

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

IN THE MATTER OF THE FILING BY)
MONTANA-DAKOTA UTILITIES CO. FOR)
APPROVAL OF WAIVER OF ITS PURCHASED)
GAS ADJUSTMENT TARIFF)

ORDER GRANTING
WAIVERS

NG01-011

On November 13, 2001, the Public Utilities Commission (Commission) received a filing from Montana-Dakota Utilities Company (MDU) for approval of a waiver of terms of its tariffed purchased gas adjustment. Montana-Dakota Utilities Co. proposes to implement an out-of-cycle surcharge adjustment to pass back an over recovery in purchased gas costs during the period December 1, 2001 through April 30, 2002. The over recovery would be amortized over 12 months and the regular surcharge adjustment would be recalculated in May 2002. On November 28, 2002, MDU filed a request for waiver of ARSD 20:10:13:15, 20:10:13:17, and 20:10:13:18 to effectuate the out-of-cycle surcharge adjustment requested with the purchased gas cost adjustment to be effective December 1, 2001.

At its regularly scheduled meeting on November 29, 2001, the Commission considered this matter. Commission Staff recommended approval of the waivers.

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. As the Commission's final decision in this matter, it is therefore

ORDERED, that the above mentioned waiver of the rules and the proposed waiver of terms of tariffed purchased gas adjustment is approved and is effective for service rendered on and after December 1, 2001.

Dated at Pierre, South Dakota, this 11th day of December, 2001.

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: <u>Alaine Kalbo</u>
Date: <u>12/11/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner