

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

**IN THE MATTER OF THE FILING BY MONTANA-  
DAKOTA UTILITIES CO., A SUBSIDIARY OF MDU  
RESOURCES GROUP INC., FOR APPROVAL OF  
A WAIVER OF FUEL AND PURCHASE POWER  
ADJUSTMENT RATE 58** )

**ORDER GRANTING WAIVER**

**EL23-031**

On October 23, 2023, the South Dakota Public Utilities Commission (Commission) received a request from Montana-Dakota Utilities Co., a Subsidiary of MDU Resources Group Inc. (MDU), for a waiver of the filing requirements for the Fuel and Purchased Power Adjustment (FPPA) Rate 58 tariff. Increases in the per unit pricing due to congestion in the Southwest Power Pool's and Midcontinent Independent System Operator's footprint is the primary driver of the increasing FPPA rate. MDU requests the requirement for the filing of Rate 58 be waived until the July 2024 filing.

On October 26, 2023, the Commission electronically transmitted notice of the filing and the intervention deadline of November 6, 2023, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. On October 30, 2023, MDU filed responses to staff's data request.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 49-34A, specifically, 49-34A-4, 49-34A-10, and 49-34A-25.

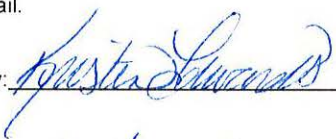
At its regularly scheduled meeting on November 7, 2023, the Commission considered this matter. Commission staff recommended granting the waiver of the filing requirements for the FPPA Rate 58 tariff until July 1, 2024.

Finding the determination to be just and reasonable, the Commission voted 2-1, Commissioner Nelson dissenting, to approve MDU's request for waiver of the filing requirements for the FPPA Rate 58 tariff until July 1, 2024.

It is therefore

ORDERED, that MDU's request for waiver is granted.

Dated at Pierre, South Dakota, this 8<sup>th</sup> day of November 2023.

<b>CERTIFICATE OF SERVICE</b>
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></u>
Date: <u>8 November 2023</u>

BY ORDER OF THE COMMISSION:

  
KRISTIE FIEGEN, Chairperson

  
GARY HANSON, Commissioner

CHRIS NELSON, Commissioner (dissenting)