

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

IN THE MATTER OF ABANDONMENT OF)	ORDER
FACILITIES BY XCEL ENERGY AND)	
ASSUMPTION OF FACILITIES AND)	NG05-001
PROVISION OF SERVICE BY MIDAMERICAN)	
ENERGY COMPANY)	

On January 31, 2005, the South Dakota Public Utilities Commission (Commission) received an application from MidAmerican Energy to assume ownership of pipeline facilities currently owned by Xcel Energy and assume provision of service to customers served by those facilities. In Docket NG97-021, the Commission authorized Xcel Energy to operate an intrastate natural gas pipeline in South Dakota and approved rates, as well as terms and conditions for the provision of transportation service. Xcel currently serves five customers on these pipeline facilities. Xcel now wishes to abandon these facilities and MidAmerican wishes to assume ownership and operation of these facilities resulting in uninterrupted service to the five existing customers. Xcel states that because no consideration is being received for this transaction, Commission approval is not required pursuant to SDCL 49-34A-35. However, pursuant to ARSD 20:10:13:38, Xcel is requesting to withdraw its tariff effective with the execution of the Abandonment and Assumption Agreement filed by Xcel with the Commission on December 17, 2004. Pursuant to ARSD 20:10:13:29, MidAmerican is requesting in this filing to initially adopt the currently effective rates of Xcel. MidAmerican is also requesting to immediately change the terms and conditions for service to currently effective MidAmerican tariffs, which requires approval pursuant to ARSD 20:10:13:29. MidAmerican is also requesting approval of this application with less than 30 days notice to the public pursuant to ARSD 20:10:13:20 given that MidAmerican has been in contact with the affected customers regarding these changes for considerably longer than 30 days.

On February 3, 2005, the Commission electronically transmitted notice of the filing and the intervention deadline of February 7, 2005, to interested individuals and entities. No petitions to intervene or comments were filed.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-34A, specifically 49-34A-4, 49-34A-6, 49-34A-8, 49-34A-10, 49-34A-11, 49-34A-12, 49-34A-13, and ARSD 20:10:13:20, 20:10:13:29, and 20:10:13:38.

On February 8, 2005, at its regularly scheduled meeting, the Commission considered this matter. The Commission unanimously voted to grant Xcel's request to withdraw tariff schedules upon execution of the abandonment and assumption agreement, to approve MidAmerican's request to have customers transferred immediately, upon execution of the abandonment and assumption agreement, to the terms and conditions of currently effective MidAmerican tariffs, and to approve the above with less than 30 days notice. It is therefore

ORDERED, that Xcel's request to withdraw tariff schedules upon execution of the abandonment and assumption agreement is hereby granted; and it is further

ORDERED, that MidAmerican's request to have customers transferred immediately, upon execution of the abandonment and assumption agreement, to the terms and conditions of currently effective MidAmerican tariffs is hereby granted; and it is further

ORDERED, that the request for approval with less than 30 days notice to the public is hereby granted.

Dated at Pierre, South Dakota, this 9th day of February, 2005.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

GARY HANSON, Chairman

ROBERT K. SAHR, Commissioner

DUSTIN M. JOHNSON, Commissioner