

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

**IN THE MATTER OF THE PETITION FOR )  
TEMPORARY 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**

**EL16-014**

On April 1, 2016, the South Dakota Public Utilities Commission (Commission) received a petition from Dakota Plains Ag Center, LLC (Dakota Plains) for temporary electric service pursuant to SDCL 49-34A-56 and 49-34A-58. Dakota Plains states it has plans to construct and operate a grain terminal with rail service 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 5<sup>th</sup> P.M., Yankton County, South Dakota as per plat recorded in book S20, Page 132.

Dakota Plains further states it is a new customer at a new location and that no supplier currently provides electric power to the location. Bon Homme Yankton Electric Association, Inc. (B-Y Electric) currently holds the territory within which the terminal is located. Dakota Plains requests authorization to take temporary electric service from NorthWestern Corporation d/b/a NorthWestern Energy (NorthWestern). Dakota Plains states NorthWestern has facilities in place alongside the location and is ready, willing, and able to provide electric service to Dakota Plains during the construction stage of the project.

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 12<sup>th</sup> day of April, 2016.

|  |
|--|
| <p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u>Karen E. Cremer</u></p> <p>Date: <u>4/12/16</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p> |
|--|

BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON, Chairman

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner