

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

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| IN THE MATTER OF THE FILING BY) | ORDER APPROVING |
| NORTHWESTERN CORPORATION D/B/A) | TARIFF REVISIONS |
| NORTHWESTERN ENERGY FOR APPROVAL) | |
| OF TARIFF REVISIONS) | EL09-004 |

On March 31, 2009, the Public Utilities Commission (Commission) received a filing by NorthWestern Corporation d/b/a Northwestern Energy (NWE) for approval of changes to its electric tariff; specifically introducing language regarding tankless water heaters. The revised tariff sheets are as follows:

Section No. 3:

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| 9 th Revised Sheet No. 4 | Canceling 8 th Revised Sheet No. 4 |
| 10 th Revised Sheet No. 10 | Canceling 9 th Revised Sheet No. 10 |
| 11 th Revised Sheet No. 12 | Canceling 10 th Revised Sheet No. 12 |

Section No. 5:

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| 4 th Revised Sheet No. 6 | Canceling 3 rd Revised Sheet No. 6 |
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At its regularly scheduled meeting of May 19, 2009, the Commission discussed final approval of the application. Commission Staff recommended approval of the tariff revisions.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-34A, specifically, 49-34A-2, 49-34A-4, 49-34A-6, 49-34A-8, and 49-34A-10 and ARSD 20:10:17:03. The Commission finds the tariff revisions are just and reasonable and approves the tariff revisions, conditioned upon further revisions to the Residential Water Heater Restriction section located within Section 5 of NorthWestern's tariff. The further revision shall replace NorthWestern's requirement for prior approval of a tankless water heater installation to customer notification to NorthWestern of such installation. It is therefore

ORDERED, that the above-referenced revised tariffs are approved, conditioned upon further revisions to the Residential Water Heater Restriction section located within Section 5 of NorthWestern's tariff and are effective as of June 1, 2009.

Dated at Pierre, South Dakota, this 28th day of May, 2009.

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, electronically

By: *Aldine Kolbo*

Date: *5/28/09*

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner