grant the request.

It is therefore

ORDERED, that RPG Energy's request for a master metering variance from the individual metering requirements set forth in ARSD 20:10:26:03 for a 249-unit housing complex comprised of 200 family units and 49 senior units at the location noted above, is hereby granted.

Dated at Pierre, South Dakota, this 5th day of September 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: Adam DeHueck

Date: 9/5/23

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner