





## Butte Electric Cooperative, Inc.

A Touchstone Energy<sup>SM</sup> Partner



PO Box 137  
109 S Dartmouth  
Newell, SD 57760-0137

Phone: (605) 456-2494  
800-928-8839

Fax: (605) 456-2496  
www.butteelectric.com

October 22, 2003

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

RECEIVED

NOV 03 2003

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

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

Dear Ms. Bonrud:

Butte Electric Cooperative, Inc. (Butte) and Black Hills Power (BHP) submit this joint request for approval to exchange the following service territory:

- Lots 2, 3, 4, 5, 6, and 7, located in Spruce Mountain Estates No. 2, all of which are located in Section 24 of Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota would be transferred from BHP territory to Butte territory.
- Lots 1, 6 and 5, located in Spruce Mountain Ranches, all of which are located in Section 18 of Township 6 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota would be transferred from Butte territory to BHP territory.

Both Butte and BHP support this request, as does the developer, Dwight Ahlers. The 6 lots located in Spruce Mountain Estates #2 are contiguous to the 56 lots located in the same subdivision and already located in Butte territory. The 3 lots located in Spruce Mountain Ranches are contiguous to the 6 lots already located in BHP territory. The exchange of territory is being requested only for the lots as identified above and would provide for an electric system that avoids unnecessary duplication of facilities and helps minimize operational challenges.

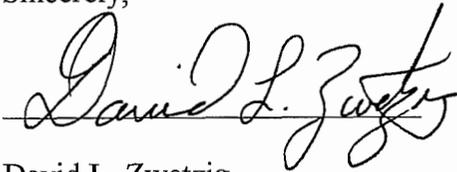
The following information is enclosed for your review and consideration:

- Letters of consent from Dwight Ahlers, owner and developer of all impacted properties. (Exhibits A & B)
- Plats of Spruce Mountain Estates #2 (Exhibit C) and Spruce Mountain Ranches (Exhibit D), including location of existing electric service territory line and location of proposed electric service territory line.

- The legal description of the proposed electric service territory line is as follows:
  - To Butte Electric Cooperative: NW1/4 SW1/4, Section 24, Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota. (Exhibit C)
  - To Black Hills Power: SE1/4 NW1/4 and the E1/2 SW1/4, Section 18, Township 6 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota. (Exhibit D)

If you require additional information or have questions concerning this exchange do not hesitate to contact us. Thank you for your consideration of this request.

Sincerely,



David L. Zwetzig  
Manager of Operations & Engineering  
Butte Electric Cooperative



Jim Jeffery  
Northern Hills Area Manager  
Black Hills Power

Enclosure

July 10, 2003

Stuart Wevik  
Black Hills Power  
PO Box 1400  
Rapid City, SD 57709

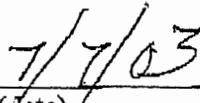
Dear Mr. Wevik,

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

Legal Description

Lots 2,3,4,5,6 and 7, located in Spruce Mountain Estates No.2 located in Section 24, Township 6N, Range 4E, Black Hills Meridian, Lawrence County, South Dakota.

  
\_\_\_\_\_  
(signature)

  
\_\_\_\_\_  
(date)

Dwight Ahlers  
580 Seger Drive  
Rapid City, SD 57769

cc: Ken Wetz  
Butte Electric Cooperative

EXHIBIT A

July 10, 2003

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 Black Hills Power to the service territory of Black Hills Electric Cooperative:

Legal Description

Lots 1, 6, and 5, located in Spruce Mountain Ranches located in Section 18, Township 6N, Range 5E, Black Hills Meridian, Meade County, South Dakota/

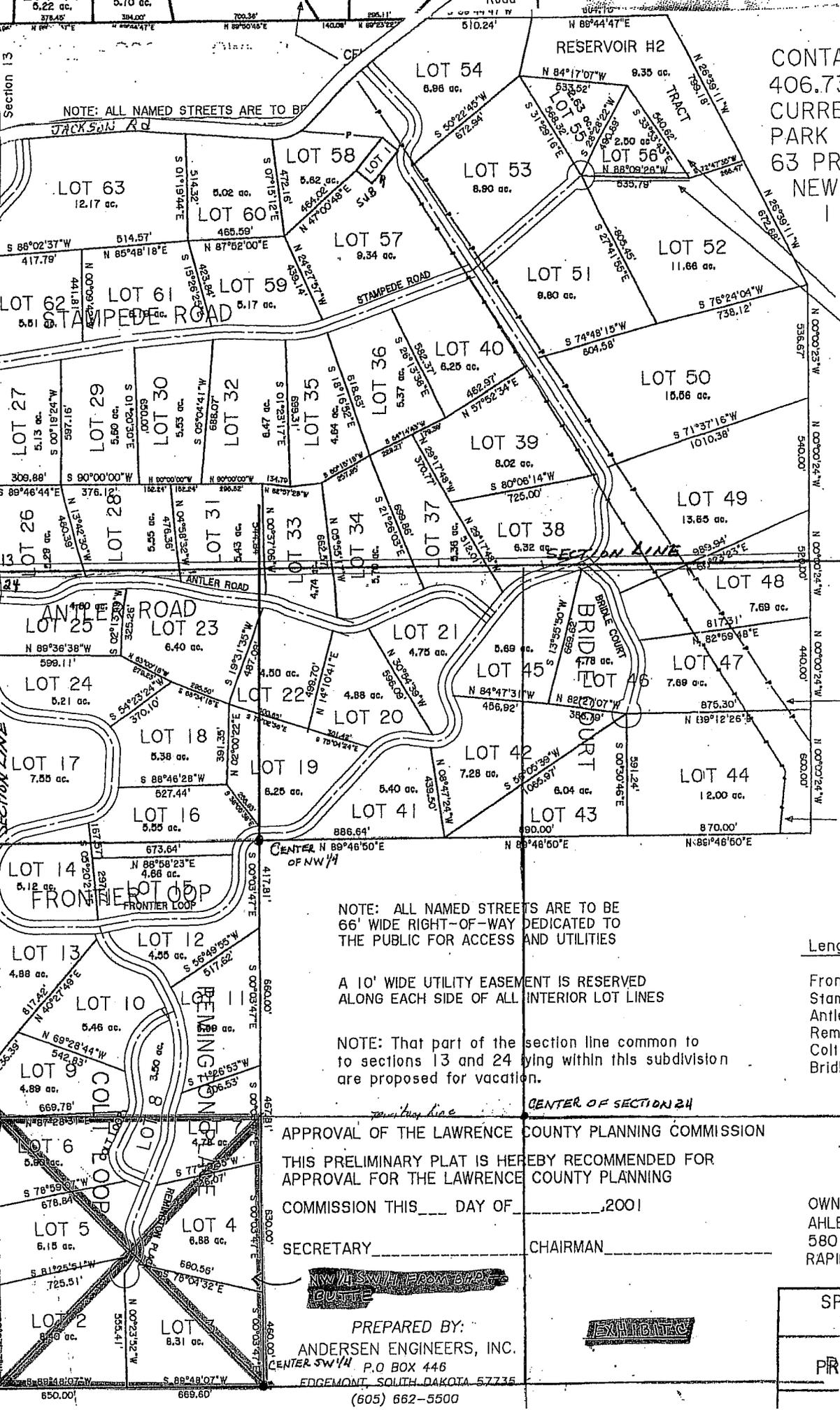
Dwight Ahlers  
(signature)

7/7/03  
(date)

Dwight Ahlers  
580 Seger Drive  
Rapid City, SD 57769

cc: Stuart Wevik  
Black Hills Power

**EXHIBIT B**



CONTA  
406.73  
CURRE  
PARK  
63 PR  
NEW  
1

NOTE: ALL NAMED STREETS ARE TO BE 66' WIDE RIGHT-OF-WAY DEDICATED TO THE PUBLIC FOR ACCESS AND UTILITIES

NOTE: ALL NAMED STREETS ARE TO BE 66' WIDE RIGHT-OF-WAY DEDICATED TO THE PUBLIC FOR ACCESS AND UTILITIES

A 10' WIDE UTILITY EASEMENT IS RESERVED ALONG EACH SIDE OF ALL INTERIOR LOT LINES

NOTE: That part of the section line common to sections 13 and 24 lying within this subdivision are proposed for vacation.

APPROVAL OF THE LAWRENCE COUNTY PLANNING COMMISSION  
THIS PRELIMINARY PLAT IS HEREBY RECOMMENDED FOR APPROVAL FOR THE LAWRENCE COUNTY PLANNING COMMISSION THIS \_\_\_ DAY OF \_\_\_, 2001

SECRETARY \_\_\_\_\_ CHAIRMAN \_\_\_\_\_

**NW 1/4 SW 1/4 T150N R100E S10E**

PREPARED BY:  
**ANDERSEN ENGINEERS, INC.**  
CENTER SW 1/4 P.O. BOX 446  
EDGE MOUNT, SOUTH DAKOTA 57735  
(605) 662-5500

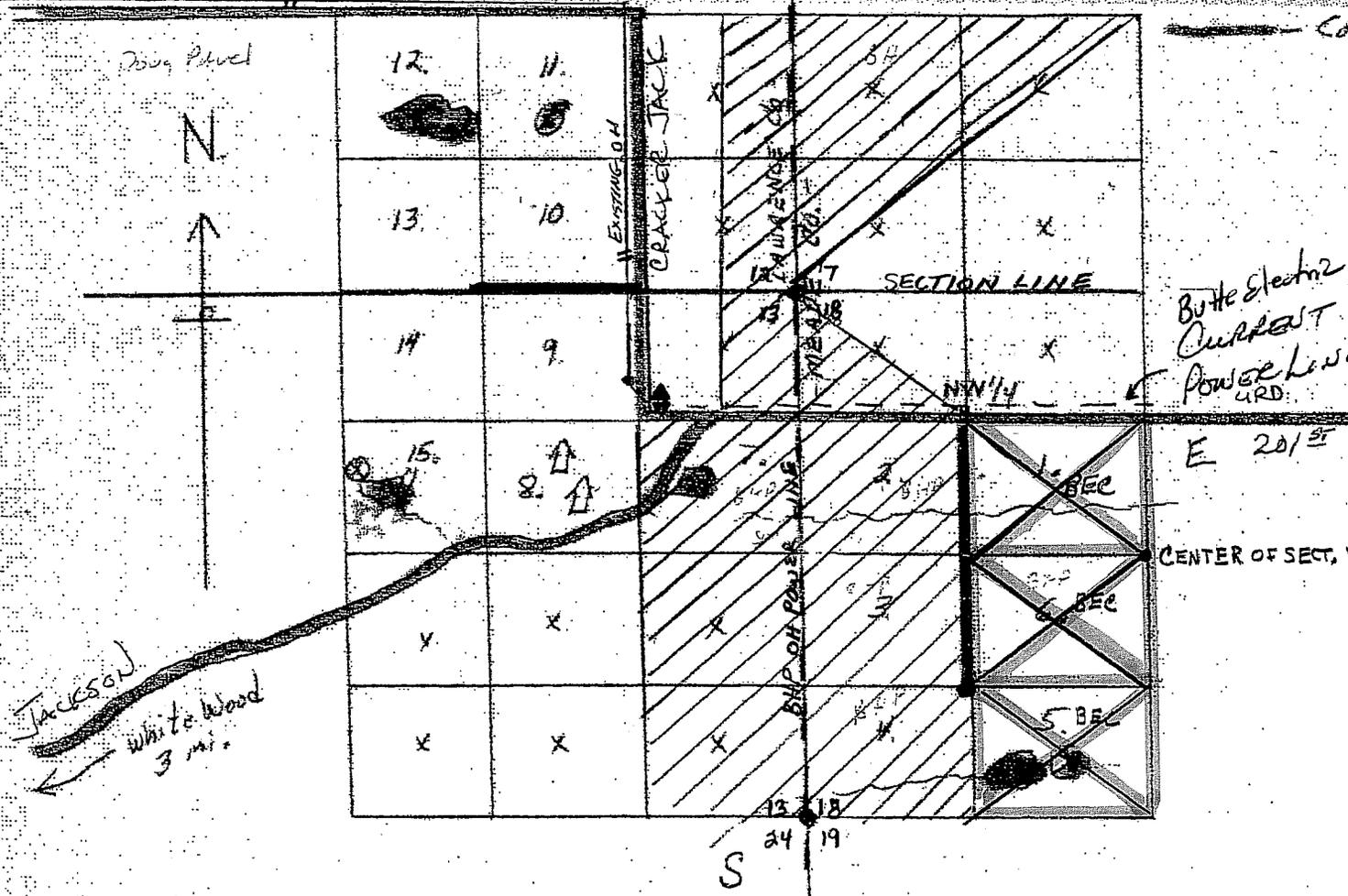


Leng  
Fron  
Star  
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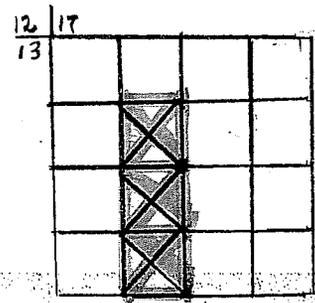
OWNI  
AHLE  
580  
RAPII

SP
PR

← T6N, R4E      T10N, R5E →



-  BUTTE EXISTING
-  BHP&L EXISTING
-  TO BHP&L FROM BUTTE



**EXHIBIT D**

**South Dakota Public Utilities Commission**  
**WEEKLY FILINGS**

**For the Period of October 30, 2003 through November 5, 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: 605-773-3201

**CONSUMER COMPLAINTS**

**CT03-155**     **In the Matter of the Complaint filed by John Reints, Rapid City, South Dakota, against Black Hills FiberCom, L.L.C. Regarding its Late Payment Charge.**

Complainant is disputing late fees charged on balances due that are less than the amount of the security deposit that the Respondent has required him to post. The Complainant is requesting that the Commission prevent the Respondent from charging its customers that are required to post security deposits late fees and to refund all of the late fees that have been collected.

Staff Analyst: Jim Mehlhaff  
Staff Attorney: Kelly Frazier  
Date Docketed: 11/03/03  
Intervention deadline: N/A

**ELECTRIC**

**EL03-028**     **In the Matter of the Joint Request for an Electric Service Territory Boundary Change between Butte Electric Cooperative, Inc. and Black Hills Power.**

On November 3, 2003, Butte Electric Cooperative, Inc. (Butte) and Black Hills Power (BHP) submitted a joint request for Commission approval to exchange electric service territory. The exchange includes the following service territory: Lots 2, 3, 4, 5, 6, and 7, located in Spruce Mountain Estates No. 2, all of which are located in Section 24 of Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota, would be transferred from BHP territory to Butte territory; and Lots 1, 6, and 5, located in Spruce Mountain Ranches, all of which are located in Section 18 of Township 6 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota, would be transferred from Butte territory to BHP territory.

Staff Analyst: Michele Farris  
Staff Attorney: Karen Cremer  
Date Docketed: 11/03/03  
Intervention Deadline: 11/21/03

**EL03-029**     **In the Matter of the Filing by MidAmerican Energy Company for Approval of Tariff Revisions.**

Application by MidAmerican Energy for approval of tariff revisions reflecting redesign of the stub portion of both the regular bill and disconnect notice. The revisions are intended to clean up the appearance of the stub and allow for easier identification of written customer notations.

Staff Analyst: Dave Jacobson  
Staff Attorney: Kelly Frazier  
Date Docketed: 11/5/03

Intervention Deadline: 11/21/03

## NATURAL GAS

**NG03-006 In the Matter of the Filing by MidAmerican Energy Company for Approval of  
Tariff Revisions.**

Application by MidAmerican Energy for approval of tariff revisions reflecting redesign of the stub portion of both the regular bill and disconnect notice. The revisions are intended to clean up the appearance of the stub and allow for easier identification of written customer notations.

Staff Analyst: Dave Jacobson  
Staff Attorney: Kelly Frazier  
Date Docketed: 11/5/03  
Intervention Deadline: 11/21/03

## TELECOMMUNICATIONS

**TC03-191 In the Matter of the Filing by WWC Holding Co., Inc. d/b/a CellularOne for  
Designation as an Eligible Telecommunications Carrier in Other Rural Areas**

On November 5, 2003, WWC Holding Co., Inc., d/b/a CellularOne (Western Wireless) filed a petition to be designated as an eligible telecommunications carrier (ETC) for purposes of qualifying to obtain federal universal service support in the study areas of certain rural telephone companies. This petition seeks an order immediately designating Western Wireless as an ETC in the study areas of the following rural telephone companies: Golden West Telephone Cooperative Inc., James Valley Cooperative Telephone Company, Splitrock Properties Inc., Sully Buttes Telephone Cooperative Inc., Tri-County Telecom Inc., Vivian Telephone Co., West River Telecommunications Coop (Mobridge) - SD, and West River Telecommunications Cooperative - SD.

Staff Analyst: Harlan Best  
Staff Attorney: Karen E. Cremer  
Date Docketed: 11/05/03  
Intervention Deadline: 11/21/03

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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**

<b>IN THE MATTER OF THE JOINT REQUEST )</b>	<b>ORDER GRANTING</b>
<b>FOR AN ELECTRIC SERVICE TERRITORY )</b>	<b>APPROVAL OF ELECTRIC</b>
<b>BOUNDARY CHANGE BETWEEN BUTTE )</b>	<b>SERVICE TERRITORY</b>
<b>ELECTRIC COOPERATIVE, INC. AND BLACK )</b>	<b>AGREEMENT</b>
<b>HILLS POWER )</b>	<b>EL03-028</b>

On November 3, 2003, the Public Utilities Commission (Commission) received a joint filing by Butte Electric Cooperative, Inc. (Butte) and Black Hills Power (BHP) for Commission approval to exchange electric service territory. The exchange includes the following service territory: Lots 2, 3, 4, 5, 6, and 7, located in Spruce Mountain Estates No. 2, all of which are located in Section 24 of Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota, would be transferred from BHP territory to Butte territory; and Lots 1, 6, and 5, located in Spruce Mountain Ranches, all of which are located in Section 18 of Township 6 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota, would be transferred from Butte territory to BHP territory. The proposed electric service territory line is as follows: The NW¼SW¼ of Section 24, Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota, to Butte; and the SE¼NW¼ and the E½SW¼ of Section 18, Township 6 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota, to BHP. Dwight Ahlers, the current property owner, is in agreement with the change.

On December 2, 2003, at its regularly scheduled meeting, the Commission considered the request for approval of the boundary change. 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-4, 49-34A-42, and 49-34A-55. Further, the Commission finds that the boundary change will avoid unnecessary duplication of facilities and help minimize operational challenges. 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 Butte and BHP is hereby granted.

Dated at Pierre, South Dakota, this 17<sup>th</sup> day of December, 2003.

<p><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u>Melaine Kolbo</u></p> <p>Date: <u>12/19/03</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Gary Hanson  
GARY HANSON, Commissioner

James A. Burg  
JAMES A. BURG, Commissioner