

EL99-002

EL 99-002

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JAN 25 1999

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

January 22, 1999

Cameron D. Hoseck
Assistant Attorney General
Public Utilities Commission
500 East Capitol
Pierre, SD 57501

RE: Big Stone City -- Whetstone Valley Cooperative Electric Service Areas

Dear Mr. Hoseck:

I contacted you last May or June relative to boundary discussions that were taking place between my client, Big Stone City, South Dakota, and Whetstone Valley Electric Cooperative in Milbank relative to the south boundary of the service area for Big Stone City. The parties have come to a mutual agreement relative to the south boundary dividing the electric utility customers for Big Stone City and Whetstone Valley and I would like to submit at this time a copy of the BOUNDARY AGREEMENT for the approval and records and files of the Public Utilities Commission.

Should you need anything further or have any questions regarding this matter, please feel free to contact me at your convenience. Unless I hear from you I will assume this BOUNDARY AGREEMENT has been filed with the PUC and is binding upon the parties from the date of filing forward.

Yours truly,



William E. Coester

WEC:jv

Enclosure

Cc: Whetstone Valley Electric Cooperative
Big Stone City

South Dakota Public Utilities Commission

WEEKLY FILINGS

For the Period of January 21, 1999 through January 27, 1999

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this filing.

Phone: 605-773-3705. Fax: 605-773-3809.

ELECTRIC

EL99-002

In the Matter of the Filing by Big Stone City, South Dakota and Whetstone Valley Electric Cooperative, Inc. for Approval of Electrical Service Area Boundaries.

Big Stone City, South Dakota and Whetstone Valley Electric Cooperative, Milbank, South Dakota, filed for approval by the Commission a Boundary Agreement in which the parties have come to a mutual agreement relative to the south boundary dividing the electric utility customers for Big Stone City and Whetstone Valley.

Staff Attorney: Karen Cremer
Staff Analyst: Martin Bettmann
Date Filed: 01/25/99
Intervention Deadline: N/A

GRAIN DEALER

GD99-001

In the Matter of the Receivership of Grain Dealer Bonds of Britton Durum Corporation.

The South Dakota Public Utilities Commission (Commission) has been appointed a Receiver by the Fifth Judicial Circuit Court to take possession of grain dealer bond proceeds of Britton Durum Corporation, Britton, South Dakota. The bond company is St. Paul Mercury Insurance Company. The Commission has entered an Order and will publish a Notice of Hearing in this matter in the Aberdeen American News of Aberdeen, South Dakota, and the Britton Journal, Britton, South Dakota. Notice is given that a hearing will be held on February 18, 1999, at 1:30 P.M., at the Community Room, Brown County Courthouse, 25 Market Street, Aberdeen, South Dakota. Claimants are encouraged to appear at this hearing to present evidence of their claims which may include, but be limited to, such documents as scale tickets, settlement sheets, bad checks and other evidence of a sale of grain to Britton Durum Corporation which have not been paid. The Commission's decision as Receiver is subject to the final approval of the Fifth Circuit Court of the state of South Dakota and appeal to the South Dakota Supreme Court.

Staff Attorney: Camron Hoseck
Staff: Jeff Lorensen, Director
Transportation and Warehouse Division

TELECOMMUNICATIONS

TC99-007 In the Matter of the Filing by U S WEST Communications, Inc. for Approval of Negotiated/Arbitrated Terms of Agreement for Interconnection, Resale, and Unbundled Elements between CCCSD, Inc. dba Connect! and U S WEST Communications, Inc.

Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than February 10, 1999. Parties to the agreement may file written responses to the comments within twenty days of service of the comments.

Staff Attorney: Camron Hoseck
Staff Analyst: Harlan Best
Date Filed: 01/21/99
Comments Due: 02/10/99

TC99-008 In the Matter of the Application of HJN Telecom, Inc. for a Certificate of Authority to Provide Local Exchange Service in South Dakota.

HJN Telecom, Inc. is a reseller which intends to offer all forms of intrastate local exchange services in areas served by any LECs that are not eligible for a small or rural carrier exemption.

Staff Attorney: Karen Cremer
Staff Analyst: Keith Senger
Date Filed: 01/22/99
Intervention Date: 02/12/99

TC99-009 In the Matter of the Application of Maxxis Communications, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.

Maxxis Communications, Inc. by their attorneys, notified the Commission of an acquisition of assets from Cherry Communications Incorporated to Maxxis Communications, Inc. and requested that Cherry's Certificate of Authority be transferred to Maxxis Communications, Inc.

Staff Attorney: Karen Cremer
Staff Analyst: Harlan Best
Date Filed: 01/26/99
Intervention Deadline: 02/12/99

TC99-010

In the Matter of the Application of Williams Communications, Inc. for a Certificate of Authority to Provide Telecommunications Services in South Dakota.

Williams Communication, Inc. intends to provide interexchange switched voice services primarily to the wholesale market, which consists of other telecommunications carriers. Williams also plans to offer interexchange private line services.

Staff Attorney: Camron Hoseck
Staff Analyst: Keith Senger
Date Filed: 01/26/99
Intervention Deadline: 02/12/99

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South Dakota Public Utilities Commission



State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota 57501-5070

January 28, 1999

William E. Coester
PO Box 66
Milbank, SD 57252

RE: Big Stone City -- Whetstone Valley Cooperative Electric Service Areas
EL99-002

Dear Mr. Coester:

I have received your filing with the Commission regarding the above entitled matter. Martin Bettmann, an analyst for Commission Staff, and I have been assigned this docket. We will have this matter placed on a Commission agenda when we have concluded our analysis of the Boundary Agreement pursuant to SDCL 49-34A-55. Staff will need to know if all affected landowners and customers have been notified of the Boundary Agreement and if they agree with the change. Generally letters signed by the landowners and customers stating their agreement are submitted to the Commission with the filing. Should you have any questions, please do not hesitate to call.

Sincerely,

Karen E. Cremer
Staff Attorney

cc: Martin Bettmann

Capitol Office
Telephone (605)773-3201
FAX (605)773-3209

Transportation/
Warehouse Division
Telephone (605)773-5280
FAX (605)773-5225

Consumer Hotline
1-800-333-1782

TTY Through
Relay South Dakota
1-800-477-1113

Internet
http://puc.state.sd.us

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FEB 17 1999

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

February 16, 1999

Martin Bettmann
Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070

FAX Received FEB 16 1999

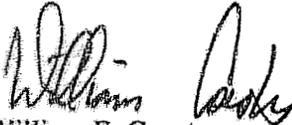
RE: Big Stone City - Whetstone Valley Cooperative Electric Service Areas
EL99-002

Dear Mr. Bettman:

Enclosed please find an original executed copy of the STIPULATION BETWEEN BIG STONE CITY, SOUTH DAKOTA, AND WHETSTONE VALLEY ELECTRIC COOPERATIVE, INC.

If you have any further questions, please contact me at your convenience. Thank you for your courtesies.

Yours truly,


William E. Coester

WEC:jv

Enclosure

STATE OF SOUTH DAKOTA
PUBLIC UTILITIES COMMISSION

STIPULATION BETWEEN BIG STONE CITY, SOUTH DAKOTA,
AND WHETSTONE VALLEY ELECTRIC COOPERATIVE, Inc.

COMES NOW Steven Ahles, General Manager of Whetstone Valley Electric Cooperative, Inc. (WHETSTONE), whose post office address is P.O. Box 512, Milbank, South Dakota 57252, and Big Stone City, South Dakota, a political subdivision of the State of South Dakota, (BIG STONE) by and through its mayor, Val Rausch, of P.O. Box 246, Big Stone City, South Dakota 57216, who stipulate and agree as follows:

WHEREAS, WHETSTONE and BIG STONE entered into a Boundary Agreement on or about the 18th day of January, 1999, which Boundary Agreement was submitted to the South Dakota Public Utilities Commission for approval pursuant to law, and

WHEREAS, the legal description contained in said Boundary Agreement did not conform to the previous description of property within the BIG STONE service area previously filed with said Public Utilities Commission, and

WHEREAS, the parties would like to correct the legal description contained in said Boundary Agreement to conform with the understanding of the parties and the prior descriptions on file with the South Dakota Public Utilities Commission; now, therefore,

IT IS HEREBY STIPULATED and agreed by and between the parties hereto that the legal description contained in said Boundary Agreement pertaining to the South boundary of the Big Stone electric service area shall be amended and modified to read as follows:

That part of Grant County, South Dakota, bounded on the East by the Minnesota-South Dakota state border, and North of a line starting at the center point 3,520' (2/3 of a mile) due North of where the Northeast corner of Section Twenty-Nine (29) and the Southeast corner of Section Twenty (20), Township One Hundred Twenty-One (121) North of Range Forty-Six (46) West of the Fifth Principal Meridian, (Big Stone Township) meets the Minnesota state border, thence due West 5,280' (one mile), thence due North along Sections Nineteen (19) and Eighteen (18) to the point where said section line intersects with the Burlington Northern Railroad tracks, all in Township One Hundred

