

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

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>	<b>ORDER FINDING</b>
<b>BY LUANE SOUR, SIOUX FALLS, SOUTH )</b>	<b>PROBABLE CAUSE AND</b>
<b>DAKOTA, AGAINST NORTHERN STATES )</b>	<b>NOTICE REQUIRING</b>
<b>POWER COMPANY REGARDING HER )</b>	<b>ANSWER</b>
<b>ACCOUNT )</b>	<b>EL97-005</b>

On March 10, 1997, the Public Utilities Commission (Commission) received an affidavit from Luane Sour, Sioux Falls, South Dakota, against Northern States Power Company (NSP) concerning possible disconnection, an alleged refusal by NSP to remove a person's name from an account, and a refusal to provide service to Ms. Sour. Ms. Sour is asking that the Commission order NSP to provide the requested service; that NSP not require a deposit from Ms. Sour; and to provide any other just or proper relief as determined by the Commission. On March 24, 1997, at a duly noticed ad hoc Commission meeting, the Commission considered this complaint along with presentations by Veda Boxwell, paralegal for Ms. Sour and Jim Wilcox, a representative of NSP. The matter was deferred at that time.

Pursuant to SDCL 49-34A-4 and ARSD 20:10:01:08.01, 20:10:01:09, 20:10:01:10, and 20:10:01:11.01, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint and serve it upon NSP.

On May 13, 1997, at its regularly scheduled meeting, the Commission again considered the complaint. Ms. Boxwell and Mr. Wilcox spoke on behalf of the parties. Commission Staff recommended that the Commission find probable cause in order to address certain issues in this complaint which are not specifically addressed by current Administrative Rules and which appear before the Commission on a recurring basis. These issues include:

1. Under what circumstances can utilities add names to an account and what procedures, if any, should be followed by utilities if names are added?
2. When multiple members of an existing indebted household move to a new location, do those consumers remain an indebted household?
3. What length of time is reasonable concerning a payment arrangement?

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A-2, 49-34A-4, and ARSD 20:10:01:08.01 and 20:10:01:09. The Commission voted unanimously to find probable cause, it is therefore,

ORDERED that pursuant to ARSD 20:10:01:09, the Commission finds that there is probable cause of an unlawful or unreasonable act, rate, practice or omission and the complaint shall be forwarded to NSP which shall file with the Commission its answer in writing within twenty (20) days of service of this order.

Dated at Pierre, South Dakota, this 21st day of May, 1997.

**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: Melanie Kalbs

Date: 5/22/97

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner