

JACK WEILAND
FREDER K. ECKER
NORMA KLINKEL
COMMISSIONERS
EMIL J. MUELLER
COUNSEL



ROBERT O. HALL
EXECUTIVE SECRETARY
ADDRESS ALL COMMUNICATIONS
TO THE SECRETARY
AREA CODE 605
TELEPHONE 224-3203

PUBLIC UTILITIES COMMISSION

STATE OF SOUTH DAKOTA
PIERRE
57501

May 20, 1976

NEWS RELEASE: IMMEDIATE

CONTACT: HAISLET
224-3201

PIERRE--The Public Utilities Commission has set hearings before determining electric utilities service areas at 1 p.m. Tuesday, May 25 (CDT) in room 428 of the State Capitol in Pierre.

Commission Chairman Jack Weiland said that the open hearings will deal with specific territories to be served by 23 privately owned, municipal and REA cooperative electric utilities doing business in 19 central South Dakota counties.

Weiland explained that under South Dakota law, the Commission, when given the power of utility regulation, was also mandated to certify electric utility service area boundaries by July 1, 1976, and to do so after consultation and agreement among all the utilities involved.

The Commission hearings in Pierre are the second of a state-wide series, which begins in Rapid City Monday (May 24), and continues in Mitchell, Sioux Falls, Watertown and Aberdeen.

Weiland said the Commission is pleased with the cooperation shown by the various central South Dakota utilities involved. "They have been working together in a spirit of good faith to set equitable service area boundaries between themselves and the customers they will serve," he said.

Weiland emphasized that these are open hearings, and any interested person or persons may attend and participate.

AT A REGULAR SESSION of the Public Utilities Commission of the State of South Dakota, held in its offices, in the City of Pierre, the Capital, this 1st day of July, 1976.

PRESENT: Commissioners Weiland, Ecker and Klinkel

IN THE MATTER OF ESTABLISHING)
CERTAIN TERRITORIAL ELECTRIC)
BOUNDARIES WITHIN THE STATE)
OF SOUTH DAKOTA (PIERRE AREA).)

DECISION AND ORDER
(F-3104)

This matter having come on for hearing after due notice on the 25th day of May, 1976, at the hour of 1 o'clock p.m. in Room 468 of the Capitol Building in Pierre, Hughes County, South Dakota, and the Commission having heard all the testimony and examined all records and documents, and being fully advised in the premises, and for good cause shown, the following Findings of Fact, Conclusions of Law and Order are hereby entered:

FINDINGS OF FACT

I.

That proposed electrical territorial maps on record covering the areas at issue herein were served on all parties hereto.

II.

That no objection was made to said proposed electrical territorial maps by the parties hereto and said parties concurred therein except as specifically enumerated hereafter.

III.

That Beadle Electric Cooperative has submitted a proposed map designating certain additional service areas it requests to be included within its territorial boundaries. Northwestern Public Service Company takes exception to said additions.

IV.

That the more credible testimony at the hearing establishes that customers of all parties hereto would receive better service in the disputed areas from Beadle Electric Cooperative because of location and proximity of facilities, adequacy of service and general convenience.

V.

That the more credible testimony at the hearing establishes that customers of all parties hereto are best served and most benefited by the territorial boundaries enumerated in the above-referenced proposed maps and by the Commission's determination of the disputed territorial boundaries.

VI.

That the Official Electrical Territorial Maps attached hereto and being incorporated as if set forth in full herein constitutes the aforementioned proposed maps and the Commission's determination of the disputed territorial boundaries.

CONCLUSIONS OF LAW

I.

That the territorial boundaries enumerated in the attached Official Electrical Territorial Maps are just, reasonable and fair to all parties hereto and their customers.

II.

That the Commission hereby establishes said territorial boundaries set forth in said map as the assigned service area or areas for each electric utility being a party hereto pursuant to SDCL 49-34A-44.

III.

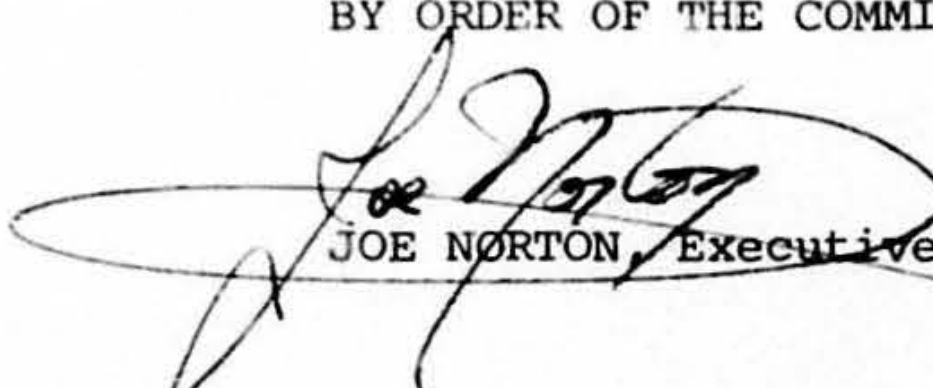
That the attached Official Electrical Territorial Maps have been prepared to accurately and clearly show the boundaries of the assigned service area of each electric utility being a party hereto.

ORDER

It is hereby:

ORDERED, that the territorial boundaries enumerated in the attached Official Electrical Territorial Maps be, and the same hereby are, established as the assigned service area or areas of each electric utility being a party hereto.

BY ORDER OF THE COMMISSION:


JOE NORTON, Executive Secretary

(OFFICIAL SEAL)

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Public Utilities Commission and that I have this day served the foregoing and attached document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed, to each such party, to-wit:

Spiegel & McDiarmid, 2600 Virginia Avenue N.W., Washington, D.C. 20037
Rufus L. Nye, Yankton College, Yankton, S.D. 57078
Rueben Goldberg, Suite 550, 1700 Pennsylvania Avenue N.W., Washington, D.C. 20006
Daniel Sack, R. W. Beck & Associates, Box 68, Columbus, Nebraska 68601
Tony Merry, S.D. Municipal League, 214 E. Capitol, Pierre, S.D. 57501
Robert Frieberg, Attorney at Law, Beresford, S.D. 57004
Robert Hirsch, Attorney at Law, Box 708, Yankton, S.D. 57078
Tom Fennell, S.D. Rural Electric Association, 222 W. Pleasant Dr., Pierre, S.D. 57501
Bill Johnson, Investor Owned Electric Companies, 300 E. Capitol, Pierre, S.D. 57501
Warren W. May, Attorney at Law, Box 160, Pierre, S.D. 57501
Don Daughetee, Office of Economic Opportunity, Old Carnegie Library Bldg., Pierre
(inter-office)
Max Gors, Secretary, Dept. of Commerce & Consumer Affairs, Capitol Bldg., Pierre
(inter-office)
Mark V. Meierhenry, Attorney at Law, Box 472, Vermillion, S.D. 57069

AFFECTED UTILITIES

Leroy Schecher, Mgr., Grand Elec. Coop., Inc., Box 218, Bison, S.D. 57620
Kenneth Reed, Mgr., Moreau-Grand Elec. Coop., Inc., Timber Lake, S.D. 57656
Thorval Sautter, Mgr., West River Elec. Assn., Inc., Wall, S.D. 57790
Fritz Jost, Mgr., West Central Elec. Coop., Inc., Murdo, S.D. 57559
Vernon A. Jutilla, Mgr., LaCreek Elec. Assn., Inc., Martin, S.D. 57551
J. N. Petersen, Mgr., Cherry-Todd Elec. Coop., Inc., Mission, S.D. 57555
Roy C. Lutz, Mgr., Rosebud Elec. Coop., Inc., Box 439, Gregory, S.D. 57533
Glenn Olerud, Mgr., Oahe Elec. Co. Inc., Blunt, S.D. 57522
Duane Westling, Mgr., Cam-Wal Elec. Coop., Inc., Selby, S.D. 57472
City of Pierre Municipal Elec. Assn., City Hall, Pierre, S.D. 57501
Robert Moore, Mgr., Ree Electric Coop., Inc., Miller, S.D. 57362
Ft. Pierre Municipal Elec. Assn., Ft. Pierre, S.D. 57532
S. G. Fischer, Mgr., FEM Electric Assn., Inc., Ipswich, S.D. 57451
J. G. Newman, Mgr., Spink Elec. Coop., Inc., Redfield, S.D. 57469
Burl Rathbun, Mgr., Beadle Electric Coop., Inc., Box 38, Huron, S.D. 57350
Leroy Greenwold, Mgr., Tri-County Elec. Assn., Inc., Plankinton, S.D. 57368
Winner Municipal Elec. Assn., Winner, S.D. 57580
~~Burke Municipal Elec. Assn., Winner, S.D. 57580~~ 51533
~~Burke Municipal Elec. Assn., Burke, S.D. 57523~~
McLaughlin Municipal Elec. Assn., McLaughlin, S.D. 57642
Onida Municipal Elec. Assn., Onida, S.D. 57564
Miller Municipal Elec. Assn., Miller, S.D. 57362
D. M. Heskett, Montana-Dakota Utilities Co., 400 N. 4th St., Bismarck, N.D. 58501
A. D. Schmidt, Northwestern Public Service Co., General Office, Huron, S.D. 57350

Larscheid (2)
Haislet - Press (6)
Minutes (2)
Docket
Legal (2)

Dated at Pierre, South Dakota, this 1st day of July, 1976.

Micki Goc

AT A REGULAR SESSION of the Public Utilities Commission of the State of South Dakota, held in its offices, in the City of Pierre, the Capital, this 1st day of July, 1976.

PRESENT: Commissioners Weiland, Ecker and Klinkel

IN THE MATTER OF ESTABLISHING)
CERTAIN TERRITORIAL ELECTRIC)
BOUNDARIES WITHIN THE STATE)
OF SOUTH DAKOTA (PIERRE AREA).)

DECISION AND ORDER
(F-3104)

This matter having come on for hearing after due notice on the 25th day of May, 1976, at the hour of 1 o'clock p.m. in Room 468 of the Capitol Building in Pierre, Hughes County, South Dakota, and the Commission having heard all the testimony and examined all records and documents, and being fully advised in the premises, and for good cause shown, the following Findings of Fact, Conclusions of Law and Order are hereby entered:

FINDINGS OF FACT

I.

That proposed electrical territorial maps on record covering the areas at issue herein were served on all parties hereto.

II.

That no objection was made to said proposed electrical territorial maps by the parties hereto and said parties concurred therein except as specifically enumerated hereafter.

III.

That Beadle Electric Cooperative has submitted a proposed map designating certain additional service areas it requests to be included within its territorial boundaries. Northwestern Public Service Company takes exception to said additions.

IV.

That the more credible testimony at the hearing establishes that customers of all parties hereto would receive better service in the disputed areas from Beadle Electric Cooperative because of location and proximity of facilities, adequacy of service and general convenience.

V.

That the more credible testimony at the hearing establishes that customers of all parties hereto are best served and most benefited by the territorial boundaries enumerated in the above-referenced proposed maps and by the Commission's determination of the disputed territorial boundaries.

VI.

That the Official Electrical Territorial Maps attached hereto and being incorporated as if set forth in full herein constitutes the aforementioned proposed maps and the Commission's determination of the disputed territorial boundaries.

CONCLUSIONS OF LAW

I.

That the territorial boundaries enumerated in the attached Official Electrical Territorial Maps are just, reasonable and fair to all parties hereto and their customers.

II.

That the Commission hereby establishes said territorial boundaries set forth in said map as the assigned service area or areas for each electric utility being a party hereto pursuant to SDCL 49-34A-44.

III.

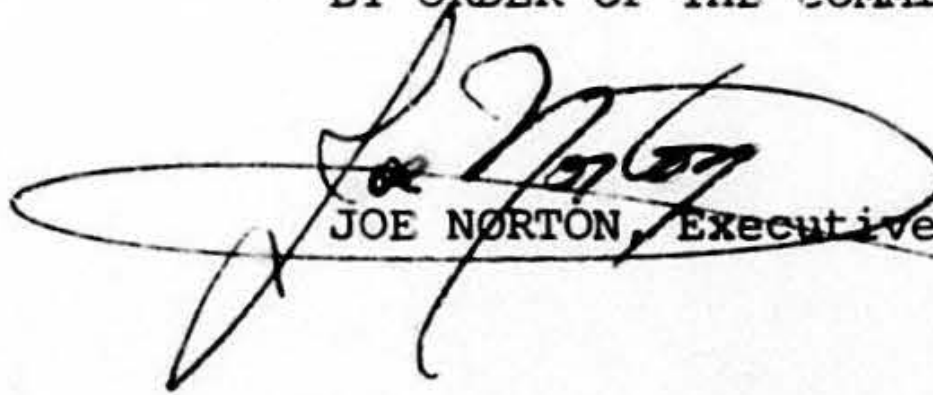
That the attached Official Electrical Territorial Maps have been prepared to accurately and clearly show the boundaries of the assigned service area of each electric utility being a party hereto.

ORDER

It is hereby:

ORDERED, that the territorial boundaries enumerated in the attached Official Electrical Territorial Maps be, and the same hereby are, established as the assigned service area or areas of each electric utility being a party hereto.

BY ORDER OF THE COMMISSION:


JOE NORTON, Executive Secretary

(OFFICIAL SEAL)

AT A REGULAR SESSION of the Public Utilities Commission of the State of South Dakota, held in its offices, in the City of Pierre, the Capital, this 10th day of May, 1976.

PRESENT: Commissioners Weiland, Ecker and Klinkel

IN THE MATTER OF ESTABLISHING)	<u>ORDER FOR AND NOTICE</u>
CERTAIN TERRITORIAL ELECTRIC)	<u>OF HEARING</u>
BOUNDARIES WITHIN THE STATE)	
OF SOUTH DAKOTA (PIERRE AREA).)	(F-3104)

On July 1, 1975, the South Dakota Public Utilities Commission received authority to regulate gas and electric utilities operating within the State of South Dakota. Included with the new responsibility of this regulation was the language in SDCL 49-34A-44 which states:

"On or before July 1, 1976, the Commission shall, after notice and hearing, establish the assigned service area or areas of each electric utility and shall prepare or cause to be prepared a map or maps to accurately and clearly show the boundaries of the assigned service area of each utility."

Pursuant to this statutory mandate, the Commission determined that boundaries of the electric utilities should be established on available county highway maps of sufficient size to accurately reflect the territory delienation of each utility operating within that county and that hearings should be held state-wide for the purposes of determining said territorial boundaries.

Therefore, the Commission has determined that for the purpose of establishing territorial boundaries for the following counties and electric utilities serving within counties, a hearing shall be held at Pierre, South Dakota. Such hearing will include the following counties and electric utilities.

<u>Counties</u>	<u>Affected Electric Utilities</u>
-Corson	Grand Electric
-Ziebach	-Moreau-Grand Electric Coop.
-Dewey	West River Electric Coop.
-Stanley	West Central Electric Coop.
-Haakon	LaCreek Electric Coop.
-Jackson	Cherry-Todd Electric Coop.
-Jones	Rosebud Electric Coop.
-Mellette	Oahe Electric Coop.
-Todd	Cam-Wal Electric Coop.
-Tripp	Pierre Municipal Electric
-Gregory	Ree Electric Coop.
-Campbell	Ft. Pierre Municipal Electric
-Walworth	FEM Electric Assn.
-Potter	Spink Electric Coop.
-Sully	-Beadle Electric Coop.
-Hughes	Tri-County Electric Assn.

Counties

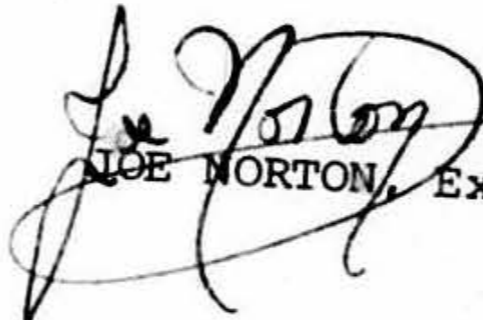
-Hyde
-Hand
-Lyman

Affected Electric Utilities

Winner Municipal Electric
Burke Municipal Electric
McLaughlin Municipal Electric
Onida Municipal Electric
Montana-Dakota Utilities
Northwestern Public Service
Miller Municipal Electric

It is therefore ORDERED, that on Tuesday, May 25, 1976, at the hour of 1 o'clock p.m., in Room 468 of the Capitol Building, in Pierre, Hughes County, South Dakota, be the time and place for the hearing in determining the electric territorial boundaries for the counties and electric utilities listed above herein.

BY ORDER OF THE COMMISSION:


JOE NORTON, Executive Secretary

(OFFICIAL SEAL)

questioned areas-

#8 hand - missing land areas re - Beadle

#8 D (Lunderson)

#9 #99 #98 Dave Pagett

. 17

#18 Fort Pierre Ricketts

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Public Utilities Commission and that I have this day served the foregoing and attached document upon all parties of record in the proceeding by mailing a copy thereof, properly addressed, to each such party, to-wit:

Spiegel & McDiarmid, 2600 Virginia Avenue N.W., Washington, D.C. 20037
 Rufus L. Nye, Yankton College, Yankton, S.D. 57078
 Ruben Goldberg, Suite 550, 1700 Pennsylvania Avenue N.W., Washington, D.C. 20006
 Daniel Sach. R. W. Beck & Associates, Box 68, Columbus, Nebraska 68601
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 Robert Frieberg, Attorney at Law, Beresford, S.D. 57004
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 Tom Fennell, S.D. Rural Electric Association, 222 W. Pleasant Drive, Pierre, S.D. 57501
 Bill Johnson, Investor Owned Electric Utilities, 300 E. Capitol, Pierre, S.D. 57501
 Warren W. May, Attorney, Box 160, Pierre, S.D. 57501
 Don Daughette, Office of Economic Opportunity, Old Carnegie Library Bldg., Pierre
 (inter-office)
 Max Goss, Secretary, Dept. of Commerce & Consumer Affairs, Capitol Bldg., Pierre
 (Inter-office)
 Mark V. Meierhenry, Atty., Box 472, Vermillion, S.D. 57069

UTILITIES AFFECTED

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 Kenneth Reed, Mgr., Moreau-Grand Elec. Coop., Inc., Timber Lake, S.D. 57656
 Thorval Sautter, Mgr., West River Elec. Assn., Inc., Wall, S.D. 57790
 Fritz Jost, Mgr., West Central Elec. Coop., Inc., Murdo, S.D. 57559
 Vernon A. Jutila, Mgr., LaCreek Elec. Assn., Inc., Martin, S.D. 57551
 J. N. Petersen, Mgr., Cherry-Todd Elec. Coop., Inc., Mission, S.D. 57555
 Roy C. Lutz, Mgr., Rosebud Elec. Coop., Inc., Box 439, Gregory, S.D. 57533
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 Onida Municipal Electric Association, Onida, S.D. 57564
 Miller Municipal Electric Association, Miller, S.D. 57362
 D. M. Heskett, Montana-Dakota Utilities, 400 North 4th St., Bismarck, N.D. 58501
 A. D. Schmidt, Northwestern Public Service Co., General Office, Huron, S.D. 57350

Larscheid (2)
 Haislet (6)
 Minutes (2)
 Docket
 Legal

(50)
 Dated at Pierre, South Dakota, this 11th day of May, 1976.

Micki Lee

Pierres

preface Caption
F of Fact

I
Same

II

That no objection was made to said proposed electrical territorial maps by the parties hereto and said parties concurred therein except as specifically enumerated hereafter.

III

That Beale Electric Cooperative has submitted a proposed map designating certain additional service areas it requests to be included within its territorial boundaries.

NWPS takes exception to said additions.

IV

That the more credible testimony at hearing establishes that customers of all parties hereto would receive better service in the disputed areas from Beale Electric Cooperative because of location and proximity of facilities, ~~and~~ general convenience

and adequacy of service

V.

that the more credible testimony at the hearing establishes that customers of all parties hereto are best served & most benefited by the territorial boundaries enumerated in the above-referenced proposed maps and by the Commission's determination of the disputed territorial boundaries.

VI.

that the official Electrical Territorial maps attached hereto & being incorporated as if set forth in full herein constitutes the aforementioned proposed maps & Commission's determination of the disputed territorial boundaries.

Conclusion of Law

I
same [except for Maps]

II. to **III**

Same [except for maps]

Order

Same

(except for maps)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF ESTABLISHING)
CERTAIN TERRITORIAL ELECTRIC) HEARING
BOUNDARIES WITHIN THE STATE)
OF SOUTH DAKOTA (PIERRE AREA).) (F-3104)

ROOM 468, STATE CAPITOL BUILDING
PIERRE, HUGHES COUNTY, SOUTH DAKOTA
TUESDAY, MAY 25, 1976

THE ABOVE-ENTITLED MATTER CAME ON FOR HEARING, PURSUANT
TO NOTICE, AT 1:00 P.M., C.D.T.

HELD BEFORE COMMISSIONERS JACK WEILAND AND NORMA KLINKEL,
COMMISSIONER WEILAND PRESIDING

A_P_P_E_A_R_A_N_C_E_S

MARK MEIERHENRY, VERMILLION, SOUTH DAKOTA, COUNSEL FOR
THE PUBLIC UTILITIES COMMISSION STAFF.

LEE LARSCHIED, DIRECTOR OF FIXED UTILITIES, PUBLIC UTIL-
ITIES COMMISSION, PIERRE, SOUTH DAKOTA.

LARRY GUNDERSON, ENGINEER, PUBLIC UTILITIES COMMISSION,
PIERRE, SOUTH DAKOTA.

BURL RATHBUN, MANAGER, BEADLE ELECTRIC COOPERATIVE,
HURON, SOUTH DAKOTA.

KEN REED, MOREAU-GRAND ELECTRIC, TIMBER LAKE, SOUTH DAKOTA.

BOB RADEMACHER, BEADLE ELECTRIC COOPERATIVE, HURON,
SOUTH DAKOTA.

TOM GRAVES, SOUTH DAKOTA RURAL ELECTRIC ASSOCIATION, AS
AN OBSERVER, PIERRE, SOUTH DAKOTA.

STEVE SEWELL, NORTHWESTERN PUBLIC SERVICE COMPANY,
HURON, SOUTH DAKOTA.

BOB RICKETTS, CITY OF FORT PIERRE, FORT PIERRE, SOUTH
DAKOTA.

DAVE PADGETT, CITY OF PIERRE, PIERRE, SOUTH DAKOTA.

ROBERT CRONIN, MAYOR, CITY OF FORT PIERRE, FORT PIERRE,
SOUTH DAKOTA.

FRITZ JOST, MANAGER, WEST CENTRAL ELECTRIC, MURDO, SOUTH
DAKOTA.

BOB SEVENING, REPRESENTING OAHE ELECTRIC, BLUNT, SOUTH
DAKOTA.

RON WILLIAMSON, SOUTH DAKOTA MUNICIPAL LEAGUE, PIERRE,
SOUTH DAKOTA.

DUANE WESTLING, MANAGER, CAM-WAL ELECTRIC CO-OP, SELBY,
SOUTH DAKOTA.

HOWARD OLSON, DIVISION MANAGER, MONTANA-DAKOTA UTILITIES,
MOBRIDGE, SOUTH DAKOTA.

BUD FISCHER, MANAGER, F-E-M ELECTRIC, IPSWICH, SOUTH DAKOTA.

May 25, 1976

F-3104

Robert Fischer	F&M Electric Service Co
Laurie A. Olson	M.D.U.C. - Moberge
Ken Reed	Morgan Grand, Lumber Sales
Dean Wathing	Com Wal Electric Corp - Selby
Bob Sepering	Oake Electric
W.E. Sewell	NWPS Co.
Doug Schutz	NWPS
Arthur R. Donnell	NWPS Co
Merle Lewis	NWPS
Dave Padgett	City of Pierre
Bob Rademacher	Beale Electric
Burl Rathban	Beale Electric
Bob Ricketts	FT Pierre
Robert Cronin	FT Pierre
John Jost	West Central - Mendenhall
Thomas P Graves	SDREA
Ron Whitman	SDML



ROSEBUD ELECTRIC COOPERATIVE, INC.

GREGORY, SOUTH DAKOTA - 57533

May 24, 1976

Larry P. Gunderson
Public Utilities Commission
Pierre, SD 57501

Dear Mr. Gunderson:

This is to confirm our telephone conversation on this date relative to the hearing scheduled for 1:00 P.M. May 25 in Pierre on establishing electrical boundaries for utilities.

We do not have any objections to proposed boundaries, however find errors in the maps as prepared by the Commission. The errors and requested corrections are as follows:

1. Gregory County Map - insert for City of Burke does not indicate Rosebud Electric three phase feeder line adjacent to U.S. Highway 18 thru the City of Burke.
2. South Half of Lyman County Map - two areas served by Rosebud Electric not readily identified.
3. Mellette County Map - four square mile area in Cherry-Todd area served by Rosebud Electric not readily identified.
4. South Half Tripp County Map - adjacent power supplier is listed as LaCreek Electric, should be Cherry-Todd Electric.
5. North Half Tripp County Map - adjacent power supplier is listed as LaCreek Electric, should be Cherry-Todd Electric.
6. City of Winner Map - does not include Rosebud Electric three phase line in City of Winner service area per correction requested in our letter dated December 8, 1975 addressed to the Public Utilities Commission.

In our telephone conversation you stated that the above map corrections do not require our appearance at the May 25, 1976, 1:00 P.M. hearing. Map corrections will be made.

Sincerely,

R. C. Lutz
Manager

RCL:kkw

(Letter sent to all utilities on Order of May 11, 1976)

May 18, 1976

Dear Utility Manager:

Enclosed are the county maps with proposed electrical boundaries for your utility that will be discussed at the May 25th hearing in Pierre. The staff drew the proposed territories in accordance with your agreements with the surrounding territories. If you find any discrepancy, please bring them to our attention at the May 25th hearing.

If you should have any questions, please feel free to contact me.

Sincerely,

LARRY P. GUNDERSON
Engineer

LPG:mg
encls.



JACK WEILAND
PEDER K. ECKER
NORMA KLINKEL
COMMISSIONERS

PUBLIC UTILITIES COMMISSION
State of South Dakota
Pierre
57501

JOE NORTON
EXECUTIVE SECRETARY

ADDRESS ALL COMMUNICATIONS
TO THE SECRETARY

TELEPHONE (605) 224-3201

May 11, 1976

Dear Utility Manager:

Please find enclosed a copy of the Commission's Order setting the time and place for a hearing involving your utility concerning the determination of territorial boundaries. You can expect to receive from the Commission staff a copy of the Commission staff's recommendation for the territory boundary in your area. The Commission staff will attempt to send you a copy of its proposal approximately a week before the hearing. If you are in complete agreement with the Commission staff's recommendation, there is probably no reason that your attendance be required at the hearing. However, if you are in disagreement with the staff's proposal, then you should definitely make an appearance at the hearing and acknowledge your disagreement and be prepared to testify in support of any change that you may recommend in the staff's position.

As a further indication of your agreement with the Commission staff's proposed boundary, you may want to send a letter to the Commission to include in the docket for your area. Following the conclusion of the hearing, the Commission will make a transcript of the proceedings and accordingly thereafter issue the Commission's final draft of the assignment of territory for your utility on a county by county basis. This is all to come before July 1, 1976.

If you should have any questions concerning this letter, the Order enclosed herein, or anything else involving your utility and the Commission hearing on the assignment of territory boundaries, please let me know.

Sincerely yours,

LEE LARSCHEID, Director
of Fixed Utilities

LL:mg
encl.

AT A REGULAR SESSION of the Public Utilities Commission of the State of South Dakota, held in its offices, in the City of Pierre, the Capital, this 10th day of May, 1976.

PRESENT: Commissioners Weiland, Ecker and Klinkel

IN THE MATTER OF ESTABLISHING)	ORDER FOR AND NOTICE
CERTAIN TERRITORIAL ELECTRIC)	<u>OF HEARING</u>
BOUNDARIES WITHIN THE STATE)	
OF SOUTH DAKOTA (PIERRE AREA).)	(F-3104)

On July 1, 1975, the South Dakota Public Utilities Commission received authority to regulate gas and electric utilities operating within the State of South Dakota. Included with the new responsibility of this regulation was the language in SDCL 49-34A-44 which states:

"On or before July 1, 1976, the Commission shall, after notice and hearing, establish the assigned service area or areas of each electric utility and shall prepare or cause to be prepared a map or maps to accurately and clearly show the boundaries of the assigned service area of each utility."

Pursuant to this statutory mandate, the Commission determined that boundaries of the electric utilities should be established on available county highway maps of sufficient size to accurately reflect the territory delienation of each utility operating within that county and that hearings should be held state-wide for the purposes of determining said territorial boundaries.

Therefore, the Commission has determined that for the purpose of establishing territorial boundaries for the following counties and electric utilities serving within counties, a hearing shall be held at Pierre, South Dakota. Such hearing will include the following counties and electric utilities.

<u>Counties</u>	<u>Affected Electric Utilities</u>
Corson	Grand Electric
Ziebach	Moreau-Grand Electric Coop.
Dewey	West River Electric Coop.
Stanley	West Central Electric Coop.
Haakon	LaCreek Electric Coop.
Jackson	Cherry-Todd Electric Coop.
Jones	Rosebud Electric Coop.
Mellette	Oahe Electric Coop.
Todd	Cam-Wal Electric Coop.
Tripp	Pierre Municipal Electric
Gregory	Ree Electric Coop.
Campbell	Ft. Pierre Municipal Electric
Walworth	FEM Electric Assn.
Potter	Spink Electric Coop.
Sully	Beadle Electric Coop.
Hughes	Tri-County Electric Assn.

Counties

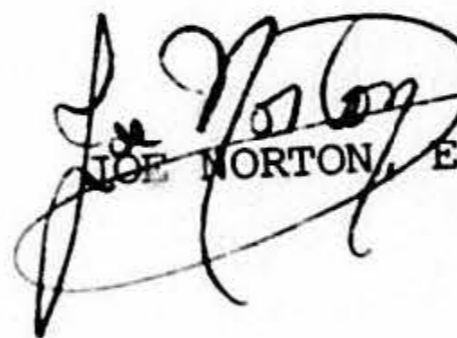
Hyde
Hand
Lyman

Affected Electric Utilities

Winner Municipal Electric
Burke Municipal Electric
McLaughlin Municipal Electric
Onida Municipal Electric
Montana-Dakota Utilities
Northwestern Public Service
Miller Municipal Electric

It is therefore ORDERED, that on Tuesday, May 25, 1976, at the hour of 1 o'clock p.m., in Room 468 of the Capitol Building, in Pierre, Hughes County, South Dakota, be the time and place for the hearing in determining the electric territorial boundaries for the counties and electric utilities listed above herein.

BY ORDER OF THE COMMISSION:



JOE NORTON, Executive Secretary

(OFFICIAL SEAL)

Pierre Hearing - 19

Rm. 468 5/25 1pm

<u>Countries</u>	<u>Land</u>
Couson	M. Grand
Ziebach	West River
Dewey	West Central
Stanley	LaCreek
Hakson	Cherry-Todd
Jackson	Rosebud
Jones	Cabre
Meltette	Cam-Wal ^B
Toad	Pierre - City
Trupp	Ree
Gregory	Ft Pierre
Campbell	FEM
Walworth	Spink
Potter	Beadle
Sully	Tri - County
Hughes	Winnic
Hyle Hand	Buske
Hand	McLaughlin
LYMAN	Onda
	Miller
	MDU
	NWPS

I_N_D_E_X T_O T_E_S_T_I_M_O_N_Y

DIRECT CROSS REDIRECT RECROSS

LARRY GUNDERSON

4

OPENING STATEMENT, PP. 1-2.

APPEARANCES, PP. 2-3, P. 8.

DISCUSSION PERTAINING TO EXHIBIT P-8, PP. 27-33.

DISCUSSION PERTAINING TO EXHIBIT P-9 AND P-9A, PP. 33-41.

DISCUSSION PERTAINING TO EXHIBITS P-17 AND P-18, PP. 41-44.

DISCUSSION PERTAINING TO EXHIBITS P-16A AND P-16D, PP. 44-48.

I_N_D_E_X T_O E_X_H_I_B_I_T_S

<u>NO</u>	<u>OFFERED IN EVIDENCE</u>	<u>RECEIVED IN EVIDENCE</u>
P-1, P-1A, P-1B, P-1C	10	10
P-2, P-2A, P-2B	11	11
P-3	12	12
P-4	12	12
P-5	12	13
P-6	13	13
P-7	13	13
P-8, P-8A, P-8B, P-8C, P-8D	33	33
P-9, P-9A, P-9B	41	41
P-10	16	16
P-11	17	17
P-12	17	17
P-13	18	18
P-14	18	18
P-15	18	18
P-16, P-16A, P-16B, P-16C, P-16D	20	20, 48
P-17	21 44	44
P-18, P-18A	21 44	44
P-19, P-19A, P-19B	22	22
P-20	23	23
P-21	23	23
P-22, P-22A, P-22B	23	23, 24

P-23, P-23A, P-23B, P-23C

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P-24

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P-25

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF ESTABLISHING)
CERTAIN TERRITORIAL ELECTRIC)
BOUNDARIES WITHIN THE STATE)
OF SOUTH DAKOTA (PIERRE AREA).)

HEARING

(F-3104)

ROOM 468, STATE CAPITOL BUILDING
PIERRE, HUGHES COUNTY, SOUTH DAKOTA
TUESDAY, MAY 25, 1976

THE ABOVE-ENTITLED MATTER CAME ON FOR HEARING, PURSUANT
TO NOTICE, AT 1:00 P.M., C.D.T.

HELD BEFORE COMMISSIONERS JACK WEILAND AND NORMA KLINKEL,
COMMISSIONER WEILAND PRESIDING

A_P_P_E_A_R_A_N_C_E_S

MARK MEIERHENRY, VERMILLION, SOUTH DAKOTA, COUNSEL FOR
THE PUBLIC UTILITIES COMMISSION STAFF.

LEE LARSCHIED, DIRECTOR OF FIXED UTILITIES, PUBLIC UTIL-
ITIES COMMISSION, PIERRE, SOUTH DAKOTA.

LARRY GUNDERSON, ENGINEER, PUBLIC UTILITIES COMMISSION,
PIERRE, SOUTH DAKOTA.

BURL RATHBUN, MANAGER, BEADLE ELECTRIC COOPERATIVE,
HURON, SOUTH DAKOTA.

KEN REED, MOREAU-GRAND ELECTRIC, TIMBER LAKE, SOUTH DAKOTA.

BOB RADEMACHER, BEADLE ELECTRIC COOPERATIVE, HURON,
SOUTH DAKOTA.

TOM GRAVES, SOUTH DAKOTA RURAL ELECTRIC ASSOCIATION, AS
AN OBSERVER, PIERRE, SOUTH DAKOTA.

STEVE SEWELL, NORTHWESTERN PUBLIC SERVICE COMPANY,
HURON, SOUTH DAKOTA.

BOB RICKETTS, CITY OF FORT PIERRE, FORT PIERRE, SOUTH
DAKOTA.

DAVE PADGETT, CITY OF PIERRE, PIERRE, SOUTH DAKOTA.

ROBERT CRONIN, MAYOR, CITY OF FORT PIERRE, FORT PIERRE,
SOUTH DAKOTA.

FRITZ JOST, MANAGER, WEST CENTRAL ELECTRIC, MURDO, SOUTH
DAKOTA.

BOB SEVENING, REPRESENTING OAHE ELECTRIC, BLUNT, SOUTH
DAKOTA.

RON WILLIAMSON, SOUTH DAKOTA MUNICIPAL LEAGUE, PIERRE,
SOUTH DAKOTA.

DUANE WESTLING, MANAGER, CAM-WAL ELECTRIC CO-OP, SELBY,
SOUTH DAKOTA.

HOWARD OLSON, DIVISION MANAGER, MONTANA-DAKOTA UTILITIES,
MOBRIDGE, SOUTH DAKOTA.

BUD FISCHER, MANAGER, F-E-M ELECTRIC, IPSWICH, SOUTH DAKOTA.

P_R_O_C_E_E_D_I_N_G_S

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COMMISSIONER WEILAND: OKAY, WE WILL GO ON THE RECORD NOW, IN THE MATTER OF ESTABLISHING CERTAIN TERRITORIAL ELECTRIC BOUNDARIES WITHIN THE STATE OF SOUTH DAKOTA.

ON JULY 1, 1975, THE PUBLIC UTILITIES COMMISSION RECEIVED AUTHORITY TO REGULATE GAS AND ELECTRIC UTILITIES OPERATING WITHIN THE STATE OF SOUTH DAKOTA. INCLUDED WITH THE NEW RESPONSIBILITY OF THIS REGULATION WAS THE LANGUAGE IN SDCL 49-34A-44 WHICH STATES: "ON OR BEFORE JULY 1, 1976, THE COMMISSION SHALL, AFTER NOTICE AND HEARING, ESTABLISH THE ASSIGNED SERVICE AREA OR AREAS OF EACH ELECTRIC UTILITY AND SHALL PREPARE OR CAUSE TO BE PREPARED A MAP OR MAPS TO ACCURATELY AND CLEARLY SHOW THE BOUNDARIES OF THE ASSIGNED SERVICE AREA OF EACH UTILITY." PURSUANT TO THIS STATUTORY MANDATE, THE COMMISSION DETERMINED THAT BOUNDARIES OF THE ELECTRIC UTILITIES SHOULD BE ESTABLISHED ON AVAILABLE COUNTY HIGHWAY MAPS OF SUFFICIENT SIZE TO ACCURATELY REFLECT THE TERRITORY DELINEATION OF EACH UTILITY OPERATING WITHIN THAT COUNTY AND THAT HEARINGS SHOULD BE HELD STATEWIDE FOR THE PURPOSES OF DETERMINING SUCH TERRITORIAL BOUNDARIES.

THEREFORE, THE COMMISSION HAS DETERMINED THAT FOR THE PURPOSE OF ESTABLISHING TERRITORIAL BOUNDARIES FOR THE FOLLOWING COUNTIES AND ELECTRIC UTILITIES SERVING WITHIN COUNTIES, A HEARING SHALL BE HELD AT PIERRE, SOUTH DAKOTA. SUCH HEARING WILL INCLUDE THE FOLLOWING COUNTIES AND ELECTRIC UTILITIES, COUNTIES: CORSON,

1 ZIEBACH, DEWEY, STANLEY, HAAKON, JACKSON, JONES, MELLETTE,
2 TODD, TRIPP, GREGORY, CAMPBELL, WALWORTH, POTTER, SULLY,
3 HUGHES, HYDE, HAND, LYMAN; AND THE AFFECTED UTILITIES WILL BE
4 GRAND ELECTRIC, MOREAU-GRAND ELECTRIC CO-OP, WEST RIVER ELECTRIC
5 CO-OP, WEST CENTRAL ELECTRIC CO-OP, LA CREEK ELECTRIC CO-OP,
6 CHERRY-TODD ELECTRIC CO-OP, ROSEBUD ELECTRIC CO-OP, OAHE
7 ELECTRIC CO-OP, CAM-WAL ELECTRIC CO-OP, PIERRE MUNICIPAL
8 ELECTRIC, REE ELECTRIC CO-OP, FT. PIERRE MUNICIPAL ELECTRIC,
9 F-E-M ELECTRIC ASSOCIATION, SPINK ELECTRIC CO-OP, BEADLE ELECTRIC
10 CO-OP, TRI-COUNTY ELECTRIC ASSOCIATION, WINNER MUNICIPAL ELECTRIC,
11 BURKE MUNICIPAL ELECTRIC, MC LAUGHLIN MUNICIPAL ELECTRIC, ONIDA
12 MUNICIPAL ELECTRIC, MONTANA-DAKOTA UTILITIES, NORTHWESTERN
13 PUBLIC SERVICE, MILLER MUNICIPAL ELECTRIC.

14 IT IS THEREFORE ORDERED, THAT ON TUESDAY, MAY 25, 1976, AT THE
15 HOUR OF ONE O'CLOCK P.M., IN ROOM 468, CAPITOL BUILDING, IN
16 PIERRE, HUGHES COUNTY, SOUTH DAKOTA, BE THE TIME AND THE PLACE
17 FOR THE HEARING IN DETERMINING THE ELECTRIC TERRITORIAL BOUNDAR-
18 IES FOR THE COUNTIES AND ELECTRIC UTILITIES LISTED ABOVE HEREIN.

19 LET THE RECORD SHOW THAT COMMISSIONERS KLINKEL AND COMMISSIONER
20 WEILAND ARE PRESENT.

21 WE WILL GO OFF THE RECORD FOR JUST A MOMENT.

22 (WHEREUPON, THERE WAS DISCUSSION OFF THE RECORD.)

23 COMMISSIONER WEILAND: WE'RE BACK ON THE RECORD NOW
24 AND WE'LL TAKE APPEARANCES.

25 MR. MEIERHENRY: MARK MEIERHENRY, FOR THE STAFF, AS WELL
26 AS LEE LARSCHIED AND LARRY GUNDERSON.

1 COMMISSIONER WEILAND: OKAY, WE'LL START OVER HERE
2 AND IF YOU WILL JUST STAND UP AND GIVE YOUR NAME AND THE
3 COOPERATIVE THAT YOU'RE REPRESENTING HERE.

4 MR. RATHBUN: I'M BURL RATHBUN. I AM THE MANAGER OF
5 BEADLE ELECTRIC COOPERATIVE, HURON.

6 MR. REED: KEN REED, MOREAU-GRAND ELECTRIC, TIMBER LAKE.

7 MR. RADEMACHER: BOB RADEMACHER, BEADLE ELECTRIC CO-
8 OPERATIVE, HURON.

9 MR. GRAVES: TOM GRAVES, SOUTH DAKOTA RURAL ELECTRIC
10 ASSOCIATION, AS AN OBSERVER.

11 MR. SEWELL: STEVE SEWELL, NORTHWESTERN PUBLIC SERVICE
12 COMPANY.

13 MR. RICKETTS: BOB RICKETTS, CITY OF FORT PIERRE.

14 MR. PADGETT: DAVE PADGETT, CITY OF PIERRE.

15 MR. CRONIN: ROBERT CRONIN, MAYOR, CITY OF FORT PIERRE.

16 MR. JOST: FRITZ JOST, MANAGER, WEST CENTRAL ELECTRIC,
17 AT MURDO.

18 MR. SEVENING: BOB SEVENING, REPRESENTING OAHE ELECTRIC,
19 AT BLUNT.

20 MR. WILLIAMSON: RON WILLIAMSON, SOUTH DAKOTA MUNICIPAL
21 LEAGUE.

22 COMMISSIONER WEILAND: OKAY, MARK, WE'LL GO ON THE
23 RECORD THEN WITH THAT. DID YOU WANT TO CALL LARRY AS A
24 WITNESS?

25 MR. MEIERHENRY: YES, I DO. I WOULD LIKE THE OATH
26 BE GIVEN.

1 COMMISSIONER WEILAND: OKAY. YOU MAY BE SWORN.

2

3 LARRY GUNDERSON

4 AFTER BEING FIRST DULY SWORN, ON HIS OATH, TESTIFIED AS FOLLOWS:

5 DIRECT EXAMINATION

6 Q (BY MR. MEIERHENRY) WILL YOU STATE YOUR NAME AND YOUR
7 ADDRESS, AND YOUR POSITION, PLEASE?

8 A MY NAME IS LARRY GUNDERSON. MY ADDRESS IS 104 NORTH CASE
9 DRIVE, PIERRE, SOUTH DAKOTA. I'M AN ENGINEER WITH THE
10 PUBLIC UTILITIES COMMISSION STAFF.

11 Q AND WHAT DO YOUR DUTIES INCLUDE?

12 A THEY INCLUDE HANDLING COMPLAINTS, DOING THE MAPPING, AND,
13 IN SOME INSTANCES, RULES.

14 Q AND IN REGARD TO DOCKET F-3104, HAVE YOU CAUSED ANY MAPS TO
15 BE MADE?

16 A YES, I HAVE.

17 Q AND ARE THESE MAPS HERE TODAY?

18 A YES, THEY ARE.

19 Q NOW WHAT ARE THESE MAPS DETAIL--WHAT DO THEY DETAIL?

20 A THESE MAPS WERE, WHERE THERE WERE AGREEMENTS BETWEEN BOUNDER-
21 ING UTILITIES, THESE MAPS REFLECT THE BOUNDARIES, TO THE BEST
22 OF MY ABILITY, BETWEEN THESE, WHAT THEY WERE AGREED UPON.

23 Q WERE THESE BASED ON CONTRACTS WHICH YOU HAD AN OPPORTUNITY
24 TO READ BETWEEN VARIOUS UTILITIES?

25 A YES, THEY WERE.

26 Q AND PRIOR TO THIS TIME, HAVE YOU MAILED COPIES OF THESE MAPS

(L.GUNDERSON)

1 OUT TO THE UTILITIES INVOLVED?

2 A YES, WITH THE EXCEPTION OF TWO COUNTIES.

3 Q AND WHAT COUNTIES ARE THOSE?

4 A HUGHES COUNTY, THE PIERRE MUNICIPAL RECEIVED THEIR MAPS
5 YESTERDAY ALONG WITH THE OAHE ELECTRIC RECEIVING THE MAPS
6 DEALING WITH THE PIERRE MUNICIPAL AND OAHE ELECTRIC BOUNDAR-
7 IES. ALSO SULLY COUNTY, THAT WAS NOT SENT OUT, BETWEEN ONIDA
8 AND OAHE ELECTRIC ALSO. THE REASON FOR THIS WAS THAT AN
9 AGREEMENT BETWEEN THE TWO WAS QUITE EVIDENT AND WE FELT
10 THAT IN THE BEST INTEREST TO WAIT UNTIL SOMETHING WAS
11 RESOLVED BETWEEN THE TWO OF THEM.

12 Q YOU HAD BEEN IN CONTACT WITH BOTH OF THOSE UTILITIES ABOUT
13 THE AFFECTED AREAS?

14 A YES, I HAVE.

15 Q IN SULLY COUNTY?

16 A RIGHT.

17 Q AND WHAT ABOUT THE PIERRE AREA?

18 A YES, I HAVE.

19 Q ARE THERE ANY OTHER CORRECTIONS OF A MINOR NATURE WHICH
20 YOU PROPOSE TO MAKE ON ANY OF THE PROPOSED EXHIBITS?

21 A YES. FIRST OF ALL, ON THE MAPS THAT WERE SENT OUT IN
22 CAMPBELL COUNTY, THE MOUND CITY EXPANDED AREA, THE DEALS
23 BETWEEN MDU AND--EXCUSE ME--CAM-WAL ELECTRIC, WAS NOT
24 INCLUDED. IT IS NOW INCLUDED AND IT'S HOPEFULLY AN EXACT
25 REPLICA OF WHAT YOU'VE SENT IN. ON STANLEY COUNTY ALSO
26 NOT SENT OUT WAS A MAP OF THE CITY MUNICIPAL THAT WAS

(L.GUNDERSON)

1 INCLUDED. THE REASON IT WASN'T SENT OUT WAS THE SIZE OF
2 THE MAP COULD NOT BE REDUCED OR SHRUNK DOWN INTO A MAIL-
3 ABLE SIZE, SO WE HAD TO RETAIN THAT HERE IN HOUSE. IN
4 TRIPP COUNTY THERE WAS A MISTAKE MADE.

5 Q NOW ARE YOU REFERRING TO THE TRIPP COUNTY MAP?

6 A YES, I AM.

7 Q ALL RIGHT.

8 A THERE'S A CHANGE ON THE WESTERN BORDER OF TRIPP. ON THE
9 WESTERN BORDER, LA CREEK ELECTRIC IS SHOWN AS SERVING IT.
10 THIS IS WRONG. IT SHOULD BE CHERRY-TODD ELECTRIC THAT'S
11 SERVING THAT AREA.

12 Q AT THIS TIME WOULD YOU CORRECT THAT, THE LA CREEK ELECTRIC
13 TO CHERRY-TODD, SIMPLY BY STRIKING OUT LA CREEK AND PUTTING
14 CHERRY-TODD OR INITIALS TO REPRESENT CHERRY TODD ON THAT
15 MAP. AND THIS IS THE CORRECT--THE MAPS WERE SENT OUT SHOWING
16 LA CREEK ELECTRIC RATHER THAN CHERRY-TODD?

17 A YES, THEY WERE.

18 Q ANY OTHER ADDITIONS OR DELETIONS OF THE MAPS NOW ON DISPLAY?

19 A YES. THERE'S ALSO A LETTER FROM ROSEBUD THAT WAS RECEIVED
20 AT THE COMMISSION DECEMBER 9TH, 1975, FROM ROSEBUD ELECTRIC
21 IN WHICH THEY WANTED INCLUDED ALSO ON THE MAP OF WINNER,
22 SOUTH DAKOTA, A SEGMENT OF LINE THAT WAS OMITTED INITIALLY.
23 THE COMMISSION STAFF ALSO OMITTED THIS LINE, AND ROSEBUD
24 ELECTRIC WOULD ALSO LIKE THAT INCLUDED AT THIS TIME. ALL
25 THIS IS IS AN ELECTRIC LINE SHOWING THEIR TRANSMISSION
26 LINES INSIDE THE CITY.

(L.GUNDERSON)

1 Q ANY OTHER ADDITIONS OR DELETIONS FROM THE MAPS THAT YOU HAVE
2 MAILED OUT PREVIOUSLY, THAT YOU'RE AWARE OF AT THIS TIME?

3 A YES. ON THE SULLY COUNTY MAP, SPEAKING OF ONIDA, THE CITY
4 OF ONIDA, WHICH IS NOT REFLECTED ON THIS MAP, HAS ASKED TO
5 SERVE NORTH OF THE CITY, STARTING AT BROADWAY STREET, GOING
6 NORTH TO THE CEMETERY, THEN COMING SOUTH SO IT MEETS UP WITH
7 THE CITY LIMITS, SO IT'S A STRAIGHT LINE FROM THE CITY LIMITS
8 TO THE NORTHERN BOUNDARY.

9 Q DO YOU HAVE THAT MARKED ON ANY MAP?

10 A NO, I DON'T, NOT AT THIS TIME.

11 Q NOW THESE MAPS BY THE STAFF--

12 A THERE IS ONE OTHER THING ALSO WITH THE SULLY MAP THAT
13 SHOWS AN EXTENSION TO THE SOUTH, WHICH I WILL MARK, I
14 GUESS--IS THAT ALL RIGHT?--

15 Q YES.

16 A --AS EXHIBIT P-19B.

17 Q NOW THESE MAPS THAT WE'LL LATER REFER TO BY NUMBER, YOU
18 PROPOSE TO OFFER THESE TO THE COMMISSION AS THE BOUNDARIES
19 TO BE SET PURSUANT TO STATE LAW AND THE ORDER IN THIS
20 MATTER? IS THAT CORRECT?

21 A YES, I DO.

22 MR. MEIERHENRY: MR. COMMISSIONER, AT THIS TIME WE
23 WOULD LIKE TO GO OFF THE RECORD TO LET ALL THOSE PERSONS
24 HERE HAVE AN OPPORTUNITY TO INSPECT THE MAPS AND DETERMINE
25 EXACTLY IF THE MAPS ARE AS THEY HAVE RECEIVED PRIOR TO THIS
26 TIME. I WOULD ALSO LIKE THE RECORD TO REFLECT ANY PEOPLE

1 WHO CAME AT A LATER TIME AND HAVE NOT, FOR THE RECORD,
2 STATED THEIR NAME AND THE COMPANY THEY REPRESENT. ARE
3 THERE ANYONE HERE AT THIS TIME? I THOUGHT I SAW SOME
4 COME IN.

5 COMMISSIONER WEILAND: DUANE, JUST STATE YOUR NAME AND
6 THE COOPERATIVE YOU REPRESENT TO THE RECORD.

7 MR. WESTLING: DUANE WESTLING, MANAGER OF CAM-WAL ELEC-
8 TRIC CO-OP.

9 MR. OLSON: I'M HOWARD OLSON, DIVISION MANAGER, MONTANA-
10 DAKOTA UTILITIES COMPANY, MOBRIDGE.

11 MR. FISCHER: BUD FISCHER, MANAGER, F-E-M ELECTRIC, OF
12 IPSWICH.

13 MR. MEIERHENRY: AT THIS TIME I WOULD REQUEST THE COM-
14 MISSION FOR, WELL, TEN, FIFTEEN, OR TWENTY MINUTES, WHATEVER
15 IT TAKES FOR ALL THESE PEOPLE WHO ARE PRESENT TO INSPECT
16 THE MAPS.

17 COMMISSIONER WEILAND: WE'RE OFF THE RECORD.

18 (WHEREUPON, THERE WAS DISCUSSION OFF THE RECORD.)

19 COMMISSIONER WEILAND: WE ARE ON THE RECORD.

20 MR. MEIERHENRY: WE'LL USE THE FOLLOWING PROCEDURE. WE'LL
21 GO THROUGH THE MAPS, COUNTY BY COUNTY, IN ALPHABETICAL ORDER
22 AND WITH THE NUMBER, AND IF THERE'S ANY QUESTION THAT ANYONE
23 HERE HAS ABOUT THE MAP OR ANYTHING, ANY DISAGREEMENT ABOUT
24 THE AREAS AS FAR AS THE STAFF DRAWN PROPOSED MAPS ARE, IF
25 SOMEONE HERE WOULD JUST INDICATE THAT, THEN WE'LL LAY THAT
26 ASIDE AND COME BACK TO IT, THE IDEA BEING WE'LL GET THROUGH

(L. GUNDERSON)

1 THOSE THAT ARE AGREED AND SATISFACTORY AND THEN WE CAN COME
2 BACK TO ANY PROBLEM AREAS.

3 (WITNESS GUNDERSON RESUMES THE WITNESS CHAIR; DIRECT
4 EXAMINATION CONTINUED.)

5 Q (BY MR. MEIERHENRY) MR. GUNDERSON, WHAT IS THE FIRST MAP
6 THAT YOU HAVE DRAWN HERE?

7 A CAMPBELL COUNTY.

8 Q AND WHAT UTILITIES ARE AFFECTED BY THE CAMPBELL COUNTY MAP
9 WHICH IS MARKED AS PIERRE EXHIBIT ' ?

10 A CAM-WAL ELECTRIC, FEM ELECTRIC AND MONTANA-DAKOTA UTILITIES.

11 Q AND CERTAIN AREAS THERE ARE IN BROWN. WHAT DO THEY DESIGNATE?

12 A MONTANA-DAKOTA UTILITIES SERVING AREA.

13 MR. MEIERHENRY: WE WOULD OFFER THE EXHIBIT THAT'S MARKED
14 AS P-1, FOR PIERRE-1. IF THERE IS ANY OBJECTION OR ANY
15 COMMENTS ANYONE HAS ON ANY OF THESE EXHIBITS, PLEASE SPEAK
16 UP. (NO RESPONSE.)

17 Q (BY MR. MEIERHENRY) WHAT'S THE NEXT EXHIBIT?

18 A NEXT EXHIBIT IS EXHIBITS FROM THE CAMPBELL COUNTY, P-1A,
19 PIERRE-1A.

20 Q WHAT DOES THIS MAP SHOW?

21 A IT SHOWS FURTHER ENLARGEMENTS OF THE CAMPBELL COUNTY AREAS,
22 SPECIFICALLY AREAS AROUND POLLOCK AND HERREID.

23 Q SAME UTILITIES ARE AFFECTED BY THIS MAP AS WELL AS--

24 A THIS IS JUST CAM-WAL AND MONTANA-DAKOTA UTILITIES.

25 Q WHAT ABOUT EXHIBIT P-1B?

26 A THIS SHOWS THE AREA AROUND MOUND CITY ALSO ASSOCIATED WITH

(L.GUNDERSON)

1 THE CAMPBELL COUNTY MAP, MDU IN BROWN, CAM-WAL IS IN THE
2 WHITE.

3 MR. WESTLING: IS THAT AN EXACT REPRODUCTION OF IT,
4 BECAUSE WE HAVE NOT HAD A CHANCE TO SEE THAT PARTICULAR
5 MAP.

6 A IT'S ONE OF THE MAPS THAT YOU GENTLEMEN DID SEND IN. IT IS
7 NOT A REPRODUCTION AT ALL. IT IS ONE OF THE MAPS THAT WAS
8 SENT IN BY EITHER ONE OF YOU GENTLEMEN.

9 MR. MEIERHENRY: FOR THE RECORD, I THINK THE GENTLEMAN
10 FROM CAM-WAL HAD THE QUESTION. I'M SORRY, I DON'T KNOW
11 YOUR NAME.

12 MR. WESTLING: DUANE WESTLING.

13 Q (BY MR. MEIERHENRY) WHAT ABOUT EXHIBIT P-1C?

14 A THIS DEALS WITH ENLARGEMENT AROUND ARTAS, SOUTH DAKOTA.
15 MDU IS IN THE BROWN AND THE WHITE IS CAM-WAL. ALSO THERE'S
16 A PARTIAL BOUNDARY AROUND GREENWAY.

17 Q ALL OF THESE EXHIBITS WHICH ARE ONE WITH THE VARIOUS A, B,
18 C, THEY ARE ALL FOR CAMPBELL COUNTY?

19 A THAT'S CORRECT.

20 Q AND THIS IS THE PROPOSAL TO THE COMMISSION FOR THE DESIGNATED
21 SERVICE AREAS?

22 A THAT'S CORRECT.

23 MR. MEIERHENRY: I WOULD OFFER, MR. CHAIRMAN, EXHIBIT P-1
24 AND ALL THE ATTACHMENTS.

25 COMMISSIONER WEILAND: IT WILL BE RECEIVED.

26 (EXHIBIT P-1, P-1A, P-1B, P-1C, RECEIVED IN EVIDENCE.)

1 Q (BY MR. MEIERHENRY) I'LL SHOW YOU WHAT'S BEEN MARKED AS
2 EXHIBIT P-2 AND ASK YOU WHAT THAT IS?

3 A THAT'S CORSON COUNTY MAP.

4 Q AND ARE THERE ANY ATTACHMENTS TO THAT?

5 A YES, THERE ARE.

6 Q HOW MANY?

7 A TWO.

8 Q ALL RIGHT. EXHIBIT 2, AND 2A, AND 2B IS YOUR PROPOSAL FOR THE
9 DESIGNATED AREAS OF CORSON COUNTY? IS THAT CORRECT?

10 A THAT'S CORRECT.

11 Q WHAT UTILITIES ARE AFFECTED BY THESE MAPS?

12 A MONTANA-DAKOTA UTILITIES, MOREAU-C...D ELECTRIC, GRAND
13 ELECTRIC, THE CITY OF MC LAUGHLIN, AND ALSO ON THE OTHER
14 SIDE OF THE RIVER, CAM-WAL ELECTRIC.

15 Q NOW WHAT ARE THE TWO ATTACHMENTS EXHIBITS OF?

16 A EXHIBIT P-2A SHOWS ENLARGEMENTS OF THUNDER HAWK, KELDRON,
17 WATAUGA, MORRISTOWN, AND MC INTOSH; EXHIBIT P-2B SHOWS
18 ENLARGEMENT OF THE CITY OF MC LAUGHLIN.

19 Q AND DO YOU PROPOSE TO THE COMMISSION THAT THESE SERVICE AREAS,
20 AS DESIGNATED ON THESE MAPS, BE ACCEPTED? IS THAT CORRECT?

21 A YES, I DO.

22 MR. MEIERHENRY: WE'D OFFER EXHIBIT 2, 2A, AND 2B.

23 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, THEY
24 WILL BE RECEIVED.

25 (EXHIBITS P-2, P-2A, P-2B RECEIVED IN EVIDENCE.)

26 Q (BY MR. MEIERHENRY) SHOWING YOU WHAT HAS BEEN MARKED AS P-3,

1 WHICH IS A MAP OF DEWEY COUNTY, ALONG WITH EXHIBIT P-4,
2 WHICH IS ALSO A MAP OF DEWEY COUNTY, WOULD YOU TELL US
3 WHAT UTILITIES ARE AFFECTED?

4 A MOREAU-GRAND ELECTRIC. I BELIEVE THAT'S ALL THAT ARE
5 AFFECTED ON THE WEST SIDE OF THE RIVER.

6 Q THESE MAPS JUST SHOW THE WEST SIDE. ALL OF WHICH IS MOREAU-
7 GRAND?

8 A THAT'S CORRECT.

9 MR. MEIERHENRY: WE'D OFFER EXHIBITS 3 AND 4.

10 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, THEY
11 WILL BE RECEIVED.

12 (EXHIBITS P-3 AND P-4 RECEIVED IN EVIDENCE.)

13 Q (BY MR. MEIERHENRY) SHOWING YOU WHAT'S BEEN MARKED AS
14 EXHIBIT 5 AND ASK YOU WHAT THAT'S A MAP OF?

15 A IT'S GREGORY COUNTY.

16 Q WHAT UTILITIES ARE AFFECTED?

17 A THE CITY OF BURKE, ALSO ROSEBUD ELECTRIC.

18 Q AND THE CITY OF BURKE IS DESIGNATED IN GREEN? IS THAT
19 CORRECT?

20 A THAT'S CORRECT.

21 Q AND THESE ARE THE AREAS THAT YOU PROPOSE THAT THE COMMISSION
22 ADOPT AS SERVICE AREAS?

23 A THAT'S CORRECT.

24 MR. MEIERHENRY: WE'D OFFER EXHIBIT 5, SUBJECT TO ANY
25 OBJECTIONS?

26 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, IT

1 WILL BE RECEIVED.

2 (EXHIBIT P-5 RECEIVED IN EVIDENCE.)

3 Q (BY MR. MEIERHENRY) EXHIBITS 6 AND 7, WHAT ARE THOSE MAPS
4 OF?

5 A HAAKON COUNTY.

6 Q AND WHAT UTILITIES ARE AFFECTED?

7 A WEST RIVER ELECTRIC, WEST CENTRAL ELECTRIC, MOREAU-GRAND
8 ELECTRIC.

9 Q AND THE SERVICE AREAS ARE DRAWN ON THERE AND THAT'S WHAT
10 YOU PROPOSE THE COMMISSION TO ADOPT FOR THOSE VARIOUS UTIL-
11 ITIES?

12 A THAT'S CORRECT.

13 MR. MEIERHENRY: SUBJECT TO ANY OBJECTION, OFFER 6 AND 7.

14 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, THEY
15 WILL BE RECEIVED.

16 (EXHIBITS P-6 AND P-7 RECEIVED IN EVIDENCE.)

17 Q (BY MR. MEIERHENRY) AND WHAT IS EXHIBIT 8?

18 A HAND COUNTY.

19 Q WHAT UTILITIES ARE AFFECTED?

20 A NORTHWESTERN PUBLIC SERVICE, BEADLE ELECTRIC, REE ELECTRIC,
21 F-E-M ELECTRIC, AND TRI-COUNTY ELECTRIC, ALSO THE CITY OF
22 MILLER, AND SPINK ELECTRIC.

23 Q AND WOULD YOU TELL US THE BLUE REPRESENTS WHAT?

24 A NORTHWESTERN PUBLIC SERVICE.

25 Q AND THE GREEN?

26 A IT REPRESENTS THE CITY OF MILLER'S MUNICIPAL ELECTRIC.

1 Q AND DO YOU PROPOSE THE COMMISSION ADOPT EXHIBIT 8?

2 A WELL, ALSO INCLUDED IN THIS IS A LETTER FROM THE CITY OF
3 MILLER SAYING THAT THEY HAD ANNEXED ADDITIONAL PROPERTY AND
4 ASKING THAT THIS ANNEXED PROPERTY BE INCLUDED IN THEIR
5 TERRITORY.

6 MR. MEIERHENRY: WE WILL MARK THIS LETTER, WHICH IS
7 ADDRESSED TO THE REE ELECTRIC CO-OP, AS EXHIBIT 8A.

8 (EXHIBIT 8A MARKED FOR IDENTIFICATION.)

9 Q (BY MR. MEIERHENRY) DO YOU HAVE ANY OTHER MATTERS THAT
10 PERTAIN TO THIS MAP?

11 MR. SEWELL: I'M NOT JUST SURE WHEN WE WILL HAVE AN
12 OPPORTUNITY TO TALK ABOUT THESE, OR IF WE FIND A DISCREPANCY,
13 ARE WE TO MENTION IT AT THIS TIME OR--

14 MR. MEIERHENRY: YES. LET'S LAY THIS ASIDE AND COME
15 BACK TO IT. DO YOU HAVE ONE AS TO EXHIBIT 8?

16 MR. SEWELL: YES, WE DO HAVE.

17 MR. MEIERHENRY: ALL RIGHT. WE MIGHT AS WELL INTRODUCE
18 THIS AS AN EXHIBIT.

19 (EXHIBIT P-8B MARKED FOR IDENTIFICATION.)

20 Q (BY MR. MEIERHENRY) EXHIBIT 8B IS WHAT?

21 A IT'S AN AGREEMENT PREVIOUS TO THIS LETTER BETWEEN REE
22 ELECTRIC AND THE CITY OF MILLER.

23 Q ANY OTHER MATTERS THAT PERTAIN TO THIS MAP?

24 A ALSO THERE IS AN AGREEMENT BETWEEN REE ELECTRIC COOPERATIVE
25 AND THE NORTHWESTERN PUBLIC SERVICE. THIS INCLUDES BOTH
26 THE COUNTY OF HAND AND HYDE COUNTY.

1 MR. MEIERHENRY: ALL RIGHT. WE'LL DESIGNATE THAT AGREE-
2 MENT AS 8C.

3 (EXHIBIT P-8C MARKED FOR IDENTIFICATION.)

4 MR. MEIERHENRY: ANYTHING ELSE? AT THIS TIME WE'LL
5 RESERVE OFFERING EXHIBIT 8 AND THE ATTACHMENTS AND WE'LL
6 GO TO EXHIBIT 9, WHICH IS WHAT?

7 A EXHIBIT 9 IS HUGHES COUNTY.

8 Q (BY MR. MEIERHENRY) WHAT ARE THE AFFECTED UTILITIES?

9 A OAHÉ ELECTRIC, REE ELECTRIC, NORTHWESTERN PUBLIC SERVICE,
10 AND PIERRE MUNICIPAL ELECTRIC.

11 Q AND THE BLUE DESIGNATES WHAT, DRAWN ON THE MAP?

12 A NORTHWESTERN PUBLIC SERVICE.

13 Q AND THE GREEN SHADED AREA?

14 A PIERRE, SOUTH DAKOTA, ITS ELECTRIC--PIERRE MUNICIPAL ELECTRIC.

15 Q YOU PROPOSE THAT THE AREAS DRAWN ON EXHIBIT 9 BE THE AREAS OF
16 THE VARIOUS UTILITIES?

17 A THAT'S CORRECT.

18 MR. PADGETT: I'D LIKE TO COMMENT ON THAT.

19 MR. MEIERHENRY: OKAY; WE WILL RESERVE THAT UNTIL LATER.

20 Q (BY MR. MEIERHENRY) AND DO YOU HAVE ANY OTHER MAPS WHICH
21 YOU WISH TO PUT IN ALONG WITH EXHIBIT 9?

22 A THERE'S EXHIBIT PIERRE-9A, WHICH IS ENLARGEMENT OF BLUNT,
23 SOUTH DAKOTA, AND THIS WAS SUPPLIED AS A SECOND MAP FROM A
24 LETTER FROM--TO MR. NORTON FROM STEVE SEWELL, MAY 14TH. IT
25 STATES THAT THE SECOND MAP IS ATTACHED, REFERRING TO THE
26 BLUNT MAP IN THIS INSTANCE, WHICH SHOWS LOCATION OF A FEW

1 CUSTOMERS SERVED BY OAHE ELECTRIC COOPERATIVE, INCORPORATED,
2 WITHIN THE CITY LIMITS OF THE CITY OF BLUNT. THE COMPANY AND
3 THE COOPERATIVE BOTH HAVE AGREED THAT THE COOPERATIVE WILL
4 CONTINUE TO SERVE THOSE ACCOUNTS THEY ARE PRESENTLY SERVING
5 BUT THEY WILL SERVE NO NEW CUSTOMERS WITHIN THE DESIGNATED
6 AREA OF NORTHWESTERN, INCLUDING THE CITY OF BLUNT, AS OUT-
7 LINED ON THE MAP.

8 Q WOULD YOU MARK THAT LETTER AS EXHIBIT 9B, PLEASE.

9 (EXHIBIT P-9B MARKED FOR IDENTIFICATION.)

10 Q (BY MR. MEIERHENRY) WHAT HAS BEEN MARKED AS EXHIBIT 10?

11 A HYDE COUNTY.

12 Q AND WHAT UTILITIES ARE AFFECTED AND WHAT COLORS DESIGNATE THE
13 UTILITIES?

14 A NORTHWESTERN PUBLIC SERVICE, WHICH IS DESIGNATED BY THE BLUE
15 AREA; REE ELECTRIC, CAM-WAL, F-E-M ELECTRIC AND OAHE ELECTRIC
16 ARE ALSO AFFECTED.

17 MR. MEIERHENRY: ARE THERE ANY OBJECTIONS OR ANY COMMENTS
18 ON EXHIBIT 10, HYDE COUNTY? (NO RESPONSE.) WE'D OFFER
19 EXHIBIT 10 AT THIS TIME.

20 COMMISSIONER WEILAND: IT WILL BE RECEIVED IF THERE ARE
21 NO OBJECTIONS.

22 (EXHIBIT P-10 RECEIVED IN EVIDENCE.)

23 Q (BY MR. MEIERHENRY) EXHIBIT 11, WHAT IS THAT?

24 A JACKSON COUNTY.

25 Q AND WHAT UTILITIES ARE INVOLVED?

26 A LA CREEK ELECTRIC, WEST CENTRAL ELECTRIC, WEST RIVER ELECTRIC.

1 Q AND THOSE AREAS ARE DESIGNATED ON THE MAP, THEIR SERVICE
2 AREAS?

3 A YES, THEY ARE.

4 MR. MEIERHENRY: IF THERE ARE NO OBJECTIONS OR COMMENTS,
5 WE'D OFFER EXHIBIT 11.

6 COMMISSIONER WEILAND: IF NO OBJECTIONS, IT WILL BE
7 RECEIVED.

8 (EXHIBIT P-11 RECEIVED IN EVIDENCE.)

9 Q (BY MR. MEIERHENRY) WHAT IS EXHIBIT 12?

10 A JONES COUNTY.

11 Q WHAT UTILITIES?

12 A WEST CENTRAL ELECTRIC, CHERRY-TODD ELECTRIC.

13 Q AND THERE ARE NO SHADED AREAS ON THIS MAP?

14 A NO, THERE ARE NOT.

15 MR. MEIERHENRY: SUBJECT TO ANY OBJECTIONS, WE'D OFFER
16 EXHIBIT 12.

17 COMMISSIONER WEILAND: IT WILL BE RECEIVED, IF THERE
18 ARE NO OBJECTIONS.

19 (EXHIBIT P-12 RECEIVED IN EVIDENCE.)

20 Q (BY MR. MEIERHENRY) WHAT IS EXHIBIT 13?

21 A LYMAN COUNTY MAP.

22 Q AND WHAT IS EXHIBIT 14?

23 A LYMAN COUNTY MAP, SOUTH HALF.

24 Q EXHIBIT 13 IS THE NORTH HALF, EXHIBIT 14 IS THE SOUTH HALF
25 OF LYMAN COUNTY?

26 A THAT'S CORRECT.

1 Q WHAT UTILITIES ARE AFFECTED?

2 A WEST CENTRAL ELECTRIC, ROSEBUD ELECTRIC.

3 Q AND THESE MAPS--THIS MAP AND ALL THE ONES PRIOR HAVE BEEN
4 MAILED OUT TO THE VARIOUS UTILITIES PRIOR TO THIS TIME?

5 A THAT'S CORRECT.

6 MR. MEIERHENRY: WE'D OFFER EXHIBITS 13 AND 14, SUBJECT
7 TO ANY OBJECTIONS.

8 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, IT
9 WILL BE RECEIVED.

10 (EXHIBITS P-13 AND P-14 RECEIVED IN EVIDENCE.)

11 Q (BY MR. MEIERHENRY) WHAT IS EXHIBIT 15?

12 A MELLETTE COUNTY.

13 Q WHAT UTILITIES ARE AFFECTED IN MELLETTE COUNTY?

14 A CHERRY-TODD ELECTRIC, WEST CENTRAL ELECTRIC, LA CREEK
15 ELECTRIC, AND ROSEBUD ELECTRIC.

16 MR. MEIERHENRY: AND WE'LL OFFER EXHIBIT 15, SUBJECT TO
17 ANY OBJECTIONS OR COMMENTS.

18 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, IT
19 WILL BE RECEIVED.

20 (EXHIBIT P-15 RECEIVED IN EVIDENCE.)

21 Q (BY MR. MEIERHENRY) EXHIBIT 16 SHOWS WHAT?

22 A POTTER COUNTY.

23 Q WHAT UTILITIES ARE AFFECTED?

24 A MDU, WHICH IS SHOWN IN BROWN; CAM-WAL ELECTRIC, F-E-M
25 ELECTRIC, REE ELECTRIC, AND OAHE ELECTRIC.

26 Q ARE THERE ANY ATTACHMENTS TO EXHIBIT 16?

1 A YES, THERE ARE. THERE'S P-16A, P-16B, AND P-16C.

2 Q AND WERE THESE GIVEN TO THE VARIOUS UTILITIES PRIOR TO
3 THIS TIME?

4 A THAT'S CORRECT.

5 Q AND THE ATTACHMENTS DEAL WITH MAINLY THE TOWNS OF TOLSTOY,
6 LEBANON, GETTYSBURG, AND AN AREA ALONG HIGHWAY 212?

7 A THAT'S CORRECT.

8 MR. MEIERHENRY: IF THERE ARE NO OBJECTIONS, WE WOULD
9 OFFER 16.

10 MR. WESTLING: THERE'S ONE LITTLE AMENDMENT--DUANE
11 WESTLING--JUST A CORRECTION.

12 MR. MEIERHENRY: WE'LL COME BACK TO IT.

13 MR. WESTLING: THANK YOU.

14 MR. MEIERHENRY: WITH THE COMMISSION'S PERMISSION, THIS
15 IS A VERY SIMPLE MATTER. IT'S ON PLAINTIFF'S EXHIBIT 16
16 AND THE WESTERLY LINE SHOULD BE STRAIGHTENED. IT NOW SHOWS
17 THE INCLUSION OF--IS THAT A QUARTER, QUARTER SECTION?

18 MR. WESTLING: YES, RIGHT.

19 MR. MEIERHENRY: AND THEY'RE PROPOSED TO STRAIGHTEN THAT
20 LINE.

21 COMMISSIONER WEILAND: AND THAT'S BEEN AGREED TO BY--

22 MR. MEIERHENRY: IS THAT AGREED TO BY ALL PARTIES?

23 MR. WESTLING: THAT WAS BETWEEN F-E-M AND CAM-WAL, YES.

24 COMMISSIONER WEILAND: AND THAT'S AGREED, MR. FISCHER?

25 MR. FISCHER: THAT'S AGREED.

26 COMMISSIONER WEILAND: AND MR. WESTLING? CORRECT?

1 MR. WESTLING: YES.

2 COMMISSIONER WEILAND: OKAY, AND THAT'S BEEN DONE. VERY
3 GOOD.

4 MR. MEIERHENRY: YOU HAVE THE LEGAL DESCRIPTION? IS
5 THAT CORRECT?

6 MR. WESTLING: YES, SIR.

7 MR. MEIERHENRY: WOULD YOU FURNISH IT AFTER--AFTERWARDS?

8 MR. WESTLING: ALL RIGHT.

9 MR. MEIERHENRY: OKAY, WITH THAT CORRECTION, WE WOULD
10 OFFER EXHIBIT 16 AND THE ATTACHMENTS.

11 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, IT
12 WILL BE RECEIVED, AND IT WILL BE CORRECTED--THE MAP WILL BE
13 CORRECTED ACCORDING TO THE DESCRIPTION.

14 (EXHIBITS P-16, P-16A, P-16B, P-16C RECEIVED IN EVIDENCE.)

15 Q (BY MR. MEIERHENRY) EXHIBIT 17 IS OF WHAT COUNTY?

16 A IT'S NORTH HALF OF STANLEY COUNTY.

17 Q AND EXHIBIT 18?

18 A SOUTH HALF OF STANLEY COUNTY.

19 Q UTILITIES AFFECTED?

20 A FORT PIERRE MUNICIPAL, WEST CENTRAL ELECTRIC, MOREAU-GRAND
21 ELECTRIC.

22 Q AND THE VARIOUS AREAS--HAVE THESE MAPS BEEN MAILED OUT PRIOR
23 TO THIS TIME AS WELL--

24 A THAT'S CORRECT.

25 Q --TO THE AFFECTED UTILITIES? ARE THERE ANY OTHER MAPS WHICH
26 YOU WISH TO--

1 A YES, THERE IS. THERE'S AN ENLARGED MAP OF FORT PIERRE
2 WHICH WAS FURNISHED.

3 Q BY WHOM?

4 A I BELIEVE IT WAS FURNISHED BY WEST CENTRAL ELECTRIC.

5 Q AND IS THERE ANY DISCREPENCY BETWEEN THAT MAP AND THE MAPS
6 YOU HAVE DRAWN, THAT YOU'RE AWARE OF?

7 A NO.

8 Q WHY DON'T YOU MARK THAT AS EXHIBIT P-18 A. YOU PROPOSE THAT
9 THESE THREE EXHIBITS 17, 18 AND 18A BE THE AREAS THAT THESE
10 UTILITIES HAVE FOR SERVICE? IS THAT CORRECT?

11 A YES, THAT'S CORRECT.

12 MR. MEIERHENRY: WE WOULD OFFER ALL THREE OF THESE,
13 STANLEY COUNTY, 17, 18 AND 18A, SUBJECT TO ANY OBJECTIONS
14 AND COMMENTS.

15 MR. RICKETTS: WE WOULD LIKE TO HAVE A DISCUSSION ON THAT.

16 MR. MEIERHENRY: OKAY, WE WILL WITHHOLD THE OFFERING.

17 COMMISSIONER WEILAND: VERY GOOD.

18 Q (BY MR. MEIERHENRY) I ASK YOU WHAT ARE EXHIBITS 19, 19A,
19 AND 19B?

20 A EXHIBIT 19 IS THE SULLY COUNTY MAP, 19A IS AN ENLARGEMENT
21 OF ONIDA, 19B SHOWS A SECTION OF LAND SOUTH OF ONIDA.

22 Q AND ATTACHED TO THE CITY OF ONIDA?

23 A THAT'S CORRECT.

24 Q AND WHAT UTILITIES ARE AFFECTED BY THESE MAPS?

25 A THE CITY OF ONIDA, OAHÉ ELECTRIC; CAM-WAL ELECTRIC, REE
26 ELECTRIC.

1 Q AND WE WOULD OFFER AT THIS TIME, SUBJECT TO ANY OBJECTIONS,
2 AS THE STAFF'S--DO YOU HAVE ANOTHER COMMENT AS TO ONIDA?

3 A THAT'S CORRECT. ALSO NOT INCLUDED AS AN EXHIBIT AND NOT
4 INCLUDED ON THIS MAP IS, AS PREVIOUSLY ALLUDED TO, AN
5 ADDITIONAL PIECE OF A TERRITORY FOR ONIDA ELECTRIC WHICH
6 WOULD EXTEND NORTHWARD ALONG THE CITY LIMITS, THE EASTERN
7 CITY LIMITS TO THE CEMETERY, ACROSS THE CEMETERY SOUTHERN
8 BORDER, AND STRAIGHT DOWNWARD ONTO BROADWAY STREET, IN
9 LINE STRAIGHT TO BROADWAY STREET.

10 Q AND THAT WOULD AFFECT AREA OF OAHE ELECTRIC IN THE CITY
11 OF ONIDA? IS THAT CORRECT?

12 A THAT WOULD AFFECT OAHE ELECTRIC OUTSIDE THE CITY OF ONIDA.

13 MR. MEIERHENRY: IS THERE A REPRESENTATIVE OF OAHE
14 ELECTRIC? ARE YOU FAMILIAR WITH THIS CHANGE?

15 MR. SEVENING: YES, I AM.

16 MR. MEIERHENRY: AND IS IT AGREEABLE WITH OAHE ELECTRIC?

17 MR. SEVENING: YES, IT IS.

18 MR. MEIERHENRY: ALL RIGHT. WITH THAT CORRECTION, WHICH
19 IS NOT SHOWN ON THE MAP, WE WOULD OFFER THESE EXHIBITS 19,
20 19A, AND 19B.

21 COMMISSIONER WEILAND: IF NO OBJECTIONS, THEY WILL BE
22 RECEIVED.

23 (EXHIBITS P-19, P-19A, AND P-19B RECEIVED IN EVIDENCE.)

24 Q (BY MR. MEIERHENRY) WHAT'S EXHIBIT 20?

25 A TODD COUNTY.

26 Q WHAT UTILITIES ARE AFFECTED?

1 A LA CREEK ELECTRIC, CHERRY-TODD ELECTRIC, ROSEBUD ELECTRIC.

2 Q ARE YOU AWARE OF ANY DISAGREEMENTS BETWEEN THESE UTILITIES
3 AS TO THIS MAP?

4 A NO.

5 MR. MEIERHENRY: WE WOULD OFFER EXHIBIT 20.

6 COMMISSIONER WEILAND: IT WILL BE RECEIVED.

7 (EXHIBIT P-20 RECEIVED IN EVIDENCE.)

8 Q (BY MR. MEIERHENRY) WHAT IS EXHIBITS 21 AND 22?

9 A EXHIBIT 21 IS THE NORTH HALF OF TRIPP COUNTY, EXHIBIT 22
10 IS THE SOUTH HALF OF TRIPP COUNTY.

11 Q WHAT UTILITIES ARE LOCATED IN THOSE AREAS?

12 A ROSEBUD ELECTRIC, WEST CENTRAL ELECTRIC, LA CREEK ELECTRIC--
13 EXCUSE ME--THAT'S NOT LA CREEK; THAT IS CHERRY-TODD ELECTRIC.

14 Q CHERRY-TODD, ROSEBUD, WEST CENTRAL, AND THE CITY OF WINNER?

15 A THAT'S CORRECT.

16 Q OKAY. AND WHAT IS EXHIBIT 22?

17 A EXHIBIT 22A.

18 Q 22A?

19 A AN ENLARGEMENT OF THE CITY OF WINNER, SHOWING THEIR BOUNDARIES.

20 Q AND DO YOU PROPOSE THESE TO BE THE SERVICE AREAS AFFECTING
21 THE COUNTY OF TRIPP IN SOUTH DAKOTA?

22 A THAT'S CORRECT.

23 MR. MEIERHENRY: SUBJECT TO ANY OBJECTIONS, WE WILL
24 OFFER 21, 22, AND 22A.

25 COMMISSIONER WEILAND: THEY WILL BE RECEIVED.

26 (EXHIBITS P-21, P-22, P-22A RECEIVED IN EVIDENCE.)

1 A THERE'S ALSO--I'M SORRY--A LETTER RECEIVED FROM ROSEBUD
2 ELECTRIC WHICH REQUESTED THAT A TRANSMISSION LINE BE
3 REFLECTED.

4 Q (BY MR. MEIERHENRY) THIS EXHIBIT WHICH IS MARKED AS
5 EXHIBIT 22B IS SIMPLY A CLARIFICATION OF A TRANSMISSION
6 LINE? IS THAT CORRECT?

7 A THAT'S CORRECT.

8 MR. MEIERHENRY: WE'LL OFFER 22B FOR THE PURPOSES OF
9 CLARIFYING THE MAP.

10 COMMISSIONER WEILAND: IT WILL BE RECEIVED.

11 (EXHIBIT P-22B RECEIVED IN EVIDENCE.)

12 Q (BY MR. MEIERHENRY) WHAT ARE--WHAT IS EXHIBIT 23?

13 A IT'S WALWORTH COUNTY.

14 Q AND 23A?

15 A IT'S AN ENLARGEMENT OF THE MOBRIDGE AREA. ALSO ON THAT
16 EXHIBIT IS AN ENLARGEMENT OF--A SMALLER ENLARGEMENT OF THE
17 MOBRIDGE AREA AND SOME TERRITORY THAT MDU SERVES TO THE
18 EAST OF MOBRIDGE.

19 Q AND WHAT ARE THE AFFECTED UTILITIES BESIDES MDU?

20 A THEY ARE CAM-WAL ELECTRIC, FEM ELECTRIC, AND IN BROWN, MDU.

21 Q AND WHAT'S EXHIBIT 23B?

22 A 23B INCLUDES ENLARGEMENTS OF JAVA, AKASKA, AND SELBY.

23 Q ALL RIGHT. HAVE COPIES OF THESE MAPS BEEN MAILED OUT TO
24 THE VARIOUS UTILITIES PRIOR TO THIS TIME?

25 A YES, THEY HAVE.

26 MR. MEIERHENRY: AND WE WOULD OFFER EXHIBITS 23, 23A,

1 AND 23B. I'M SORRY.

2 MR. OLSON: THERE'S A--MY NAME IS HOWARD OLSON. MR.
3 WESTLING, FROM CAM-WAL, AND MY COMPANY ARE IN AGREEMENT
4 BUT DUE TO THE MECHANICS OF REPRODUCTION OF THIS MAP THERE
5 ARE SOME LINES THAT APPEAR ON THIS MAP THAT DON'T REALLY
6 EXIST BECAUSE OF THE REPRODUCTION PROCESS.

7 MR. MEIERHENRY: WOULD YOU LIKE TO ADD--DO YOU HAVE A
8 MAP WHICH YOU WISH TO ADD TO CLARIFY THIS MATTER?

9 MR. OLSON: YES.

10 MR. MEIERHENRY: AND I NOTICE THERE'S A RED LINE ON
11 THERE. WHAT DOES THAT REFLECT?

12 MR. OLSON: THAT DEPICTS THE LINE, TERRITORIAL AGREEMENT
13 THAT CAM-WAL AND MDU HAVE AGREED UPON AND CLARIFIED. IT'S
14 REALLY A BLOWN-UP SCALE OF THE SMALLER SELBY MAP IMMEDIATELY
15 LEFT OF THE LARGE CITY MAP. THIS LARGE CITY MAP WAS INTENDED
16 PRIMARILY FOR THIS NORTHWEST SECTION OF SELBY FOR CLARIFICA-
17 TION PURPOSES ONLY.

18 MR. MEIERHENRY: WE'LL MARK THIS MAP P-23C, AND I'D ASK
19 YOU TO DESIGNATE BY INITIALS ON EITHER SIDE OF THIS RED LINE
20 THE VARIOUS UTILITIES SO WE WILL KNOW (DOCUMENT MARKED BY
21 MR. OLSON). THIS IS MAINLY IN THE AREA OF SELBY?

22 MR. OLSON: THAT IS CORRECT.

23 MR. MEIERHENRY: WE WOULD ALSO OFFER, AT THE COMPANY'S
24 REQUEST, P-23C FOR CLARIFICATION OF A SMALLER AREA AROUND
25 SELBY.

26 COMMISSIONER WEILAND: IS THAT SATISFACTORY, MR. WESTLING?

(L.GUNDERSON)

1 MR. WESTLING: YES, IT IS.

2 COMMISSIONER WEILAND: VERY GOOD. THEY WILL BE RECEIVED.
3 (EXHIBITS P-23, P-23A, P-23B, P-23C RECEIVED IN EVIDENCE.)

4 MR. OLSON: IN ADDITION, THERE'S A LITTLE AREA IN THE
5 HOVEN AREA THAT IS SHOWN ON THAT PARTICULAR MAP THAT POSSIBLY
6 SHOULD REFER BACK TO AN EXHIBIT THAT WAS ATTACHED TO, LET'S
7 SAY THE POTTER COUNTY, RIGHT DOWN IN THE HOVEN AREA. I THINK
8 YOU DO HAVE IT SHOWN BUT THERE'S PROBABLY NO EXHIBIT NUMBER.
9 MAYBE YOU SHOULD REFER TO AN EXHIBIT NUMBER FROM POTTER COUNTY
10 FOR HOVEN AREA.

11 MR. WESTLING: IT IS A LITTLE CONGESTED IN THAT CORNER
12 BECAUSE EDMUNDS COUNTY, AND POTTER COUNTY, AND WALWORTH
13 COUNTY ADJOIN RIGHT CLOSE IN THAT AREA.

14 MR. MEIERHENRY: ALL RIGHT. AT A LATER TIME PERHAPS WE
15 CAN MAKE--ALL THE COMPANIES ARE IN AGREEMENT AS TO THE AREAS
16 WE ARE TALKING ABOUT, THE MAPS?

17 MR. OLSON: YES.

18 MR. WESTLING: YES.

19 MR. MEIERHENRY: AT A LATER TIME, WITH THE COMMISSION'S
20 PERMISSION, WE WILL CHECK ON THAT.

21 COMMISSIONER WEILAND: VERY WELL.

22 MR. MEIERHENRY: ALL RIGHT. AS IS, WE WILL OFFER--I
23 GUESS I'VE ALREADY DONE THAT. I CAN'T REMEMBER IF I DID OR
24 NOT, BUT WE WILL OFFER EXHIBITS 23 AND ALL THE ATTACHMENTS.

25 COMMISSIONER WEILAND: IN CASE IT HASN'T BEEN RECEIVED,
26 IT HAS NOW BEEN RECEIVED.

(L. GUNDERSON)

1 (EXHIBITS P-23, P-23A, P-23B, P-23C, RECEIVED IN EVIDENCE.)

2 Q (BY MR. MEIERHENRY) AND WHAT IS EXHIBIT 24 AND 25?

3 A 24 IS THE NORTH HALF OF ZIEBACH COUNTY AND 25 IS THE SOUTH
4 HALF OF ZIEBACH COUNTY.

5 Q AND WHAT UTILITIES ARE AFFECTED?

6 A GRAND ELECTRIC, WEST RIVER ELECTRIC, MOREAU-GRAND ELECTRIC,
7 AND THAT'S ALL.

8 Q HAVE COPIES OF THIS MAP BEEN FURNISHED TO THE VARIOUS UTIL-
9 ITIES PRIOR TO THIS TIME?

10 A YES, THEY HAVE.

11 MR. MEIERHENRY: WE WOULD OFFER EXHIBITS 24 AND 25.

12 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, THEY
13 WILL BE RECEIVED.

14 (EXHIBITS P-24 AND P-25 RECEIVED IN EVIDENCE.)

15 MR. MEIERHENRY: NOW PRIOR TO RETURNING TO EXHIBIT 8--

16 COMMISSIONER WEILAND: AND THAT IS WHAT?

17 MR. MEIERHENRY: --AND THAT'S OF HAND COUNTY, I WOULD ASK
18 IF ANY OF THE PEOPLE AFFECTED HAVE ANY QUESTIONS OF MR.
19 GUNDERSON AS FAR AS HOW HE DREW THE MAP OR ANYTHING OF THAT
20 NATURE? ALL RIGHT. AT THIS TIME STATE YOUR NAME AND YOUR
21 OBSERVATIONS.

22 MR. SEWELL: YES. I'M STEVE SEWELL, WITH NORTHWESTERN
23 PUBLIC SERVICE. I'M WONDERING, IS A REPRESENTATIVE HERE
24 FROM REE ELECTRIC? (NO RESPONSE.) THERE IS NOT. IT MAY
25 MEAN, THEN, WE WILL HAVE TO DELAY THIS JUST A LITTLE, BUT
26 THERE WAS A TACIT AGREEMENT BUT IT WAS NOT PUT IN THE MAP.

(L.GUNDERSON)

1 YOU WILL SEE WE JOIN F-E-M ON THE COUNTY LINE OF FAULK
2 COUNTY AND HAND COUNTY AND WE HAVE A DISTRIBUTION LINE
3 THAT RUNS FROM THE LITTLE TOWNS OF ZELL ON OVER TO ORIENT
4 AND ACROSS AND THE NEGOTIATED AREA WAS A HALF A MILE ON
5 EACH SIDE OF THAT LINE. IT DOES NOT SHOW ON THIS MAP, AND
6 IT WILL BE SOMETHING OF THIS NATURE. IT DOES SHOW ON THE
7 F-E-M MAP AND, OF COURSE, THAT'S NOT UNDER DISCUSSION HERE.
8 SO THERE SHOULD BE A HALF A MILE DESIGNATED SERVICE AREA FOR
9 NORTHWESTERN PUBLIC SERVICE COMPANY RIGHT ON THE COUNTY LINE.

10 MR. MEIERHENRY: THAT'S THE NORTH COUNTY LINE?

11 MR. SEWELL: THAT'S RIGHT, AND IT WOULD BE THE SOUTH
12 HALF OF THAT HALF MILE THAT WE SHOULD HAVE A CLEAR UNDER-
13 STANDING WITH REE ELECTRIC ON AND HAVE THAT DRAWN IN HERE.

14 MR. MEIERHENRY: HAVE YOU MADE ANY WRITTEN AGREEMENT
15 PRIOR TO THIS TIME?

16 MR. SEWELL: YES, WE HAVE A WRITTEN AGREEMENT, BUT IT'S
17 NOT DESCRIBED IN THAT WAY AND IT--WE WILL HAVE TO--WE HAVE
18 THE UNDERSTANDING BUT WE HAVE NOT--IT WAS NOT PLACED ON THE
19 MAP.

20 MR. MEIERHENRY WOULD IT BE POSSIBLE FOR YOU TO FURNISH
21 TO THE COMMISSION BY A WEEK FROM TODAY A WRITTEN AGREEMENT
22 BETWEEN YOURSELF AND THE COMPANY?

23 MR. SEWELL: THERE'S NO QUESTION ABOUT OUR AGREEMENT.
24 IT JUST WAS INADVERTENTLY NOT PLACED ON THE MAP AND, OF
25 COURSE, THEN WAS NOT PLACED ON THE MAP BY THE PUC. IT WAS
26 OUR ERROR.

(L.GUNDERSON)

1 YOU WILL SEE WE JOIN F-E-M ON THE COUNTY LINE OF FAULK
2 COUNTY AND HAND COUNTY AND WE HAVE A DISTRIBUTION LINE
3 THAT RUNS FROM THE LITTLE TOWNS OF ZELL ON OVER TO ORIENT
4 AND ACROSS AND THE NEGOTIATED AREA WAS A HALF A MILE ON
5 EACH SIDE OF THAT LINE. IT DOES NOT SHOW ON THIS MAP, AND
6 IT WILL BE SOMETHING OF THIS NATURE. IT DOES SHOW ON THE
7 F-E-M MAP AND, OF COURSE, THAT'S NOT UNDER DISCUSSION HERE.
8 SO THERE SHOULD BE A HALF A MILE DESIGNATED SERVICE AREA FOR
9 NORTHWESTERN PUBLIC SERVICE COMPANY RIGHT ON THE COUNTY LINE.

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13 STANDING WITH REE ELECTRIC ON AND HAVE THAT DRAWN IN HERE.

14 MR. MEIERHENRY: HAVE YOU MADE ANY WRITTEN AGREEMENT
15 PRIOR TO THIS TIME?

16 MR. SEWELL: YES, WE HAVE A WRITTEN AGREEMENT, BUT IT'S
17 NOT DESCRIBED IN THAT WAY AND IT--WE WILL HAVE TO--WE HAVE
18 THE UNDERSTANDING BUT WE HAVE NOT--IT WAS NOT PLACED ON THE
19 MAP.

20 MR. MEIERHENRY WOULD IT BE POSSIBLE FOR YOU TO FURNISH
21 TO THE COMMISSION BY A WEEK FROM TODAY A WRITTEN AGREEMENT
22 BETWEEN YOURSELF AND THE COMPANY?

23 MR. SEWELL: THERE'S NO QUESTION ABOUT OUR AGREEMENT.
24 IT JUST WAS INADVERTENTLY NOT PLACED ON THE MAP AND, OF
25 COURSE, THEN WAS NOT PLACED ON THE MAP BY THE PUC. IT WAS
26 OUR ERROR.

(L.GUNDERSON)

1 COMMISSIONER WEILAND: YES, RIGHT. IF YOU COULD GET IT
2 TO US AS QUICKLY AS POSSIBLE BECAUSE WE DO WANT TO--

3 MR. SEWELL: NO PROBLEM AT ALL. I'M SURE THAT IF THE
4 REE MANAGER WERE HERE WE COULD DO IT TODAY, BUT WE'LL TAKE
5 CARE OF THAT ON OUR WAY BACK HOME TONIGHT.

6 COMMISSIONER WEILAND: VERY GOOD.

7 MR. MEIERHENRY: STAFF HAS NO OBJECTION TO THAT.

8 MR. SEWELL: I THINK THAT YOU CAN SEE WHAT THE SITUATION
9 IS THAT EXISTS. IF YOU LOOK AT THE ARRANGEMENT WITH F-E-M
10 YOU'LL SEE THAT WE HAVE NEGOTIATED THE NORTH HALF OF THAT
11 LINE BUT THE SOUTH HALF DOES NOT.

12 MR. MEIERHENRY: WE WILL OFFER EXHIBIT 8, 8A, 8B, AND 8C AT
13 THIS TIME.

14 MR. RATHBUN: SIR, MAY I COMMENT?

15 MR. MEIERHENRY: SURE. I'M SORRY.

16 MR. RATHBUN: I AM BURL RATHBUN, WITH BEADLE ELECTRIC
17 COOPERATIVE, AND I'D LIKE TO OFFER FOR THE COMMISSION'S
18 CONSIDERATION SOME THOUGHT RELATIVE TO THE AREA AS YOU'VE
19 OUTLINED THERE BETWEEN THE TOWN OF WESSINGTON AND VAYLAND
20 WHICH INCLUDES THE DIVISION OF AREAS FOR NORTHWESTERN PUBLIC
21 SERVICE AND BEADLE ELECTRIC COOPERATIVE. I WOULD LIKE THE
22 COMMISSION TO CONSIDER THAT, IF I CAN IDENTIFY IT BY SECTION
23 NUMBERS HERE, THAT THE TOP HALF OF SECTION 1 AND THE BOTTOM
24 HALF OF SECTION 36 IMMEDIATELY LEFT OF THE TOWN OF WESSINGTON,
25 ONLY THE BOTTOM HALF BE CONSIDERED AND THAT THE BOTTOM HALF
26 OF SECTION 20 IN THE TOWN OF VAYLAND BE ALLOWED AS NORTHWESTERN

1 AREA AND A QUARTER MILE CORRIDOR ON THE NORTH SIDE OF
2 HIGHWAY 14 ONLY BE ESTABLISHED AS THE GEOGRAPHIC BOUNDARY.

3 MR. MEIERHENRY: DO YOU HAVE THAT DRAWN OUT ON A MAP?

4 MR. RATHBUN: NO, I DON'T.

5 COMMISSIONER WEILAND: WE'LL GO OFF THE RECORD WHILE
6 WE'RE DOING THAT.

7 (WHEREUPON, THERE WAS DISCUSSION OFF THE RECORD.)

8 COMMISSIONER WEILAND: ON THE RECORD.

9 MR. RATHBUN: I WOULD WANT TO STATE FOR THE RECORD, TOO,
10 THAT MY PURPOSE IN REDEFINING THE AREA OR ASKING FOR YOUR
11 CONSIDERATION IN REDEFINITION ON THIS AREA WAS THAT I JUST
12 FEEL THAT THERE'S TOO MANY SECTIONS OF RURAL AREA IN HERE
13 WHICH PERHAPS HAVE NEITHER SERVICE BY BEADLE ELECTRIC OR
14 NORTHWESTERN PUBLIC SERVICE AND I FEEL THAT THE--A FEW HOMES
15 IN THE AREA OR FARM HOMES IN THE AREA THAT ARE PRESENTLY
16 SERVED BY NORTHWESTERN DOES NOT JUSTIFY THE ADDITIONAL
17 ACREAGE TO BE ALLOWED. THANK YOU.

18 MR. MEIERHENRY: IS NORTHWESTERN HERE?

19 MR. SEWELL: YES. I WOULD JUST MAKE A COMMENT THAT WE
20 DIDN'T DRAW THOSE LINES, BURL. THEY WERE DRAWN BY THE PUC,
21 AND SINCE WE HAVE NOT NEGOTIATED ANY OF THE SERVICE AREA,
22 PROBABLY THE THING TO DO IS BE ABLE TO TAKE A LOOK AT ALL
23 OF OUR RELATIONSHIP AND SEE WHAT WE COME UP WITH. I DON'T
24 REALLY KNOW WHAT'S FAIR. I JUST DON'T HAVE ANY IDEA. SO
25 I GUESS WE COULDN'T AGREE TO YOUR SUGGESTION TODAY, BUT
26 WE'LL TAKE A LOOK AT IT, PHYSICALLY LOOK AT THE SITUATION

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1 AND SEE WHAT WE THINK IS--SEE WHAT THE EQUIDISTANT SITUATION
2 IS, OR WHATEVER. MAYBE YOU'VE ALREADY DONE THAT. WE HAVEN'T.
3 WE'RE GOING TO HAVE TO BE TALKING ABOUT THE REST OF THE AREA
4 ANYWAY, SO WE MIGHT AS WELL TALK ABOUT ALL OF IT.

5 MR. RATHBUN: I WOULD ONLY COMMENT THAT I DIDN'T WANT
6 THIS EXHIBIT GOING IN AS BEING ACCEPTED--

7 MR. SEWELL: THAT'S RIGHT.

8 MR. RATHBUN: --ON OUR PART.

9 MR. SEWELL: THAT'S FINE WITH .

10 COMMISSIONER WEILAND: VERY WELL; WE'VE GOT IT NOTED.

11 Q (BY MR. MEIERHENRY) MR. GUNDERSON, COULD YOU TELL THE COM-
12 MISSION BASICALLY WHY YOU DREW THE LINES AS THEY ARE, JUST
13 FOR THE COMMISSION'S INFORMATION?

14 A OKAY. FIRST OF ALL--

15 Q NOW YOU'RE REFERRING TO A MAP. LET'S MARK THAT AS EXHIBIT
16 8D.

17 COMMISSIONER WEILAND: 8D?

18 MR. MEIERHENRY: 8D, AS IN DOG.

19 A OKAY. EXHIBIT P-8D SHOWS THE APPROXIMATE DISTRIBUTION LINES
20 OF NORTHWESTERN PUBLIC SERVICE AND BEADLE ELECTRIC. THE
21 FIRST THING THEY DID WAS TAKE AND DRAW A STRICTLY WHAT
22 LOOKED LIKE A HALF-WAY LINE DISTANCE BETWEEN EACH ONE OF
23 THEM. THEN I NOTED THAT THERE IS RAILROAD TRACKS ON THE
24 SOUTHERN PART WHICH WOULD BE SOME PROBLEM FOR NORTHWESTERN
25 PUBLIC SERVICE TO SERVE. ALSO, THE LINES WERE VERY SHORT
26 DISTANCES, DOWN INTO A QUARTER OF A MILE, AND IT WOULD BE

1 MUCH EASIER TO DETERMINE IF THEY WERE RUNNING ON A HALF
2 MILE OR THE SECTION LINE--HALF MILE OR SECTION LINE.

3 THEREFORE, TOOK AND DREW THE LINES AS CLOSE AS I COULD TO THE
4 HALF-WAY POINT AND KEEPING THEM AS CONSISTENT AS POSSIBLE
5 WITH AS LITTLE A DEVIATION OR AS LITTLE JOGGING AS POSSIBLE,
6 AS STRAIGHT AS POSSIBLE, AND THAT'S HOW I ARRIVED AT THE
7 FINAL DETERMINATION.

8 Q (BY MR. MEIERHENRY) THE EQUIDISTANCE LINE THAT YOU DREW,
9 WHAT COLOR IS THAT IN?

10 A THAT IS PINK OR I BELIEVE I USED HELIOTROPE OR SOMETHING.

11 COMMISSIONER WEILAND: WOULD YOU BRING THAT UP TO US,
12 PLEASE?

13 (DISCUSSION OFF THE RECORD.)

14 MR. MIERHENRY: MR. WEILAND, FOR THE RECORD, I'LL JUST
15 STATE THAT THE LAW ALLOWS UP UNTIL JUNE 30TH AN AGREEMENT TO
16 BE MADE BETWEEN THE COMPANIES AND I THINK THEY'VE EXPRESSED
17 AT LEAST A WILLINGNESS TO TRY TO WORK OUT AN AGREEMENT, AND,
18 THEREFORE, I WOULD SUGGEST TO THE COMMISSION THAT PRIOR TO
19 MAKING ANY FINAL DECISION, OBVIOUSLY THAT WE WAIT UNTIL
20 JUNE 30TH TO SEE IF A PROPOSAL IS SUBMITTED AGREEABLE TO
21 BOTH COMPANIES.

22 COMMISSIONER WEILAND: YOU'RE IN THE NEGOTIATING PROCESS
23 AT THE PRESENT TIME?

24 MR. RATHBUN: THAT'S RIGHT.

25 MR. SEWELL: THAT'S RIGHT.

26 COMMISSIONER WEILAND: THAT'S FINE. THAT'S AGREEABLE.

1 MR. MEIERHENRY: IF THERE ARE ANY ADDITIONAL QUESTIONS THAT
2 THE COMMISSION HAS ABOUT THIS AREA FROM THE COMPANY, ABOUT
3 THE LINE? (NO RESPONSE.) OKAY. WITH THAT UNDERSTANDING
4 THAT THESE MAPS PRESENT THIS ONE PROBLEM FOR THIS AREA,
5 WE'LL OFFER THESE MAPS, THOUGH, AT THIS TIME AS THE STAFF
6 PROPOSAL.

7 COMMISSIONER WEILAND: THEY WILL BE RECEIVED AS THE
8 STAFF PROPOSAL. YOU WANTED TO OFFER NO. P-8D ALSO, IS THAT
9 CORRECT?

10 MR. MEIERHENRY: YES, YES. WE'LL OFFER THAT AS WELL BE-
11 CAUSE THAT REFLECTS MR. GUNDERSON'S WORK.

12 COMMISSIONER WEILAND: ALL RIGHT.

13 MR. MEIERHENRY: SO IT WILL BE 8, 8A, B, C, AND D.

14 (EXHIBITS P-8, P-8A, P-8B, P-8C, P-8D RECEIVED IN
15 EVIDENCE.)

16 MR. LARSCHEID: I WOULD LIKE THE RECORD TO NOTE THAT I
17 WAS IN CORRESPONDENCE WITH THE CITY OF MILLER AND THEY WILL
18 SUBMIT AT A LATER TIME AGREEMENTS BETWEEN THEM AND REE
19 ELECTRIC, DESIGNATING THE AREA TO BE ANNEXED INTO THE CITY
20 FOR PURPOSE OF THIS RECORD HERE.

21 COMMISSIONER WEILAND: AND BY WHAT DATE?

22 MR. LARSCHEID: WITHIN THE WEEK.

23 COMMISSIONER WEILAND: VERY WELL. THANK YOU, LEE.

24 NOW, DO WE HAVE SOME OTHER AREAS?

25 MR. MEIERHENRY: YES. THE NEXT ONE, ALPHABETICALLY,
26 DEALS WITH THE STAFF MAPS IN HUGHES COUNTY WHICH ARE 9, 9A,

1 AND 9B. STATE YOUR NAME FOR THE RECORD.

2 MR. PADGETT: DAVE PADGETT, REPRESENTING THE CITY OF
3 PIERRE. PROBABLY IT'S EASIER FOR ME TO GET ON--SHOW YOU WHAT
4 I'M TALKING ABOUT ON THE MAP THERE. ONE LITTLE JOG DOWN
5 HERE IS BY THE PIERRE MUNICIPAL GOLF COURSE. THE CITY AT
6 PRESENT LEASES THE PIERRE MUNICIPAL GOLF COURSE. IT'S A
7 GOLF COURSE. IT'S OWNED BY THE PIERRE ELKS CLUB, AND PRESENTLY
8 WE ARE SERVING THE PIERRE ELKS CLUB LODGE AND WE ALSO FURNISH
9 ONE BUILDING THAT IS LEASED FROM THE ELKS CLUB WHICH IS
10 CALLED OUR CART SHED DOWN THERE. THIS MAP IN TURN SHOWS IT
11 IN THE AREA OF OAHE CO-OP, AND WE WOULD REQUEST THAT--WE
12 PROPOSE SOMETIME IN THE FUTURE, ASSUMING THE CITIZENS WANT TO
13 PURCHASE IT, THE CITIZENS OF PIERRE WANT TO PURCHASE IT, WE
14 PROPOSE IN PURCHASING THE GOLF COURSE ITSELF, AND SO, THERE-
15 FORE, WHY, WE FEEL THAT IT PROBABLY SHOULD BE INCLUDED IN
16 OUR AREA. IT'S SERVED BY US RIGHT NOW.

17 COMMISSIONER WEILAND: LARRY, DO YOU HAVE ANYTHING ON
18 THAT? OAHE IS HERE. DO YOU--

19 MR. SEVENING: WE AGREE TO THAT.

20 COMMISSIONER WEILAND: OH, THAT'S FINE.

21 A YES, BUT THERE'S ALSO A STIPULATION HERE THAT HAS NOT BEEN
22 BROUGHT UP. OAHE ELECTRIC RIGHT NOW SERVES OAHE IMPLEMENT
23 WHICH WOULD BE REFLECTED IN PIERRE'S TERRITORY. THE STAFF'S
24 PROPOSAL IS THAT THEY RETAIN THE OAHE IMPLEMENT UNTIL IT
25 CEASES TO BE A BUSINESS.

26 MR. PADGETT: I DON'T KNOW IF WE'LL AGREE TO THAT, BUT

1 WE DO HAVE THE RIGHT TO PURCHASE IT, I GUESS, IF WE SO
2 DESIRE.

3 A WELL, THE POINT IS IN THIS PART THAT OAHE, IN DISCUSSIONS
4 WITH OAHE AND MYSELF, THEY HAVE EXPRESSED THE INTEREST IN
5 RETAINING THEIR CUSTOMERS. WE GAVE UP--OR I DID NOT DRAW
6 ANY TERRITORY AROUND THEIR TRANSMISSION LINE COMING INTO
7 THE CITY OF WHICH THEY COULD HAVE GOT A GOOD DEAL OF ACREAGE
8 JUST TO RETAIN. IN OTHER WORDS, I GAVE THEM, IN MY PROPOSAL,
9 GAVE THE CITY OF PIERRE ALL THE TERRITORY AROUND IT WHILE
10 OAHE ELECTRIC WOULD RETAIN THAT ONE SERVICE.

11 Q (BY MR. MEIERHENRY) MR. GUNDERSON, WAS THAT OAHE IMPLEMENT,
12 WAS THAT SERVED BY OAHE ELECTRIC ON MARCH 21ST OF '75?

13 A THAT IS CORRECT.

14 MR. MEIERHENRY: THIS IS OFF THE RECORD.

15 (WHEREUPON, THERE WAS DISCUSSION OFF THE RECORD.)

16 COMMISSIONER WEILAND: ON THE RECORD.

17 MR. MEIERHENRY: THE CITY OF PIERRE FURNISHES ONE
18 CUSTOMER OUTSIDE OF THE DESIGNATED AREA DRAWN ON THE MAP?
19 IS THAT CORRECT?

20 MR. PADGETT: YES.

21 MR. MEIERHENRY: WHAT IS THE NAME OF THAT CUSTOMER?

22 MR. PADGETT: GALE'S GAS.

23 MR. MEIERHENRY: AND OAHE ELECTRIC HAS ONE CUSTOMER
24 INSIDE THE CITY? IS THAT CORRECT?

25 MR. SEVENING: RIGHT.

26 MR. PADGETT: THEY HAVE MORE THAN THAT INSIDE THE CITY

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1 LIMITS NOW.

2 MR. MEIERHENRY: INSIDE THE AREA?

3 MR. PADGETT: INSIDE THE AREA, YES.

4 MR. MEIERHENRY: ALL RIGHT, AND WHAT'S THE NAME OF
5 THAT CUSTOMER?

6 MR. SEVENING: OAHE IMPLEMENT

7 MR. MEIERHENRY: AND THOSE TWO ARE AGREEABLE BETWEEN
8 THE COMPANIES TO STAY THE SAME?

9 MR. PADGETT: I GUESS I HAVE NO OBJECTION AT THIS TIME.
10 WE MIGHT PURCHASE IT AT A LATER DATE.

11 MR. MEIERHENRY: ALL RIGHT, BUT FOR PURPOSES OF THIS
12 MAP.

13 COMMISSIONER WEILAND: THAT'S PROVIDED FOR IN THE LAW.

14 MR. PADGETT: YES. I REALLY CANNOT--. I HAVE ONE MORE
15 THING HERE. ALONG 1804, I THINK IT IS, OR OLD 514, WE DO
16 OBJECT TO THAT AREA BEING SIGNED TO OAHE CO-OP, NOT NECES-
17 SARILY BECAUSE OF THE LAW SITUATION, BUT WE'D LIKE TO GET
18 INTO AN AGREEMENT WITH OAHE CO-OP ON SOME SWITCH. WE'VE
19 GOT SOME LINE THAT GOES WAY OUT IN THE COUNTRY AND IF THIS
20 WAS RETAINED BY THEM, THE CITY OF PIERRE IS GOING TO PURCHASE
21 IT UNDER THE 90-DAY PROVISION ANYWAY, THAT AREA INSIDE THE
22 CITY LIMITS. WE WOULD LIKE TO STATE BEFORE THE COMMISSION
23 THAT WE WOULD LIKE TO SERVE EVERYTHING INSIDE THE CITY
24 LIMITS OF THE CITY OF PIERRE AND WE DON'T ESPECIALLY CARE
25 TO SERVE ANYTHING OUTSIDE THIS AREA, AND THIS IS THE FEELING
26 OF MY BOARD, AND WE DO SERVE--OTHER THAN THE AIRPORT. THE

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1 AIRPORT, WHICH IS A CITY FACILITY, IT IS NOT IN THE CITY
2 LIMITS, BUT IT'S PART OF THE CITY, WE WOULD LIKE TO CON-
3 TINUE SERVING THAT AND THE GOLF COURSE AND THEN THE REST OF
4 IT IN THE CITY LIMITS. OTHER THAN THAT, WHY, WE WOULD LIKE
5 TO SOMEHOW WORK OUT SOMETHING WITH OAHM COOPERATIVE.

6 COMMISSIONER WEILAND: ARE YOU NEGOTIATING AT THE
7 PRESENT TIME?

8 MR. SEVENING: WELL, I THINK WE AGREED TO DISAGREE.
9 (LAUGHTER.)

10 MR. PADGETT: THAT'S ABOUT RIGHT.

11 MR. SEVENING: WE AGREED TO LET THEM KEEP THE AIRPORT
12 BUT AS FAR AS THIS OTHER AREA UP IN HERE INSIDE, WE WANT
13 TO KEEP THAT (INDICATING ON MAP).

14 MR. PADGETT: WE WOULD POSSIBLY LIKE TO GET INTO
15 NEGOTIATION WITH THEM BEFORE THE FINAL MAP IS FILED, BUT
16 WHETHER THIS IS POSSIBLE OR NOT--BUT IF THIS IS NOT THE
17 CASE, WHY, WE WILL PURCHASE IT UNDER THE 90-DAY PROVISION
18 OF THE LAW, SO--

19 COMMISSIONER WEILAND: OKAY. IS THAT CLEAR TO THE
20 STAFF NOW?

21 MR. MEIERHENRY: YES.

22 MR. PADGETT: THE ONE AREA WILL BE CHANGED, THEN, THE
23 ONE AREA DOWN BY THE GOLF COURSE? IS THAT RIGHT?

24 MR. SEVENING: RIGHT; WE AGREE.

25 MR. MEIERHENRY: DOES THIS MAP SHOW THAT?

26 A THIS IS THE AREA HE'S TALKING ABOUT (INDICATING ON MAP).

1 THIS SHOWS THE CITY LIMITS AND THE GOLF COURSE.

2 MR. MEIERHENRY: I THINK THE RECORD SUFFICIENTLY
3 DESIGNATED WHAT WE'RE TALKING ABOUT.

4 COMMISSIONER WEILAND: VERY WELL, AS LONG AS IT'S
5 UNDERSTOOD.

6 MR. MEIERHENRY: ALL RIGHT. I THINK WE HAVE--

7 MR. MERLE LEWIS: ONE FURTHER CLARIFICATION ON THAT.
8 MERLE LEWIS, NORTHWESTERN PUBLIC SERVICE COMPANY. THIS HAS
9 BEEN AGREED TO BETWEEN THE PARTIES. THIS IS WITH OUR COMPANY
10 AND OAH E ELECTRIC, BUT THE MAP IS NOT PROPERLY REFLECTED AS
11 IT'S GRAPHED AT THE PRESENT. THE AGREEMENT REACHED BETWEEN
12 THE PARTIES IS THAT THE SOUTH ONE-HALF OF SECTIONS 1, 2, 3,
13 AND 4, TOWNSHIP 112 NORTH, RANGE 74 WEST, AND THE SOUTH ONE-
14 HALF OF THE EAST ONE-HALF OF SECTION 5 SHOULD BE DESIGNATED
15 IN BLUE. AT PRESENT IN AN AREA SHADED SOMEWHAT LESS THAN
16 THAT, AND THE REASON FOR THIS DISCREPANCY IS THAT IN THAT
17 PARTICULAR AREA WE ARE FACED WITH A LONG SECTION BUT THE
18 AGREEMENT BETWEEN THE PARTIES WAS THE ONE-HALF OF THE SOUTH
19 ONE-HALF AND THE NORTH ONE-HALF OF THOSE PARTICULAR AREAS.

20 MR. MEIERHENRY: MR. LEWIS, I NOTICE THAT THERE IS
21 WRITTEN ON HERE "CENTER OF SECTION" ON EXHIBIT 9. RIGHT
22 IN THAT AREA YOU'VE INDICATED, THAT'S REALLY WHAT WE'RE
23 TALKING ABOUT IS THE MATTER OF--IT'S THE MIDDLE OF THE
24 SECTION?

25 MR. LEWIS: THAT'S CORRECT.

26 MR. MEIERHENRY: AND YOU VIEW THE MAP AS NOT ADEQUATELY

1 FINDING THE MIDDLE? IS THAT CORRECT?

2 MR. LEWIS: THAT'S RIGHT.

3 Q (BY MR. MEIERHENRY) MR. GUNDERSON, DO YOU HAVE ANY EXPLANA-
4 TION OR ANY COMMENT ON THAT?

5 A THE MAP AS SHOWN THERE REFLECTS WHAT WAS SENT TO ME.

6 MR. LEWIS: RIGHT. JUST WITH THAT UNDERSTANDING THAT
7 IT IS HALF OF THAT SECTION, WHICH IS A LONG SECTION.

8 A WHAT I WAS GETTING AT, ALLUDING TO, IS THAT WE SHOULD HAVE
9 OAHÉ ELECTRIC'S OPINION ON THIS.

10 MR. SEVENING: THE ONLY THING I CAN SAY ON THIS, I WASN'T
11 IN ON ANY OF THIS NEGOTIATING HERE, BUT GLEN HAS EVIDENTLY
12 AGREED TO WHAT HE'S ALREADY SIGNED RIGHT HERE. OTHER THAN
13 THAT, I CAN'T MAKE ANY COMMENT ON IT BECAUSE I DON'T KNOW
14 WHAT THEY AGREED ON, BUT IF THIS IS WHAT HE SENT IN AND AGREED
15 TO, WHY--

16 A WELL, DO YOU WANT TO HAVE--

17 MR. SEVENING: CAN WE HOLD THIS UP, TOO, UNTIL A LATER
18 DATE TO MAKE SURE IT'S CLARIFIED, BECAUSE I WASN'T IN ON
19 ANY OF THIS.

20 MR. SEWELL: IT REALLY ISN'T ANY PROBLEM. IT'S JUST
21 THAT IT ISN'T DRAWN CORRECTLY.

22 MR. SEVENING: I DON'T SEE ANY PROBLEM AS LONG AS
23 THAT'S THE WAY IT IS DRAWN AND HE SIGNED IT, BUT I'M NOT
24 GOING TO SPEAK FOR HIM.

25 MR. SEWELL: WHAT WE'RE TALKING ABOUT A COUPLE HUNDRED
26 FEET, AND IT'S JUST SIMPLY DRAWN AS A QUARTER OF A SECTION

1 AND IT SHOULD BE A LONG--

2 MR. MEIERHENRY: TO RESOLVE THIS MATTER, MR. WEILAND,
3 I WOULD ASK THAT NORTHWESTERN PUBLIC SERVICE AND OAHE
4 ELECTRIC INFORM THE COMMISSION WITHIN A WEEK AS TO THEIR
5 AGREEMENT, AND I PRESUME THAT THE MAP WILL BE CHANGED TO
6 COMPLY WITH THAT AGREEMENT. FROM ALL OF OUR APPEARANCES,
7 THE MAP THAT WAS SENT TO THE STAFF IS CORRECTLY REFLECTED
8 IN THE BLUE AREA AS DRAWN, WHICH IS THE ONE THAT IS SIGNED
9 BY OAHE ELECTRIC AND NORTHWESTERN PUBLIC SERVICE.

10 MR. SEWELL: THAT'S FINE, EXCEPT I THINK WE COULD
11 RESOLVE IT IN ABOUT TWO MINUTES. IT WOULDN'T TAKE A WEEK.

12 COMMISSIONER WEILAND: WE'LL GO OFF THE RECORD A SECOND.
13 (WHEREUPON, THERE WAS DISCUSSION OFF THE RECORD.)

14 COMMISSIONER WEILAND: ON THE RECORD.

15 MR. MEIERHENRY: MR. CHAIRMAN, IT IS OBVIOUSLY AGREED THAT
16 THE CENTER OF THE SECTION OF THOSE SECTIONS THAT HAVE BEEN
17 MENTIONED IN THE RECORD ALREADY IS THE PROPER LINE. EXHIBIT 9
18 HAS THE WORDS "CENTER OF SECTION" WRITTEN RIGHT UP THERE.
19 IT'S AGREED BY ALL PARTIES THAT IT IS THE CENTER OF THE
20 SECTION, AND I GUESS WE DO NOT HAVE A PROBLEM THERE. THE
21 MAP, AS BEST AS POSSIBLE THIS MAP REFLECTS THAT AND WITH THE
22 WORD "CENTER OF SECTION", I THINK THERE'S A CLEAR UNDER-
23 STANDING. IS THAT CORRECT, GENTLEMEN?

24 MR. SEVENING: FINE.

25 MR. SEWELL: PERFECT.

26 MR. MEIERHENRY: IS THERE ANY OTHER OBJECTIONS TO OR ANY

1 OTHER COMMENTS ABOUT EXHIBIT 9, WHICH IS HUGHES COUNTY,
2 OR ANY OF THE ATTACHMENTS? (NO RESPONSE.) WITH THE RECORD
3 CLEAR ON THAT, WE WOULD OFFER STAFF EXHIBIT 9, 9A, AND 9B.

4 COMMISSIONER WEILAND: ANY OBJECTIONS? (NO RESPONSE.)
5 THEY WILL BE RECEIVED.

6 (EXHIBITS P-9, P-9A, P-9B RECEIVED IN EVIDENCE.)

7 MR. MEIERHENRY: THE REMAINING EXHIBITS WHICH SOMEONE
8 HAS MENTIONED THEY WISH TO MAKE COMMENT ON ARE EXHIBITS 17,
9 18, AND THE ENLARGEMENT OF THE CITY OF PIERRE, WHATEVER NUMBER
10 THAT IS, DEALING WITH--FORT PIERRE, DEALING WITH STANLEY
11 COUNTY. WOULD YOU STATE YOUR NAME?

12 MR. RICKETTS: BOB RICKETTS, CITY OF FORT PIERRE.

13 COMMISSIONER WEILAND: WHICH EXHIBIT ARE WE TALKING ABOUT?

14 MR. MEIERHENRY: EXHIBIT 18.

15 MR. RICKETTS: WE SERVE THIS AREA ON THE SOUTHWESTERLY
16 SIDE OF THAT ROAD DOWN IN HERE (INDICATING ON MAP). WE'D
17 LIKE TO CONTINUE TO DO SO.

18 MR. MEIERHENRY: THAT'S THE SOUTHWESTERLY SIDE OF THE
19 ROAD WHICH IS 14 AND 34.

20 MR. RICKETTS: NO; THERE'S A COUNTY ROAD IN THERE.

21 MR. MEIERHENRY: JKAY, A COUNTY ROAD WHICH IS TO THE
22 WEST OF 14 AND 34.

23 MR. RICKETTS: THERE'S A LINE, IT SHOULD GO UP AND THERE'S
24 A WELDING SHOP IN THAT CORNER, IN THAT JUNCTION OUT THERE.
25 WE SERVE THAT AREA, WE SERVE THAT WELDING SHOP AND EVERYTHING
26 ON THIS SIDE OF THAT ROAD AS IT COMES IN A NORTH AND SOUTH

1 DIRECTION.

2 COMMISSIONER WEILAND: IS THAT RIGHT UP THERE BY THE
3 ROAD--WHAT'S THE NAME OF THAT?

4 MR. RICKETTS: TERBELL'S.

5 COMMISSIONER WEILAND: TERBELL, RIGHT.

6 MR. RICKETTS: WE SERVE TERBELL AND WE SERVE EVERYTHING
7 ON THAT COUNTY GRAVEL ROAD ON THE--IT WOULD BE WEST AND THE
8 SOUTH AS IT TURNS. WE'RE IN AGREEMENT TO IT AND WE'D JUST
9 LIKE IT TO SHOW THAT.

10 COMMISSIONER WEILAND: OKAY. NO PROBLEMS THERE?

11 MR. JOST: THIS MAP DOESN'T REALLY DEPICT ANY LEGAL
12 BOUNDARIES. I'D KIND OF LIKE TO SEE A MAP DRAWN UP WITH
13 EITHER A NATURAL BOUNDARY OR A SECTION LINE OR QUARTER LINE,
14 OR WHATEVER.

15 COMMISSIONER WEILAND: HAVE YOU DRAWN ONE, LARRY?

16 A NO, I HAVEN'T.

17 MR. JOST: WE WEREN'T FURNISHED ONE FOR OUR CONSIDERA-
18 TION THE OTHER DAY.

19 A AS I SAID BEFORE, THIS ONE IS TOO LARGE TO DUPLICATE AND--

20 MR. JOST: I DO HAVE A COUPLE COPIES OF TOWNSHIP MAPS
21 THAT PRETTY MUCH REFLECT WEST CENTRAL'S LINES, BUT--

22 COMMISSIONER WEILAND: HOW ARE THOSE MAPS THERE? CAN
23 THEY BE USED AS THE BASIS OF AN AGREEMENT?

24 MR. RICKETTS: WELL, I DON'T REALLY SEE ANY PROBLEMS
25 BECAUSE WE'RE GOING TO SERVE--WE'VE AGREED BASICALLY TO
26 SERVE WHAT WE EACH SERVE NOW.

1 MR. JOST: YES, I AGREE WITH THAT.

2 MR. RICKETS: WE'RE NOT IN DISAGREEMENT ABOUT ANYTHING,
3 REALLY. IT'S JUST THAT--

4 MR. JOST: BUT MR. RICKETTS WON'T BE ON THE CITY COUNCIL
5 AND I'LL SURE NOT BE MANAGER FOREVER, AND I THINK WE SHOULD
6 HAVE SOMETHING DEFINITE FOR--

7 COMMISSIONER WEILAND: SURE; WE HAVE TO ISSUE A MAP.

8 MR. JOST: RIGHT.

9 COMMISSIONER WEILAND: COULD YOU DRAW THAT UP, THAT
10 PARTICULAR--WHAT COULD WE DO ON THAT? DO YOU HAVE SOME
11 SUGGESTIONS, LARRY?

12 A IF THESE GENTLEMEN WOULD GET TOGETHER AND JUST PUT DOWN SOME
13 BOUNDARIES BETWEEN THERE, ON SOMETHING THIS SIZE, IT WOULD
14 BE MOST CONVENIENT FOR THE STAFF.

15 MR. JOST: WELL, I WOULD THINK SO, EITHER USE THE RIVER OR--

16 COMMISSIONER WEILAND: HOW DOES THAT SOUND TO YOU, MR.
17 RICKETTS? THE REASON I SAY THAT IS BECAUSE WE HAVE TO ISSUE
18 A MAP AND AS LONG AS THERE'S NO DISAGREEMENT, WE DO WANT IT
19 TO BE CORRECT.

20 MR. RICKETTS: WELL. I'M SURE WE CAN WORK SOMETHING OUT
21 AND SUBMIT IT TO YOU.

22 COMMISSIONER WEILAND: HOW SOON WOULD YOU BE ABLE TO
23 DO THAT?

24 MR. JOST: I THINK WE CAN GET AT IT THIS AFTERNOON.

25 MR. RICKETS: WE CAN PROBABLY FINISH IT UP THIS AFTER-
26 NOON AND SUBMIT IT BACK TO YOU.

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1 COMMISSIONER WEILAND: OKAY. I APPRECIATE IT VERY
2 MUCH. THANK YOU VERY MUCH. AND IF WE CAN MAKE THOSE PART
3 OF THIS RECORD, THEN, AS YOU DETERMINE THE MAPS, WHY, THEN
4 THAT'S THE WAY WE'LL DRAW THEM.

5 MR. MEIERHENRY: I WOULD HAVE A REQUEST FOR THE COUNCIL.
6 THIS LARGE MAP WHICH HAS BEEN FURNISHED BY THE CITY OF FORT
7 PIERRE, AND WE KIND OF CONFISCATED TODAY, THEY WOULD LIKE TO
8 USE IT THIS AFTERNOON AND I WOULD REQUEST--ALL IT IS IS
9 IT'S AN ENLARGED MAP OF THE CITY OF FORT PIERRE AND I WOULD
10 REQUEST THAT MR. RICKETTS BE GIVEN CUSTODY OF THIS--

11 COMMISSIONER WEILAND: VERY WELL.

12 MR. MEIERHENRY: --AND HE'LL RETURN IT WITHIN A WEEK OR
13 SO. THAT'S EXHIBIT 18A.

14 COMMISSIONER WEILAND: VERY WELL.

15 MR. MEIERHENRY: WE WOULD NOW OFFER STAFF'S EXHIBIT 17
16 AND 18 AT THIS TIME AND 18A.

17 COMMISSIONER WEILAND: IF THERE ARE NO OBJECTIONS, THEY'LL
18 BE RECEIVED.

19 (EXHIBITS P-17, P-18, P-18A RECEIVED IN EVIDENCE.)

20 MR. MEIERHENRY: I HAVE NO FURTHER QUESTIONS FROM MR.
21 GUNDERSON. I WANT EVERYONE TO KNOW ANYONE HAS THE OPPOR-
22 TUNITY TO CROSS-EXAMINE OR ASK HIM ANY QUESTIONS YOU WANT TO
23 ABOUT ANY OF THESE MAPS OR ANY OF THE EXHIBITS AT THIS TIME.
24 IS THERE ANYONE WHO WISHES TO DO SO?

25 MR. OLSON: IS THAT CLEAR, THAT LITTLE SECTION AROUND
26 HOVEN, FOR INSTANCE, SHOULD BE AN EXHIBIT FOR WALWORTH COUNTY?

1 A YES. WHY DON'T WE GET THAT OUT.

2 COMMISSIONER WEILAND: HAVE YOU GOT THE LEGAL DESCRIP-
3 TION OF THAT? WHY DON'T WE JUST PUT THAT IN THE RECORD
4 AND WE'LL JUST CHANGE IT ON THE FINAL MAP THAT WE ISSUE.

5 MR. MEIERHENRY: THAT WOULD BE THE EASIEST, IT CERTAINLY
6 WOULD.

7 COMMISSIONER WEILAND: THEN WE'LL JUST CHANGE IT ON THE
8 FINAL MAP THAT WE ISSUE.

9 MR. OLSON: WHAT WE'RE PROPOSING, COMMISSIONER, IS THE
10 DETAIL MAP OF THE HOVEN AREA THAT IS USED AS AN EXHIBIT FOR
11 THE POTTER COUNTY MAP WHICH HAS ALREADY BEEN APPROVED, I
12 BELIEVE, IF THAT DETAIL OF THE HOVEN AREA COULD BE AN EXHIBIT
13 FOR WALWORTH COUNTY, EDMUNDS COUNTY, AND FAULK COUNTY, IT
14 WOULD SOLVE THE WHOLE THING. WE'RE ALL IN AGREEMENT, F-E-M,
15 CAM-WAL AND MDU. WE'RE THE ONLY ONES THAT ARE AFFECTED IN
16 THAT AREA.

17 COMMISSIONER WEILAND: OKAY, MARK, I'LL LET YOU TAKE
18 IT FROM THERE.

19 MR. MEIERHENRY: WOULD YOU LOOK AT EXHIBIT 16A AND ON
20 EXHIBIT 16A IS EXHIBIT A-1. IS THAT WHAT YOU ARE REFERRING
21 TO?

22 MR. OLSON: THAT IS CORRECT.

23 MR. MEIERHENRY: WELL, THIS APPLIES STATEWIDE, SO THIS
24 MAP IS INCLUDED WITHIN ALL THE REST OF THEM. I MEAN, WE'VE
25 ENTERED THEM SEPARATELY BUT THEY HAVE TO BE TAKEN AS A WHOLE,
26 SO THIS IS CERTAINLY IN THE EVIDENCE AND THE COMMISSION CAN

1 CONSIDER AND COULD ADOPT THIS ENLARGEMENT.

2 MR. WESTLING: THE COMPLICATION IS THAT THE NORTH
3 EDGE OF HOVEN HAPPENS TO BE THE POTTER-WALWORTH COUNTY
4 LINE AND THEN EDMUNDS COUNTY COMES IN UP IN HERE AND FAULK
5 COUNTY DOWN IN HERE SOMEWHERE EAST, RIGHT IN HERE SOMEWHERE,
6 JUST EAST OF TOLSTOY, I BELIEVE.

7 MR. MEIERHENRY: DOES THIS EXHIBIT SHOW THE AGREEMENT?

8 MR. WESTLING: YES.

9 MR. OLSON: YES.

10 MR. MEIERHENRY: AND IF THIS AREA, THIS LITTLE PART
11 HERE WHICH IS DESIGNATED ON 16A AS MONTANA-DAKOTA, HOVEN
12 AND TOLSTOY, IF THE COMMISSION VIEWS THIS AREA, IT WOULD BE
13 ADEQUATE TO TAKE INTO ACCOUNT ALL THAT AREA FOR THOSE THREE
14 COUNTIES? AND THAT'S AGREED?

15 MR. OLSON: YES.

16 MR. WESTLING: IT WOULD PROBABLY INCLUDE THIS.

17 MR. MEIERHENRY: DOES THE COMMISSION HAVE ANY QUESTIONS?

18 COMMISSIONER KLINKEL: WHAT EXHIBIT NUMBER IS THAT ONE?

19 MR. MEIERHENRY: IT'S 16A. IT WAS PUT IN WITH POTTER
20 COUNTY AND IT SHOWS THE EXTREME SOUTHEASTERLY--

21 COMMISSIONER WEILAND: THAT LITTLE PROJECTION YOU HAD
22 ON THAT MAP, LARRY, THAT'S THE ONE YOU'RE TALKING ABOUT?
23 THAT'S GOING TO BE SITUATED IN THAT OR--

24 MR. WESTLING: NO, THIS IS NOT THE SAME AREA.

25 COMMISSIONER WEILAND: BUT YOU HAVE ON THE--

26 MR. OLSON: I THINK THAT THIS EXHIBIT A-1 OR THIS--

1 MR. MEIERHENRY: 16A.

2 MR. OLSON: YES. IT PROBABLY SHOULD BE, AS PART OF
3 WALWORTH COUNTY, EDMUNDS COUNTY, FAULK COUNTY, AND POTTER.

4 COMMISSIONER WEILAND: VERY WELL, AS LONG AS EVERYBODY'S
5 IN AGREEMENT, IT WILL BE RECEIVED IN THAT LIGHT.

6 MR. MEIERHENRY: WE HAVE NOTHING FURTHER FOR THE
7 COMMISSION.

8 COMMISSIONER WEILAND: WHAT WAS THE--WHAT WAS THIS
9 LITTLE BLUE PROJECTION? DIDN'T YOU HAVE A LEGAL DES-
10 CRPTION FOR THAT, DUANE?

11 MR. WESTLING: YES.

12 COMMISSIONER WEILAND: WOULD YOU BRING THAT TO LARRY'S
13 ATTENTION, THEN?

14 A WE'RE AWARE OF WHAT HE'S TALKING ABOUT.

15 MR. MEIERHENRY: WE'LL READ THAT QUARTER SECTION CORREC-
16 TION INTO THE RECORD AND THAT SHOULD BE SUFFICIENT. WE
17 HAVE CHANGED THE MAP.

18 A OKAY. THERE'S A SMALL DEVIATION BETWEEN MAPS SUBMITTED BY
19 FEM AND CAM-WAL THAT AFFECTS THE NORTHWEST QUARTER OF
20 SECTION 31, TOWNSHIP 117 NORTH, RANGE 72 WEST, IN FAULK
21 COUNTY. THE EXHIBIT SUBMITTED BY CAM-WAL ELECTRIC SHOULD
22 BE CORRECTED TO ELIMINATE THIS PORTION FROM CAM-WAL SERVICE
23 AREA AND SHOW THE BOUNDARY AS THE COUNTY LINE BETWEEN
24 SECTION 36, TOWNSHIP 117 NORTH, RANGE 73 WEST, OF POTTER
25 COUNTY, AND SECTION 31, TOWNSHIP 117 NORTH, RANGE 72 WEST,
26 IN FAULK COUNTY, AND THIS IS SUBMITTED BY DUANE WESTLING,

(L.GUNDERSON)

1 MANAGER OF CAM-WAL.

2 MR. MEIERHENRY: WE WILL OFFER THIS AS EXHIBIT A TO
3 POTTER COUNTY OR THE APPROPRIATE LETTER TO POTTER COUNTY
4 AND ENTER IT IN THE RECORD. MOVE FOR ITS ADMISSION.

5 COMMISSIONER WEILAND: .WHAT LETTER IS POTTER COUNTY?

6 MR. MEIERHENRY: 16D, THIS LETTER WILL BE PART OF THE
7 RECORD.

8 COMMISSIONER WEILAND: 16D, IT WILL BE RECEIVED.

9 (EXHIBIT P-16D RECEIVED IN EVIDENCE.)

10 MR. MEIERHENRY: WE HAVE NOTHING FURTHER AT THIS TIME.

11 COMMISSIONER WEILAND: IF THERE ARE NO FURTHER COMMENTS,
12 STATEMENTS, OR QUESTIONS FROM ANYONE, I DECLARE THE RECORD
13 CLOSED.

14 (WITNESS GUNDERSON EXCUSED.)

15 (WHEREUPON, THE PROCEEDINGS WERE ENDED.)

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I CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT
TRANSCRIPT OF MY SHORTHAND NOTES AND RECORD OF PROCEED-
INGS HAD IN THE CASE ENTITLED: "IN THE MATTER OF
ESTABLISHING CERTAIN TERRITORIAL ELECTRIC BOUNDARIES
WITHIN THE STATE OF SOUTH DAKOTA (PIERRE AREA)"; DOCKET
F-3104; ON WHICH MATTER A HEARING WAS HELD AT PIERRE,
SOUTH DAKOTA, ON MAY 25, 1976.


MARGARET RENSCH, REPORTER

May 25, 1976

F-3104

Arthur Fisher	F&M Electric Sprinkler
Lawrence E. Olson	M.D.U. Co. - Northridge
Ken Reed	Merced Grand, Tenton Lake
Dean Wabing	Com Wal Electric Corp - Selby
Bob Sepering	Oake Electric
Al Seucel	NWPS Co.
Ray Schutz	NWPS
Arthur R. Donnell	NWPS Co
Merle Lewis	NWPS
Dave Padgett	City of Pierre
Ed Rademacher	Beadle Electric
Barl Rathban	Beadle Electric
Bob Ricketts	FT Pierre
Robert Cronin	FT Pierre
Jack Jost	Hot Cat - Mounds
Thomas P Graves	SDREA
Ron Whitman	SDML