

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

IN THE MATTER OF THE FILING BY ) MONTANA-DAKOTA UTILITIES CO., A ) DIVISION OF MDU RESOURCES GROUP, INC. ) FOR A CONTRACT WITH DEVIATION WITH ) MERILLAT CORPORATION )	ORDER APPROVING CONTRACT WITH DEVIATION  NG97-019
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On November 4, 1997, the Public Utilities Commission (Commission) received a filing from Montana-Dakota Utilities Co., a division of MDU Resources Group, Inc. (MDU) of its 7th Revised Sheet No. 1, Section No. 4, of MDU's State of South Dakota Gas Rate Schedule, covering Contracts with Deviations and a copy of the underlying contract. On November 25, 1997, MDU filed Substitute 7th Revised Sheet No. 1, Section No. 4.

In the proposed contract, MDU proposes to serve the Merillat Corporation plant in Rapid City, South Dakota. The contract is a firm gas service agreement and it was reviewed by the Commission as a contract with deviations. MDU further requested a waiver of any and all applicable notice requirements.

At a duly noticed meeting on December 2, 1997, MDU explained its filing and provided a justification for the Commission's consideration under the provisions of ARSD 20:10:13:20 and for waiver of the notice requirements under ARSD 20:10:13:15 and 20:10:13:17. Commission staff provided testimony of its analysis of the contract and recommended its approval. The Commission, upon considering the explanation and justification, approved the Contract and the waiver of the notice provisions.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A-4 and 49-34A-6. The Commission further finds that the filing is just and reasonable and shall be approved and that a waiver of notice shall be granted pursuant to ARSD 20:10:13:20. As the Commission's final decision in this matter, it is therefore

ORDERED that MDU's State of South Dakota Gas Rate Schedule, Substitute 7th Revised Sheet No. 1, Section No. 4, covering Contracts with Deviations, is approved, and is effective for billings on and after December 2, 1997; 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.

Dated at Pierre, South Dakota, this 12<sup>th</sup> day of December, 1997.

<b>CERTIFICATE OF SERVICE</b>
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: <u><i>Allemaire Kalbo</i></u>
Date: <u>12/12/97</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

<u><i>James A. Burg</i></u> JAMES A. BURG, Chairman
<u><i>Pam Nelson</i></u> PAM NELSON, Commissioner
<u><i>Laska Schoenfelder</i></u> LASKA SCHOENFELDER, Commissioner