

DOCKET NO. \_\_\_\_\_

In the Matter of — IN THE MATTER OF THE REQUEST  
FOR AN ELECTRIC SERVICE  
TERRITORY EXCEPTION BETWEEN  
CLAY-UNION ELECTRIC  
CORPORATION AND THE CITY OF  
VERMILLION

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
8/19 02	Filed and Docketed;
8/23 02	Trackley Filing;
9/18 02	Order Granting Approval of an Exception to the <sup>Service Territory</sup> Assigned Electric
9/18 02	Docket Closed.

# Clay-Union Electric Corporation

EL 02-018

P.O. Box 317  
Vermillion, SD 57069

www.clayunionelectric.com

Phone (605) 624-2673  
Fax (605) 624-5526

**RECEIVED**

AUG 19 2002

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

August 15, 2002

South Dakota Public Utilities Commission  
Attn: Martin Bettmann  
State Capital Building  
Room 464  
Pierre, SD 57501-5070

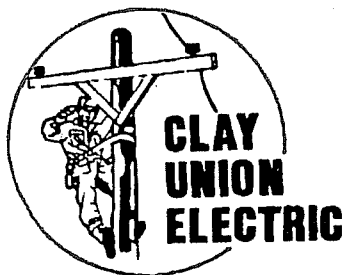
Dear Martin:

In accordance with our telephone conversation on Monday, August 12, 2002, please accept this letter as official notice to the South Dakota Public Utilities Commission (PUC) and our request for approval for the transfer of an electric service customer. I am attaching copies of correspondence regarding the transfer.

Attached is a copy of a letter dated July 18, 2002, that Clay Union Electric sent to Rollie and Sue French informing them of the Cooperative's decision to release their electric service to the City of Vermillion. Please note on this letter that they have signed and returned the document to us, thereby indicating agreement to the transfer. We have in our file the original signed copy of this letter.

Also attached is a letter dated August 9, 2002, that Clay Union Electric sent to the City of Vermillion officially informing them of the decision to transfer the service to them. With regard to these letters Mike Carlson, Acting City Manager and I have had a number of phone conversations on this activity. The City is in agreement to extend service to the French's.

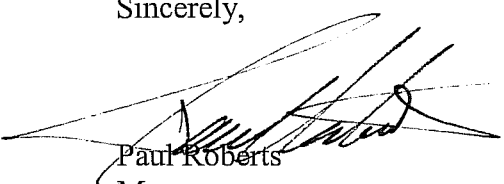
As we discussed in our telephone conversation, this electric service exchange was addressed in an agreement between Clay Union Electric and the City of Vermillion and was approved by the PUC on October 1987.



On behalf of the parties to this agreement, we request this matter will be placed on the PUC agenda for approval at the earliest possible date. It is the intent of Clay Union Electric and the City of Vermillion to schedule the transfer activity on behalf of the customer at the earliest possible time.

If you need any further information or if you have any further questions on this activity, please feel free to contact me.

Sincerely,



Paul Roberts  
Manager

encl

cc: City of Vermillion

# Clay-Union Electric Corporation

P.O. Box 317  
Vermillion, SD 57069

www.clayunionelectric.com

Phone (605) 624-2673  
Fax (605) 624-5526

July 18, 2002

Rollie and Sue French  
1401 East Main  
Vermillion, South Dakota 57069

RECEIVED

JUL 22 2002

Clay Union Electric

DISTRIBUTE TO: \_\_\_\_\_  
COMES TO: \_\_\_\_\_  
MGR. \_\_\_\_\_  
 OP. MGR. \_\_\_\_\_  
 BUS. MGR. \_\_\_\_\_  
 MS/MD \_\_\_\_\_  
 EL. FOREM. \_\_\_\_\_  
 \_\_\_\_\_  
 EL. FOREM. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 LIN. RM. \_\_\_\_\_  
 COFF. RM. \_\_\_\_\_  
RETURN TO \_\_\_\_\_

Dear Rollie and Sue

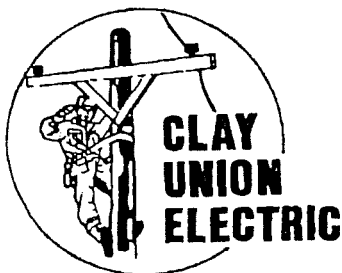
This letter is in regard to the status of the electric service provider for the area along East Main and specifically to your residence. Clay Union Electric, at its regularly scheduled board meeting last month discussed the current and long term service arrangements for this specific area.

As you may recall certain electric service areas within the City of Vermillion are governed an electric service contract between the City of Vermillion and Clay Union Electric. This contract defines an orderly process for transfer of service from Clay Union Electric to the City of Vermillion. Over the past years this process has provided for the transfer of services whereby at the present time, only your residence remains to be served by our electric facilities.

At its' last meeting, the Board discussed this current service arrangement and concluded that it may be prudent at this time to consider completing the electric service transfers to the City of Vermillion. Because you are a member of Clay Union Electric, our first step in initiating a transfer action is to determine whether the action would be satisfactory to you.

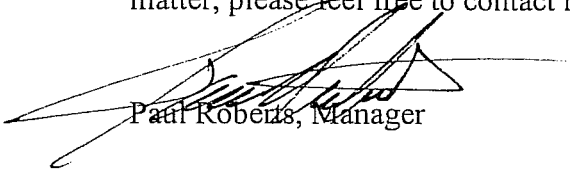
Clay Union Electric's ability to continue to serve your location with a sufficient supply of quality electric power is not at risk, nor the impetus for the transfer discussion at this time.

Any costs associated with Clay Union Electric's role in this transfer would not be billed to you. Should you approve of the transfer, and agreement with the City of Vermillion is achieved, the transfer would be at your convenience and be accomplished with only minor electric service interruption.

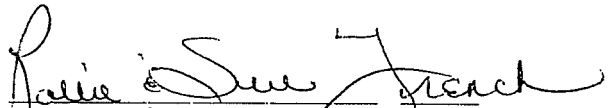


If you would like us to initiate discussion with the City of Vermillion regarding a transfer arrangement, your signing a copy of this letter and returning it to us would begin this process.

Thanks for your attention to this matter and if you have any questions on this matter, please feel free to contact me.



Paul Roberts, Manager

  
Signature \_\_\_\_\_ Date \_\_\_\_\_  
7-19-02

# Clay-Union Electric Corporation

P.O. Box 317  
Vermillion, SD 57069

www.clayunionelectric.com

Phone (605) 624-2673  
Fax (605) 624-5526

August 9, 2002

Mike Carlson, Acting City Manager  
City of Vermillion  
25 Center Street  
Vermillion, SD 57069

Dear Mike:

Please accept this letter as a formal notice of Clay Union Electric's willingness to transfer the service of Rollie and Sue French, 1401 East Main, to the City of Vermillion.

Our letter to them inquiring of their interest in a transfer is attached. As you can see from the letter, they agree to the switch.


Please feel free to give me some feedback on the process. It would seem that we ought to agree on a time schedule for accomplishing this transfer. The City of Vermillion has a little more work to do to initiate service than we do to essentially disconnect service. Therefore the schedule may be more significant for your work. If we did the transfer on the first of the month it might make the billing arrangements easier but certainly that is not mandatory.

I would also think that we might need to send notice to the PUC as they technically have oversight over territorial activities. Not sure if they would approve knowing the member consents to the change. My guess is that they would require this to go through a normal commission meeting in order to officially act on it however. That might require a little time to get on their agenda.

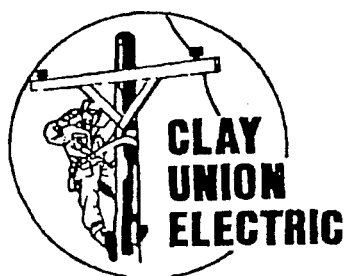
If you would like me to, I would be willing to call the PUC and then follow up with a letter to get this process started. I would also check to see if a formal hearing is necessary.

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

Sincerely,



Paul Roberts  
Manager



**South Dakota Public Utilities Commission**

**WEEKLY FILINGS**

**For the Period of August 15, 2002 through August 21, 2002**

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

**ELECTRIC**

**EL02-017 In the Matter of the Joint Request for an Electric Service Territory Boundary Change between the City of Fort Pierre and West Central Electric Cooperative, Inc.**

On August 16, 2002, the City of Fort Pierre and West Central Electric filed for approval an agreement with respect to territorial service areas. The joint agreement provides that the following territory shall become the service territory of the City of Fort Pierre: the South one-half of the Southeast one-fourth of Section 17, and the South one-half of the Southwest one-fourth of Section 16, Township 5 North, Range 31 East of the Fifth Principal Meridian, Stanley County, South Dakota, and land immediately to the east thereof, extending to the Missouri River, which provides the eastern boundary of said area, the foregoing parcels lying adjacent and immediately north of the north boundary line of the city limits of the City of Fort Pierre.

Staff Analyst: Michele Farris  
Staff Attorney: Karen Cremer  
Date Docketed: 08/16/02  
Intervention Deadline: 09/06/02

**EL02-018 In the Matter of the Request for an Electric Service Territory Exception between Clay-Union Electric Corporation and the City of Vermillion.**

On August 19, 2002, Clay-Union Electric Corporation filed a request for approval for the transfer of an electric service customer. Clay-Union Electric has agreed to release Rollie and Sue French's electric service to the City of Vermillion. All parties are in agreement to the electric service exchange.

Staff Analyst: Michele Farris  
Staff Attorney: Kelly Frazier  
Date Docketed: 08/19/02  
Intervention Deadline: 09/04/02

**TELECOMMUNICATIONS**

**TC02-107 In the Matter of the Filing by VP Telecom, Inc. for Approval of its Intrastate Switched Access Tariff and for an Exemption from Developing Company Specific Cost-Based Switched Access Rates.**

VP Telecom has filed a request for an exemption from developing company-specific cost-based switched access rates contained in ARSD 20:10:27:07. The Company indicates that it does not have the available resources to determine company-specific cost-based intrastate switched access rates. VP Telecom is also requesting a waiver from the process to determine switched access rates under ARSD 20:10:27:12.

Staff Analyst: Heather Forney  
Staff Attorney: Karen Cremer  
Date Docketed: 08/15/02  
Intervention Deadline: 09/06/02

**TC02-108 In the Matter of the Filing for Approval of an Amendment to an Interconnection Agreement Between Qwest Corporation and New Edge Network, Inc. dba New Edge Networks.**

On August 21, 2002, the Commission received for approval a filing of an Amendment for DC Power Reduction Procedure, Collocation Transfer of Responsibility, Collocation Decommission and Collocation Cancellation to the Interconnection Agreement Between Qwest Corporation (Qwest) and New Edge Networks (New Edge) for the State of South Dakota. According to the filing, the Agreement is Amended by adding the terms and conditions (and associated rates where applicable) for DC Power Reduction Procedure, Collocation Transfer of Responsibility, Collocation Decommission and Collocation Cancellation as set forth in Attachments 1 through 4, and Exhibit A, attached to the filing. 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 September 10, 2002. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier  
Date Docketed: 08/21/02  
Initial Comments Due: 09/10/02

**You may receive this listing and other PUC publications via our website or via internet e-mail.  
You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc>**



EL02-018

# City of VERMILLION

25 CENTER STREET  
VERMILLION, SOUTH DAKOTA 57069  
www.cityofvermillion.com

PHONE: (605) 677-7050



August 29, 2002

Paul Roberts  
Clay Union Electric Corporation  
P.O. Box 317  
Vermillion, SD 57069

Dear Paul;

This letter is to put in writing our telephone conversation regarding the City of Vermillion's willingness to provide electric serve the Rollie and Sue French property at 1401 East Main. We are willing to work with you on coordinating the time schedule for the service transfer. If you need any additional information please contact me.

Sincerely,

*Michael Carlson*  
Michael Carlson  
Finance Officer

RECEIVED

AUG 30 2002

Clay Union Electric

DISTRIBUTE TO: COPIES TO:

- MGR. \_\_\_\_\_
- OP. MGR. \_\_\_\_\_
- BUS. MGR. \_\_\_\_\_
- MS/MD \_\_\_\_\_
- EL. FOREM. \_\_\_\_\_
- \_\_\_\_\_
- L. FOREM. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- LIN. RM. \_\_\_\_\_
- COFF. RM. \_\_\_\_\_

RETURN TO \_\_\_\_\_

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

IN THE MATTER OF THE REQUEST FOR AN )  
ELECTRIC SERVICE TERRITORY EXCEPTION )  
BETWEEN CLAY-UNION ELECTRIC )  
CORPORATION AND THE CITY OF )  
VERMILLION )

ORDER GRANTING )  
APPROVAL OF AN )  
EXCEPTION TO THE )  
ASSIGNED ELECTRIC )  
SERVICE TERRITORY )  
EL02-018 )

On August 19, 2002, Clay-Union Electric Corporation (Clay-Union) filed with the South Dakota Public Utilities Commission (Commission) a request for approval for the transfer of an electric service customer. Clay-Union has agreed to release Rollie and Sue French's electric service to the City of Vermillion. Rollie and Sue French and the City of Vermillion have consented to this transfer.

The address of the property to be served by the City of Vermillion is:

1401 East Main  
Vermillion, South Dakota 57069

At its regularly scheduled meeting of September 5, 2002, the Commission considered the matter. Commission Staff recommended approval of the joint request.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically 49-34A-42 and 49-34A-55. Further, the Commission finds that an exception to the assigned service territory is in the public interest and the request shall be granted. It is therefore

ORDERED, that the request seeking approval of an exception to the assignment of service territory is hereby granted.

Dated at Pierre, South Dakota, this 18<sup>th</sup> day of September, 2002.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: *Helaine Kaelo*

Date: 9/19/02

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner

*Robert K. Sahr*  
ROBERT K. SAHR, Commissioner