

**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. 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. 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 Black Hills Power, Inc.'s 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. On February 5, 2013, the Commission issued an Order Granting Intervention to Black Hills Industrial Intervenors. On February 11, 2013, BHP filed Black Hills Power, Inc.'s Response to Intervention Petitions.

At its regularly scheduled meeting on February 12, 2013, the Commission considered this matter. The Commission found that the Petition to Intervene of Walmart demonstrated good cause to grant intervention and voted unanimously to grant intervention to Walmart. The Commission deferred action on the Petition to Intervene of Regency Midwest Ventures Limited Partnership and Deadwood Resort, L.L.C. It is therefore

ORDERED, that the Petition to Intervene of Wal-Mart Stores, Inc. and Sam's West Inc. is hereby granted.

Dated at Pierre, South Dakota, this 15th 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: <u>[Signature]</u>
Date: <u>2.15.13</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature: Gary Hanson]
GARY HANSON, Chairman

[Signature: Chris Nelson]
CHRIS NELSON, Commissioner

[Signature: Kristie Fiegen]
KRISTIE FIEGEN, Commissioner