



March 19, 2003

RECEIVED

MAR 28 2003

Ms. Pam Bonrud  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol Avenue  
Pierre, South Dakota 57501-5070

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Re: Joint Request for Approval of an Electric Service Territory Agreement Submitted by Butte Electric Cooperative and Black Hills Power

Dear Ms. Bonrud:

Butte Electric Cooperative (Butte) and Black Hills Power (BHP) respectfully submit this joint request to the South Dakota Public Utilities Commission for approval of the relocation of an electric service territory boundary located in Section 6, Township 5 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota. The specific impacted properties include:

1. The western-most portion of Lot 1A, Sturgis Industrial Park Subdivision, Section 6, Township 5N, Range 5E, Black Hills Meridian, Meade County, South Dakota. The majority of Lot 1A is located within BHP service territory and one structure is currently located on the lot, entirely within BHP service territory, with electric service being provided by BHP.
2. Lot 1B Revised, Sturgis Industrial Park Subdivision, Section 6, Township 5N, Range 5E, Black Hills Meridian, Meade County, South Dakota. Lot 1B Revised is located within the service territory of Butte Electric and one main structure and a smaller accessory structure are located on the lot, with electric service being provided by Butte.

Both Butte and BHP support this request. Only one consumer, Bruce Bowen Company, is impacted by the proposed boundary change. Mr. Bowen's letter of consent is attached.

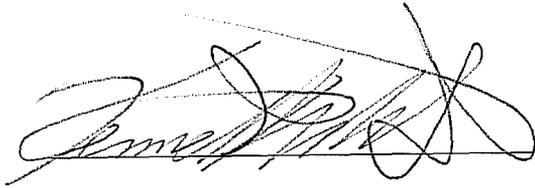
The following information is enclosed for your review and consideration:

Map of the Sturgis Industrial Park which shows legal description, lot configuration, the existing electric service territory line and the proposed new electric service territory line.

Letter of consent from Bruce Bowen to have BHP provide electric service to his building.

If you require additional information or have question, please do not hesitate to contact us. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Wetz', written over a horizontal line.

Kenneth Wetz  
General Manager  
Butte Electric Cooperative, Inc.

A handwritten signature in black ink, appearing to read 'Stuart Wevik', written over a horizontal line.

Stuart Wevik  
Director of Customer Service  
Black Hills Power

**BRUCE BOWEN & Co.**  
GUN AND RIFLE MAKERS

3541 MAYER AVE.  
STURGIS, SD 57785

WWW.BBGUNS.NET

RECEIVED

MAR 28 2003

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

March 18, 2003

Mr. Ken Wetz  
Butte Electric Cooperative  
PO Box 137  
Newell, SD 57760

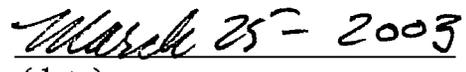
Dear Mr. Wetz,

I hereby give consent for the transfer of the following property from the service territory of Butte Electric Cooperative to the service territory of Black Hills Power.

Legal Description

Lot 1B Revised, Sturgis Industrial Park Subdivision, Section 6, Township 5N,  
Range 5E, Black Hills Meridian, Meade County, South Dakota.

  
Signature

  
(date)

Bruce Bowen  
NIP Manufacturing, Inc.  
3541 Mayer Avenue  
Sturgis, SD 57785

cc: Stuart Wevik  
Black Hills Power

Post-It™ brand fax transmittal memo 7671 # of pages >

To: DAVE	From: DON REARFO
Co. Butte Elec	Co. Davis Eng
Dept.	Phone # 3413095
Fax # 605 456 2494	Fax # 3417428

EXHIBIT I

**TRACT A & B OF LOT SD-2 OF STURGIS DEVELOPMENT SUBDIVISION**  
**(Formerly Lot SD-2 and a portion of Lot 2 of the NE 1/4 SW 1/4)**  
 LOCATED IN THE S 1/2 OF SECTION 6, T-5-N, R-5-E, B.H.M.,  
 CITY OF STURGIS, NEADE COUNTY, SOUTH DAKOTA

PLAT OF

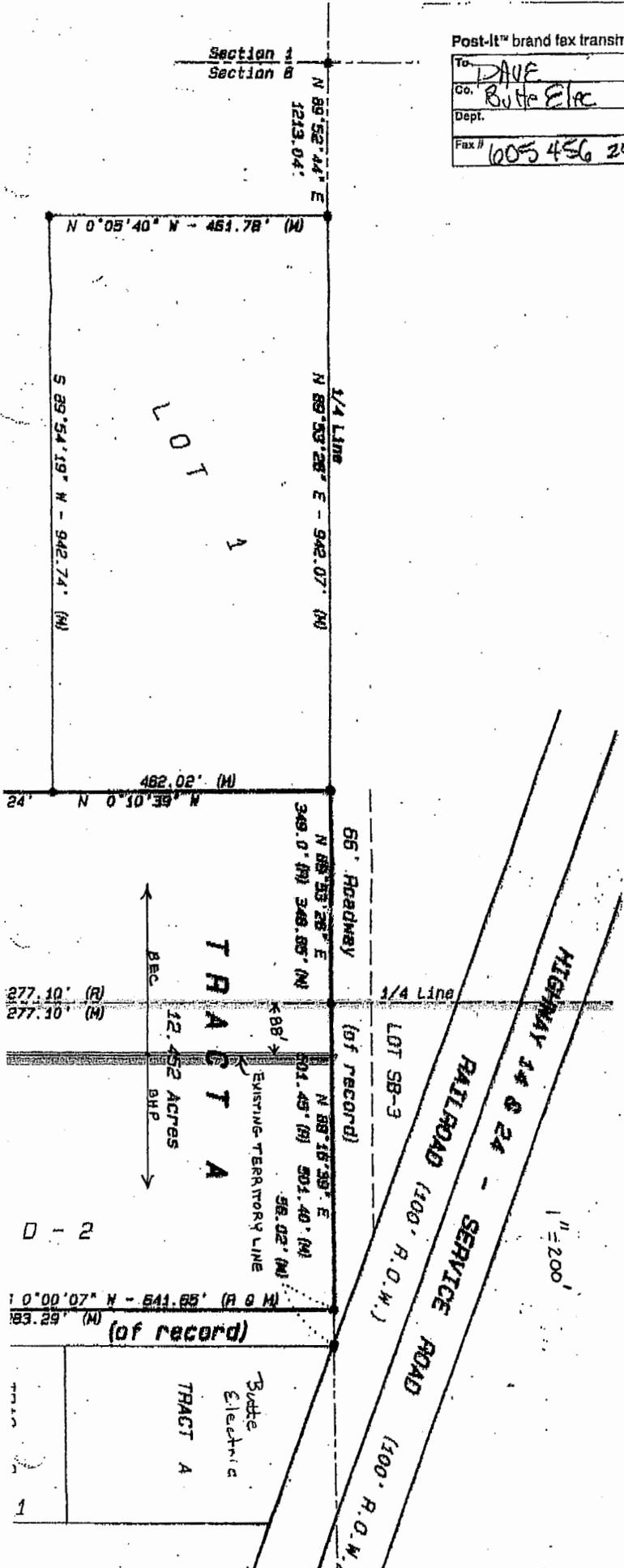


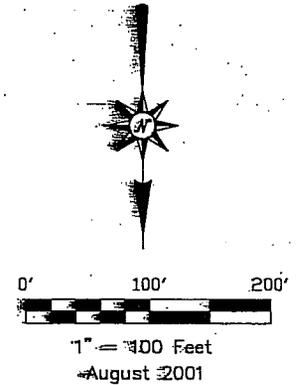
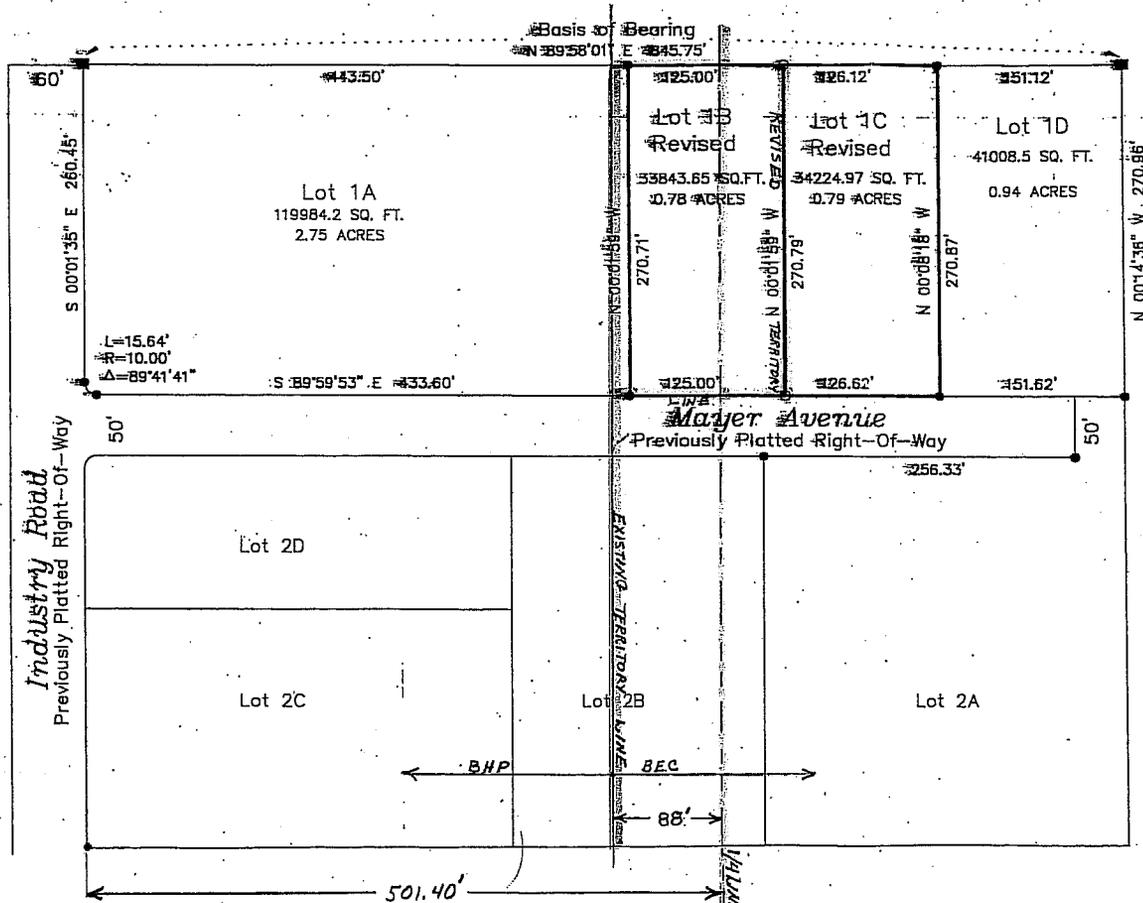
EXHIBIT 2

PLAT OF

LOTS 1B Revised and 1C Revised,

Sturgis Industrial Park Subdivision,

FORMALLY KNOWN AS LOT 1B, AND 1C, STURGIS INDUSTRIAL PARK SUBDIVISION,  
SECTION 6, T.5N., R.5 E., B.H.M., CITY OF STURGIS, MEADE COUNTY, SOUTH DAKOTA.



- FOUND CORNER "LS 3721"
- FOUND 5/8" REBAR
- SET 5/8" REBAR & CAP "BUSH RLS 6699"

NOTES

- ALL LOTS ARE ZONED AS-GENERAL INDUSTRIAL.
- 5' SET BACKS ON ALL SIDE, FRONT AND REAR LOT LINES.
- UTILITY EASEMENTS- 10' ON ALL REAR AND SIDE LOT LINES.

SURVEYOR'S CERTIFICATE

I, RICKY J. BUSH, 1021 JUNCTION AVE., STURGIS, SD, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA DO HEREBY CERTIFY THAT AT THE REQUEST OF THE OWNER AND UNDER MY SUPERVISION, I HAVE CAUSED TO BE SURVEYED AND PLATTED THE PROPERTY SHOWN AND DESCRIBED HEREON. I ALSO CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IN WITNESS WHEREOF, I HAVE HERE-



**South Dakota Public Utilities Commission**  
**WEEKLY FILINGS**  
For the Period of March 27, 2003 through April 2, 2003

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

**ELECTRIC**

**EL03-013    In the Matter of the Joint Request for an Electric Service Territory Boundary Change between Butte Electric Cooperative, Inc. and Black Hills Power.**

On March 28, 2003, Butte Electric Cooperative and Black Hills Power submitted a joint request to the South Dakota Public Utilities Commission for approval of the relocation of an electric service territory boundary located in Section 6, Township 5 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota. The specific impacted properties include the western most portion of Lot 1A, and Lot 1B revised in the Sturgis Industrial Park Subdivision.

Staff Analyst: Michele M. Farris  
Staff Attorney: Karen Cremer  
Date Docketed: 03/28/03  
Intervention Deadline: 04/11/03

**TELECOMMUNICATIONS**

**TC03-062    In the Matter of the Filing by Winstar Communications, LLC for Approval of Relief of Certification Requirement to Post Surety Bond.**

In an Order dated May 16, 2002, the Commission granted Winstar Communications, LLC (Winstar) authority to provide interexchange telecommunications services in South Dakota, subject to a continuous \$25,000 surety bond. On March 28, 2003, the Commission received a filing from Winstar requesting relief from the Commission's bond requirement.

Staff Analyst: Keith Senger  
Staff Attorney: Kelly Frazier  
Date Docketed: 03/28/03  
Intervention Deadline: 04/14/03

**TC03-063    In the Matter of the Application of Qwest Communications Corporation for an Amended Certificate of Authority to Provide InterLATA Intrastate Telecommunications Services and Operator Services in South Dakota.**

Qwest Communications Corporation has filed an application for a Certificate of Authority to provide interexchange telecommunications services and operator services in South Dakota. The applicant intends to provide facilities based and resold interLATA and intraLATA interexchange services for voice and data applications, including 1+ and 10-10-XXXX

outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services, calling cards and operator services throughout South Dakota.

Staff Analyst: Bonnie Bjork  
Staff Attorney: Kelly Frazier  
Date Docketed: 04/01/03  
Intervention Deadline: 04/18/03

**TC03-064 In the Matter of the Filing For Approval of an Interconnection Agreement between McLeodUSA Telecommunications Services, Inc. and Midcontinent Communications, Inc.**

On April 2, 2003, the Commission received for approval an Interconnection Agreement between McLeodUSA Telecommunications Services, Inc. and Midcontinent Communications, Inc. According to the parties, this agreement addresses the type of traffic and rates to be exchanged between the parties, and the responsibilities of the parties regarding billing, payment and interconnection. 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 April 22, 2003. 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: 04/02/03  
Initial Comments Due: 04/22/03

**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>**

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

IN THE MATTER OF THE JOINT REQUEST ) FOR AN ELECTRIC SERVICE TERRITORY ) BOUNDARY CHANGE BETWEEN BUTTE ) ELECTRIC COOPERATIVE, INC. AND BLACK ) HILLS POWER )	ORDER GRANTING APPROVAL OF ELECTRIC SERVICE TERRITORY AGREEMENT EL03-013
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------

On March 28, 2003, the Public Utilities Commission (Commission) received a joint filing by Butte Electric Cooperative, Inc. (BEC) and Black Hills Power (BHP) for approval of the relocation of an electric service territory boundary located in Section 6, Township 5 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota. The specific impacted properties include the western most portion of Lot 1A, and Lot 1B revised in the Sturgis Industrial Park Subdivision. Bruce Bowen, the current property owner, is in agreement with the change.

On April 15, 2003, at its regularly scheduled meeting, the Commission considered the request for approval of the boundary change. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, and 49-34A-55. The Commission concludes that the change in the service territory boundary is in the public interest and it shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of an electric service territory boundary change between BEC and BHP is hereby granted.

Dated at Pierre, South Dakota, this 24<sup>th</sup> day of April, 2003.

<b>CERTIFICATE OF SERVICE</b>
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: <u><i>Alaine Kolbo</i></u>
Date: <u>4/24/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

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

*Gary Hanson*  
GARY HANSON, Commissioner

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