

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

**IN THE MATTER OF THE COMPLAINT BY JUHL)
ENERGY, INC. AGAINST NORTHWESTERN)
CORPORATION DBA NORTHWESTERN ENERGY)
FOR ESTABLISHING A PURCHASE POWER)
AGREEMENT)**

**PROCEDURAL
SCHEDULING ORDER**

EL16-021

On June 23, 2016, Juhl Energy, Inc. (Juhl) filed a Complaint with the with the South Dakota Public Utilities Commission (Commission) seeking resolution of a dispute with NorthWestern Corporation dba NorthWestern Energy (NorthWestern) regarding the proper avoided cost for a long-term electric power purchase agreement. On August 4, 2016, the Parties filed a Joint Request for a Procedural Schedule.

On June 30, 2016, the Commission electronically transmitted notice of the Application and the intervention deadline of July 25, 2016, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv.

The Commission has jurisdiction over this matter pursuant to the Public Utility Regulatory Policy Act of 1978, 16 U.S.C. § 824a-n, and SDCL Chapters 1-26, 49-13, and 49-34A.

On August 4, 2016, the parties to the docket submitted a Joint Request for Procedural Schedule, requesting that the Commission establish a procedural schedule in this proceeding. On August 10, 2016, Staff submitted Staff's Proposal for Procedural Schedule.

The Commission considered this matter at its regularly scheduled meeting on August 16, 2016. Juhl and NorthWestern stated that they did not object to Staff's proposed schedule. The Commission voted unanimously to adopt the procedural schedule as proposed by Staff.

Pursuant to the procedural schedule proposed by Staff, responses to discovery will be due ten business days following receipt of discovery requests. Any motion to compel discovery shall be filed within two weeks of receipt of the discovery in question. In addition, the following deadlines shall be set for this proceeding:

Juhl Testimony	July 29, 2016
Commencement of Discovery Process	August 17, 2016
Notice Depositions & Subpoenas to Juhl Witnesses	September 6, 2016
Depositions of Juhl Witnesses Completed	September 23, 2016
NorthWestern Response Testimony	October 17, 2016
Notice Depositions & Subpoenas to NorthWestern Witnesses	December 1, 2016
Depositions of NorthWestern Witnesses Completed	December 23, 2016
Staff Testimony	January 10, 2017
Rebuttal Testimony	February 10, 2017

Final Discovery to all parties
Pre-hearing Memorandum
File Witness and Exhibit Lists
Evidentiary Hearing

March 10, 2017
March 31, 2017
April 7, 2017
April 11 – 14, 2017

It is therefore

ORDERED, that the parties shall follow the procedural schedule as set forth above.

Dated at Pierre, South Dakota, this 19th day of August, 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: <u>Adam deHueck</u>
Date: <u>8/19/16</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner