

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

IN THE MATTER OF THE FILING BY)	ORDER APPROVING
MIDAMERICAN ENERGY COMPANY FOR)	CONTRACT WITH
APPROVAL OF A CONTRACT WITH)	DEVIATIONS
DEVIATIONS WITH THE UNIVERSITY OF)	
SOUTH DAKOTA)	NG99-008

On November 8, 1999, the Public Utilities Commission (Commission) received a filing by MidAmerican Energy Company (MidAmerican) requesting approval of its South Dakota Gas Sales Tariff, S.D.P.U.C. Section No. IV, Sheet No. 1, covering Contracts with Deviations and the underlying contract with the University of South Dakota, a South Dakota public university (USD), Vermillion, South Dakota. The proposed contract becomes effective on the date of Commission approval and is effective through June 30, 2020, and year to year thereafter unless written notice of termination is given twelve months prior to the end of the initial term or any subsequent renewal term. The contract is for distribution services and was filed as a confidential document pursuant to Commission rules.

MidAmerican further requested an expedited consideration of its application and necessary waivers to accomplish implementation.

On November 15, 1999, at a regularly scheduled meeting, the Commission considered the request for approval of the Contract with Deviations. Commission Staff recommended approval with the condition that approval by the Commission should not be construed as approval of the method of payment by USD.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-10, and 49-34A-11. Further, the Commission finds that MidAmerican's request for approval of a Contract with Deviations is just and reasonable and shall be approved. Further, the Commission finds that MidAmerican has satisfactorily met the criteria of ARSD 20:10:13:36 and it shall be permitted to implement its tariff upon less than thirty days notice, upon the effective date of this Order. As the Commission's final decision in this matter, it is therefore

ORDERED, that as of the date of this Order, the request seeking approval of a Contract with Deviations is in the public interest and is hereby granted, upon the condition that approval by the Commission shall not be construed as approval of USD's method of payment; and it is further

ORDERED, that a waiver of the notice requirements of ARSD 20:10:13:15 and 20:10:13:17 shall be granted and pursuant to ARSD 20:10:13:20 the tariff may become effective upon less than thirty days notice; and it is further

ORDERED, that the above-mentioned tariff is approved and is effective for service rendered on and after the date of this order.

Dated at Pierre, South Dakota, this 18th day of November, 1999.

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: *Delvin Kees*

Date: 11/22/99

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner