

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

IN THE MATTER OF THE FILING BY)	ORDER APPROVING
NORTHWESTERN CORPORATION D/B/A)	CONTRACT WITH
NORTHWESTERN ENERGY FOR APPROVAL)	DEVIATIONS AND
OF A CONTRACT WITH DEVIATIONS WITH)	APPROVING TARIFF
NUGEN ENERGY, LLC)	REVISIONS
)	NG09-007

On October 14, 2009, the Public Utilities Commission (Commission) received a filing by NorthWestern Corporation d/b/a NorthWestern Energy (NWE) requesting approval of a contract with deviations with NuGen Energy, LLC and associated tariff revisions which would allow a customer specific fuel retention factor for NuGen Energy, LLC. This contract is proposed to be in effect until September 30, 2010. The proposed effective date of the contract and tariffs is October 20, 2009, and NWE is requesting approval with less than 30 days notice. NWE filed the following tariff sheets for Commission approval:

Section No. 1, 8th Revised Sheet No. 2, Canceling 7th Revised Sheet No. 2
Section No. 4, Original Sheet No. 2

On October 20, 2009, at a regularly scheduled meeting, the Commission considered the request for approval of the Contract with Deviations. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-8.3, 49-34A-10, and 49-34A-11. Further, the Commission finds that NWE's request for approval of a Contract with Deviations is just and reasonable and shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a Contract with Deviations is in the public interest and is hereby granted on less than 30 days notice, effective October 20, 2009; and it is further

ORDERED, that the above-mentioned tariff sheets are approved effective October 20, 2009.

Dated at Pierre, South Dakota, this 3rd day of November, 2009.

<p>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, electronically.</p> <p>By: <u><i>Delaine Kolbe</i></u></p> <p>Date: <u><i>11/4/09</i></u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner