

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

IN THE MATTER OF THE COMPLAINT FILED) BY PATTI VOIGT, SIOUX FALLS, SOUTH) DAKOTA, AGAINST AQUILA, INC. F/K/A) PEOPLES NATURAL GAS COMPANY) REGARDING CHARGES RESULTING FROM A) GAS LEAK)	ORDER GRANTING MOTION TO DISMISS; ORDER DISMISSING COMPLAINT AND CLOSING DOCKET CN02-003
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On December 11, 2002, the Public Utilities Commission (Commission) received a complaint filed by Patti Voigt, Sioux Falls, South Dakota (Complainant), against Aquila, Inc. f/k/a Peoples Natural Gas Company (Aquila) regarding charges resulting from a gas leak.

On December 11, 2002, the complaint was faxed to Aquila. Pursuant to ARSD 20:10:01:09, Aquila was notified that it must satisfy the complaint or file an answer in writing with the Commission by December 31, 2002. On December 31, 2002, the Commission received an answer and motion to dismiss from Aquila.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A.

On February 20, 2003, at a regularly scheduled meeting, the Commission considered this matter. The Commission voted to grant the motion to dismiss, to dismiss the complaint and close the docket. It is therefore

ORDERED, that Aquila's motion to dismiss shall be granted, the complaint shall be dismissed and the docket closed.

Dated at Pierre, South Dakota, this 7th day of March, 2003.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Relaine Kolbo</i></u>
Date: <u>3/10/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Gary Hanson

GARY HANSON, Commissioner

James A. Burg

JAMES A. BURG, Commissioner