

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

**IN THE MATTER OF THE REQUEST BY RUSHMORE)
CROSSING ASSOCIATES, LLC FOR A VARIANCE FROM)
THE INDIVIDUAL METERING REQUIREMENTS IN ARDS)
20:10:26:03(1) FOR THE RUSHMORE CROSSING)
SHOPPING CENTER IN RAPID CITY)**

**ORDER GRANTING
REQUEST TO DEFER**

EL24-019

On May 30, 2024, the South Dakota Public Utilities Commission (Commission) received a request by Rushmore Crossing Associates, LLC (Rushmore Crossing) for a Variance from the Individual Metering Requirement in ARSD 20:10:26:03(1) for the Rushmore Crossing Shopping Center in Rapid City. Pursuant to ARSD 20:10:26:05, Rushmore Crossing requests a variance in order to master meter a multiple occupancy building which consists of two equal spaces of 4,000 square feet each.

On June 3, 2024, Commission staff sent a Notice to Black Hills Energy pursuant to ARSD 20:10:26:06. On June 14, 2024, Rushmore Crossing filed responses to staff's first set of data requests. On June 18, 2024, Commission staff sent data requests to Black Hills Energy and Rushmore Crossing. Pursuant to ARSD 20:10:26:06, the deadline to request a hearing was June 18, 2024. No hearing has been requested by any party. On June 25, 2024, Black Hills Energy filed responses to staff's second set of data requests. On June 25, 2024, Rushmore Crossing filed responses to staff's second set of data requests.


The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-34A, specifically SDCL 49-34A-4, ARSD Chapter 20:10:01, specifically ARSD 20:10:01:22.04, and ARSD Chapter 20:10:26. The Commission may rely upon any or all of these laws or other applicable laws in making its decision.

At its regularly scheduled meeting on July 2, 2024, Rushmore Crossing requested the matter be deferred to the July 19, 2024, Commission meeting. Black Hills Energy opposed the request to defer. Commission Staff supported the request to defer. The Commission unanimously voted to defer the docket to the July 19, 2024, Commission meeting.

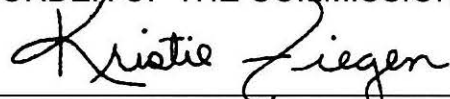
It is therefore

ORDERED, that Rushmore Crossing's request to defer is hereby granted.

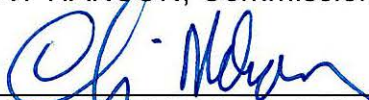
Dated at Pierre, South Dakota, this 3rd day of July 2024.

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></u>
Date: <u>3 July 2024</u>

BY ORDER OF THE COMMISSION:


KRISTIE FIEGEN, Chairperson


GARY HANSON, Commissioner


CHRIS NELSON, Commissioner