

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

IN THE MATTER OF THE FILING BY ) NORTHWESTERN ENERGY PUBLIC ) SERVICE CORPORATION DBA ) NORTHWESTERN ENERGY FOR APPROVAL ) OF AN AMENDED AND RESTATED ) CONTRACT WITH DEVIATIONS WITH L.G. ) EVERIST, INCORPORATED ) )	ORDER APPROVING AMENDED AND RESTATED CONTRACT WITH DEVIATIONS AND APPROVING TARIFF REVISIONS  NG24-007
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On July 11, 2024, the South Dakota Public Utilities Commission (Commission) received a filing from NorthWestern Energy Public Service Corporation dba NorthWestern Energy (NorthWestern) for approval of an amended and restated contract with deviations with L.G. Everist, Incorporated (Customer). The parties propose to amend and restate the existing contract with deviations of L.G. Everist, Incorporated's subsidiary, Ace Ready Mix Inc., that was approved in docket NG22-010 in order to add another subsidiary, Myrl and Roy's Paving, Inc., to the contract. The Customer in the agreement has been updated to the parent corporation, L.G. Everist, Incorporated, and the annual combined obligation of 53,500 MMBtu for both subsidiaries replaces the 3,500 MMBtu in the original agreement. Customer desires to have NorthWestern install additional natural gas pipeline that is approximately 0.18 miles in length to serve Myrl and Roy's Paving, Inc. NorthWestern states the contract with deviations still requires a fixed surcharge rate, annual take-or-pay volumes, and a security for the capital investment cost to protect its legacy customers. The contract includes recovery of the pipeline project costs over a 15-year period. An annual review will be conducted to determine if volumes have met the required take or pay amount. NorthWestern requests an effective date of September 1, 2024, for the associated tariff revisions.

On July 18, 2024, the Commission electronically transmitted notice of the filing and the intervention deadline of August 2, 2024, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. The revised tariff sheet is as follows:

South Dakota Gas Rate Schedule

Section No. 4

11<sup>th</sup> Revised Sheet No.3

Cancelling 10<sup>th</sup> Revised Sheet No.3

The Commission has jurisdiction over this matter pursuant to SDCL 49-34A, specifically 49-34A-6, 49-34A-8, 49-38A-8.3, 49-34A-10, and 49-34A-11.

At its regular meeting on August 27, 2024, the Commission considered this matter. Commission Staff recommended approval. Finding that NorthWestern's request for approval of an amended and restated contract with deviations with Customer and the associated tariff sheet is just and reasonable, the Commission voted unanimously to grant NorthWestern's request for approval of an amended and restated contract with deviations and to approve the associated tariff sheet with an effective date of September 1, 2024. It is therefore

ORDERED, that NorthWestern's request seeking approval of an amended and restated contract with deviations is hereby granted with an effective date of September 1, 2024. It is further

ORDERED, that the revisions of the above-referenced tariff sheet to reflect the amended and restated contract with deviations are approved, effective September 1, 2024.

Dated at Pierre, South Dakota, this 29<sup>th</sup> day of August 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><i>Kristie Fiegen</i></u>
Date:	<u>29 Aug 2024</u>

BY ORDER OF THE COMMISSION:

*Kristie Fiegen*

KRISTIE FIEGEN, Chairperson

*Gary Hanson*

GARY HANSON, Commissioner

*Chris Nelson*

CHRIS NELSON, Commissioner