

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

IN THE MATTER OF THE COMPLAINT FILED)	ORDER FOR AND NOTICE
BY ARNOLD MURRAY CONSTRUCTION,)	OF HEARING
SIOUX FALLS, SD, AGAINST MIDAMERICAN)	
ENERGY COMPANY REGARDING)	NG97-012
TRANSFERRING UNPAID BALANCES TO ITS)	
ACCOUNT)	

On July 8, 1997, the South Dakota Public Utilities Commission (Commission) received a complaint from Arnold Murray Construction (AMC), Sioux Falls, South Dakota, against MidAmerican Energy Company (MidAmerican) regarding transferring unpaid balances to its account. In the complaint AMC alleges that MidAmerican is transferring final bills from one meter that is inactive to an active meter without providing usage, addresses, etc. AMC states that as a property manager who fee manages for other owners, this practice is very confusing. Further, AMC explains that it is receiving bills for other owners and/or tenants and properties that should not be paid by AMC. With 100+ accounts, AMC alleges that it takes two days of telephone calls to straighten out the billing. In the complaint AMC states that MidAmerican did not have permission to bill in this manner. AMC has requested the Commission to order MidAmerican to stop this practice and to require MidAmerican to obtain consent to bill in this manner.

At its regularly scheduled July 29, 1997, meeting, the Commission found probable cause of an unlawful or unreasonable act, rate, practice or omission and served the complaint on MidAmerican. MidAmerican filed its response on August 25, 1997.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 49-34A, and ARSD 20:10:01:15.

The issue at the hearing is whether MidAmerican should have the authority to transfer final bills from meters that are inactive to active meters.

A hearing shall be held at 8:30 a.m., on Tuesday, September 30, 1997, at the Days Inn Empire, located at 3401 Gateway Boulevard, Sioux Falls, South Dakota. It shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearings, the Final Decision will be based solely on the testimony and evidence provided, if any, during the hearings or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. The Commission's decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED that a hearing shall be held at the time and place specified above on the issue of whether MidAmerican should have the authority to transfer final bills from meters that are inactive to active meters.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 18th day of September, 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:	<u><i>Alvin Kalbo</i></u>
Date:	<u>9/18/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:
Commissioners Burg, Nelson and
Schoenfelder

William T. Bullard, Jr.
WILLIAM BULLARD, JR.
Executive Director