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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

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April 27, 2006

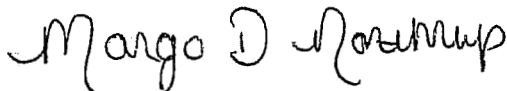
Patty Van Gerpen
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

Re: IN THE MATTER OF THE PETITION FOR DESIGNATION OF MONTANA-
DAKOTA UTILITIES CO. AS ELECTRIC SERVICE PROVIDER FOR THE
NEW NORTH CENTRAL FARMERS ELEVATOR LOCATION IN
BOWDLE, SOUTH DAKOTA, AS A LARGE LOAD CUSTOMER

Dear Patty:

Enclosed herein are original and ten (10) copies of the Petition to Intervene of FEM for
filing in the above reference docket.

Sincerely yours,



Margo D. Northrup
Attorney at Law

MDN/ea

Enclosures

CC: Client
Dave A. Gerdes
Carlyle E. Richards

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION FOR DESIGNATION OF MONTANA-DAKOTA UTILITIES CO. AS ELECTRIC SERVICE PROVIDER FOR THE NEW NORTH CENTRAL FARMERS ELEVATOR LOCATION IN BOWDLE, SOUTH DAKOTA, AS A LARGE LOAD CUSTOMER.

Docket Number EL06-011

PETITION TO INTERVENE OF
FEM

FEM Electric Association, Inc. ("FEM"), a member system of East River Electric Power Cooperative ("East River"), hereby petitions to intervene as a party in this matter pursuant to ARSD 20:10:01:15.02 and objects to the petition of Montana Dakota Utilities ("Montana-Dakota") to be designated as the electric supplier for North Central Farmers Elevator ("North Central") located in Bowdle, South Dakota.

In support of this Petition, FEM states that it is an interested party in Docket EL06-011, for the following reasons:

1. The proposed site of the new grain handling/multi-unit train loading facility ("North Central Facility") is within the exclusive assigned service territory of FEM.
2. FEM has served the site continuously for many years, including service prior to March 21, 1975.
3. FEM can and is willing to furnish an adequate and reliable electrical supply to the North Central Facility with minimal construction of facilities.

4. The electrical service is not a large load as designated in SDCL § 49-34A-56.

5. FEM can furnish electrical service to the North Central Facility at favorable rates.

6. FEM has designated facilities in close proximity from which electric services of the type required may be delivered.

7. North Central has chosen FEM as its provider and has entered into an Electrical Service Agreement with FEM.

FEM disagrees with the allegations contained in Montana-Dakota's Petition. FEM disputes the application of SDCL § 49-34A-56 to this facility, for the following reasons:

1. The North Central Facility is not a large load, as defined in SDCL § 49-34A-56, and Montana-Dakota's petition is thus improper.

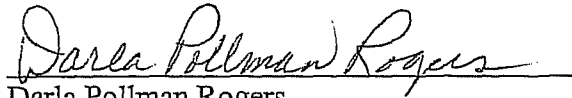
2. The North Central Facility is located within FEM's assigned service territory, and North Central has entered into an Electrical Service Agreement with FEM.

3. To apply SDCL § 49-34A-56 in the manner advocated by Montana-Dakota in its Petition would completely erode and undermine the South Dakota Territorial Integrity Act.

Accordingly, FEM objects to the Montana-Dakota petition. FEM has not agreed to allow Montana-Dakota to provide service to this customer, which is within its assigned service area, and FEM seeks the opportunity to present evidence that FEM is the appropriate provider of electrical service to the North Central Facility.

WHEREFORE, FEM requests that the Commission grant its Petition and allow it to intervene and be granted party status in this proceeding.

Dated this twenty-seventh day of April, 2006.



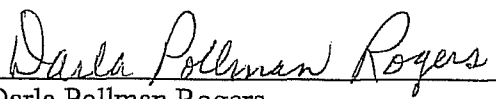
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition to Intervene was served via the method(s) indicated below, on the twenty-seventh day of April, 2006, addressed to:

South Dakota Public Utilities Commission	<input checked="" type="checkbox"/>	First Class Mail
500 East Capitol Avenue	<input type="checkbox"/>	Hand Delivery
Pierre, South Dakota 57501	<input type="checkbox"/>	Facsimile
	<input type="checkbox"/>	Overnight Delivery
	<input type="checkbox"/>	E-Mail
	<input type="checkbox"/>	Electronic Delivery
David A. Gerdes	<input checked="" type="checkbox"/>	First Class Mail
May, Adam, Gerdes & Thompson	<input type="checkbox"/>	Hand Delivery
503 S. Pierre Street	<input type="checkbox"/>	Facsimile
P. O. Box 160	<input type="checkbox"/>	Overnight Delivery
Pierre, South Dakota 57501	<input type="checkbox"/>	E-Mail
	<input type="checkbox"/>	Electronic Delivery
Carlyle E. Richards	<input checked="" type="checkbox"/>	First Class Mail
Richards & Oliver	<input type="checkbox"/>	Hand Delivery
P. O. Box 114	<input type="checkbox"/>	Facsimile
Aberdeen, South Dakota 57402	<input type="checkbox"/>	Overnight Delivery
	<input type="checkbox"/>	E-Mail
	<input type="checkbox"/>	Electronic Delivery

Dated this twenty-seventh day of April, 2006.



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