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SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

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April 6, 2010

Patricia Van Gerpen
PUC Executive Director
500 E. Capitol Ave
Pierre, SD 57501

Re: Rule Making Docket Regarding Chapter 20:10:17 Gas and Electric Customer Billing Rules

Dear Ms. Van Gerpen:


Consumer complaints, both formal and informal, regarding gas and electric customer billing rules have recently been filed with the PUC Consumer Affairs Department. Specifically, a metering error caused for many years of under-billing by a particular utility. The specific rule in question was 20:10:17:09. The rule arguably allowed the utility company to seek payment for all years of under-billing as the meter error date was identified with specificity. Both the consumers and the utility expressed frustration regarding the relevant rules and how they affect ratepayers. Ultimately, the utility resolved the complaints individually.

Based on the recent complaints and conversation with affected parties, Commission Staff believes a rule making docket is in order to examine the consumer billing rules in the above referenced chapter. While it is possible not all rules in the chapter require amendment, Staff believes it is prudent to examine them all while the topic is open for discussion.

Commission Staff respectfully requests the Commission open a rule making docket regarding chapter 20:10:17. After the docket is open, Staff will work with affected utilities to determine which rules within that chapter need attention. After identification of the problematic rules, Staff will work with Commission Counsel to develop a procedural schedule to facilitate comment from all parties prior to the official rules hearing.

I will place this item on the next Commission Meeting Agenda. Deb Gregg, the PUC Consumer Affairs Manager and I will be available for questions at that time.

Thank you,


Kara Semmler