

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

**IN THE MATTER OF THE REQUEST OF XCEL)
ENERGY TO TAKE ACTION PROHIBITING THE)
OPERATION OF AGGREGATORS OF RETAIL)
CUSTOMERS IN SOUTH DAKOTA)**

**ORDER GRANTING
INTERVENTION**

EL10-003

On March 29, 2010, Xcel requested the Commission open a docket and take action preventing Aggregators of Retail Customers (ARCs) from beginning operations on June 1, 2010. In the filing Xcel also referenced comments submitted to the Commission in a March 1, 2010, letter as supporting evidence.

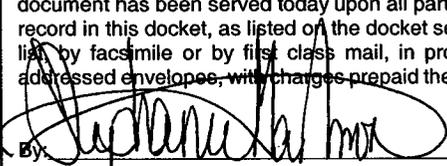
On April 1, 2010, the Commission electronically transmitted notice of the filing and the intervention deadline of April 16, 2010, to interested individuals and entities. On April 16, 2010, the Commission received a Petition to Intervene from MidAmerican Energy Company (MidAmerican).

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-34A and ARSD 20:10:01:15.05.

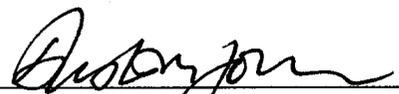
At a regularly scheduled meeting of May 18, 2010, the Commission considered this matter. The Commission found that the Petition to Intervene demonstrated good cause to grant intervention. It is therefore

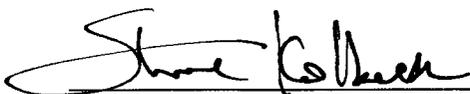
ORDERED, that the Petition to Intervene of MidAmerican is hereby granted.

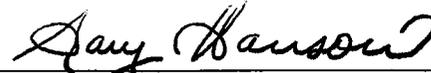
Dated at Pierre, South Dakota, this 25th day of May, 2010.

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: 
Date: <u>05/25/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:


DUSTIN M. JOHNSON, Chairman


STEVE KOLBECK, Commissioner


GARY HANSON, Commissioner