

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

**IN THE MATTER OF THE APPLICATION)
OF BLACK HILLS POWER, INC. FOR)
AUTHORITY TO INCREASE ITS)
ELECTRIC RATES)**

**ORDER GRANTING
INTERVENTION**

EL12-061

On December 17, 2012, the South Dakota Public Utilities Commission (Commission) received an Application for Authority to Increase Its Electric Rates (Application) filed by Black Hills Power, Inc. (BHP) for approval to increase rates for electric service to customers in its South Dakota service territory by approximately \$13.7 million annually or approximately 9.94% based on BHP's test year ending June 30, 2012. BHP states that a typical residential electric customer using 650 kWh per month would see an increase of \$7.11 per month. The proposed changes may potentially affect approximately 65,000 customers in BHP's South Dakota service territory.

On December 20, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of February 28, 2013, to interested individuals and entities. On January 15, 2013, a Petition to Intervene of GCC Dacotah, Inc., Rushmore Forest Products, Inc., Spearfish Forest Products, Inc., Pete Lien & Sons, Inc., and Rapid City Regional Hospital (collectively Black Hills Industrial Intervenors) was filed. On January 17, 2012, the Commission issued an Order Assessing Filing Fee and Suspending Operation of Proposed Rates. On January 28, 2013, a Petition to Intervene of Regency Midwest Ventures Limited Partnership and Deadwood Resort, L.L.C. was filed. On January 28, 2013, BHP filed a Statement of No Objection to Petition for Intervention of Industrial Intervenors. On January 29, 2013, a Petition to Intervene of Wal-Mart Stores, Inc. and Sam's West Inc. (Walmart) was filed.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-1A, 49-34A, and ARSD 20:10:13, 20:10:01:15.02, 20:10:01:15.03, and 20:10:01:15.05.

At its regularly scheduled meeting on January 30, 2013, the Commission considered this matter. BHP requested more time to respond to the intervention petitions of Regency Midwest Ventures Limited Partnership, Deadwood Resort, L.L.C. and Walmart. Walmart did not object to BHP's request for more time to respond to its petition. The Commission found that the Petition to Intervene of Black Hills Industrial Intervenors demonstrated good cause to grant intervention and voted unanimously to grant intervention to Black Hills Industrial Intervenors.

It is therefore

ORDERED, that the Petition to Intervene of Black Hills Industrial Intervenors is hereby granted.

Dated at Pierre, South Dakota, this 5th day of February, 2013.

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: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner