

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

**IN THE MATTER OF THE PETITION FOR)
ELECTRICAL SERVICE BY DAKOTA PLAINS AG)
CENTER, LLC TO HAVE NORTHWESTERN)
ENERGY ASSIGNED AS ITS ELECTRIC)
PROVIDER IN THE SERVICE AREA OF BON)
HOMME YANKTON ELECTRIC ASSOCIATION,)
INC.)**

**ORDER GRANTING
INTERVENTION**

EL16-013

On April 1, 2016, the South Dakota Public Utilities Commission (Commission) received a petition from Dakota Plains Ag Center, LLC (Dakota Plains) for a service territory exception pursuant to SDCL 49-34A-56. Dakota Plains states it is constructing and will operate a grain terminal at a site near Yankton, South Dakota. The new grain terminal will be at a site located in the following tract of land in Yankton County, South Dakota:

Lot One (1), Dakota Rail Park Subdivision, located in Section Twenty-one (21), Township Ninety-four (94) North, Range Fifty-six (56) West of the 5th P.M., Yankton County, South Dakota as per plat recorded in book S20, Page 132.

Dakota Plains further states it would be a new customer, seeking electrical service to a new location, which has developed since March 21, 1975. Such location overlaps the territorial boundaries of both NorthWestern Corporation d/b/a NorthWestern Energy (NorthWestern) and Bon Homme Yankton Electric Association, Inc. (B-Y Electric). Dakota Plains requests authorization to take electric service from NorthWestern.

On April 7, 2016, the Commission electronically transmitted notice of the filing and the intervention deadline of April 22, 2016, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On April 8, 2016, the Commission received petitions to intervene from both NorthWestern and B-Y Electric.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-34A, specifically 49-34A-56, and ARSD 20:10:01:15.02 through 20:10:01:15.05.

At its regularly scheduled meeting on April 11, 2016, the Commission considered the petitions for intervention. Dakota Plains stated that it did not object to granting the petitions to intervene. Finding that the petitions to intervene demonstrated good cause to grant intervention, the Commission voted unanimously to grant intervention to both NorthWestern and B-Y Electric. It is therefore

ORDERED, that NorthWestern's Petition to Intervene is hereby granted. It is further

ORDERED, that B-Y Electric's Petition to Intervene is hereby granted.

Dated at Pierre, South Dakota, this 12th day of April, 2016.

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 or by mail.

By: Karen E. Cremer

Date: 4/12/16

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner