

BHP and BHI (BHP/BHI Settlement) was just, reasonable and in the public interest, and the Commission voted unanimously to approve the BHP/BHI Settlement as a contract with deviations to the BHP Tariff and to include in the Order that BHP should file a conforming tariff schedule pursuant to ARSD 20:10:13:09 and 20:10:13:10 within 30 days and that the procedural scheduling commitment relative to approval of automatic adjustment clauses under the BHP Tariff contained in Section 8.b. of the BHP/BHI Settlement should be approved and included in the Order.

The revised tariff sheets proposed by BHP in the BHP Tariff and approved herein, effective for service rendered on and after January 1, 2007, are set forth on Attachment A to this Order and are incorporated by reference herein the same as if they had been set forth in their entirety herein.

It is therefore

ORDERED, that the Joint Motion for Approval of Settlement Stipulation is hereby granted. The Settlement Stipulation is incorporated by reference into this Order the same as if it had been set forth in its entirety herein; and it is further

ORDERED, that the BHP Tariff sheets set forth on Attachment A hereto are approved for service rendered on and after January 1, 2007; and it is further

ORDERED, that the Confidential Settlement Agreement between BHP and BHI dated November 27, 2006, is approved as a contract with deviations to the BHP Tariff; and it is further

ORDERED, that the Commission shall adopt procedural schedules for approval of filings under the automatic adjustment clauses contained in the BHP Tariff such that final decisions and orders will be issued no later than September 30 of the year in which the filings are made.

Dated at Pierre, South Dakota, this 29th day of December, 2006.

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>Alaine Kolbe</u>
Date:	<u>1/2/07</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Gary Hanson
GARY HANSON, Commissioner

Steve Kolbeck
STEVE KOLBECK, Commissioner

ATTACHMENT A

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