

EL 04-032

LAW OFFICES  
 **Ritter, Rogers, Wattier & Brown, LLP**  
Professional & Executive Building  
319 South Coteau Street  
P.O. Box 280  
Pierre, South Dakota 57501-0280  
[www.riterlaw.com](http://www.riterlaw.com)

ROBERT C. RITER, Jr.  
DARLA POLLMAN ROGERS  
JERRY L. WATTIER  
JOHN L. BROWN

MARGO D. NORTHRUP, Associate

OF COUNSEL  
Robert D. Hof  
E. D. Mayer  
TELEPHONE  
605-224-5825  
FAX  
605-224-7102

October 18, 2004

Pamela Bonrud  
**South Dakota Public Utilities Commission**  
State Capitol Building  
500 East Capitol Avenue  
Pierre, South Dakota 57501

Re: Dakota Turkey Growers, LLC  
Our File Number 2004-189

Dear Pam:

Enclosed herein for filing are the original and ten copies of the following documents:

1. Notice of Appearance;
2. Affidavit of Joinder; and
3. Petition for Electrical Service.

Sincerely yours,



Darla Pollman Rogers  
Attorney at Law

DPR/ph

Enclosures

CC: Robert Rademacher (with enclosures)  
Kenneth D. Rutledge (with enclosures)  
David Blair (with enclosures)  
Jeffrey T. Sveen (with enclosures)

RECEIVED  
OCT 18 2004  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

OCT 18 2004

BEFORE THE PUBLIC UTILITIES COMMISSION

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF  
THE ELECTRICAL SUPPLY TO  
DAKOTA TURKEY GROWERS, LLC.

Docket No. \_\_\_\_

PETITION FOR ELECTRICAL SERVICE

TO: THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Comes now Dakota Turkey Growers, LLC (hereinafter "Turkey Growers"), by and through Kenneth D. Rutledge, its President and Chief Executive Officer, and Darla Pollman Rogers, its attorney, and pursuant to SDCL 49-34A-56, respectfully petitions the South Dakota Public Utilities Commission as follows:

## I.

Turkey Growers is constructing and will operate a turkey processing plant (hereinafter the "Facility", which includes a turkey processing plant, office, truck depot, and related facilities) at a site located in the Northeast Quarter of Section 4, Township 110 North, Range Six West, in Beadle County, South Dakota, approximately one and one-half miles east of Huron, South Dakota, on the south side of Highway 14.

## II.

The site of the Facility is within the assigned service area of Northwestern Public Service.

## III.

The headquarters of Dakota Energy Cooperative, Inc. (hereinafter "Dakota Energy"), of Huron, South Dakota, is located approximately one and one-half miles east

of Huron, on the north side of Highway 14, directly across the highway from the site of Turkey Grower's Facility.

IV.

The Facility is a new customer, and is located at a new location outside of the boundaries of the municipality of Huron, South Dakota.

V.

Turkey Growers, as Petitioner herein, is advised, informed, and believes that the Facility will require electrical service of substantially more than a contracted minimum demand of 2,000 kilowatts, and will enter into a contract for such electrical service.

VI.

Turkey Growers, as Petitioner herein, desires to have Dakota Energy supply this electrical need.

VII.

Turkey Growers, as Petitioner, is informed, advised, and believes that Dakota Energy can furnish an adequate electrical supply at the most economic rate and without required extensive development of electrical services.

VIII.

Turkey Growers, as Petitioner, is informed, advised, and believes that Dakota Energy is supplying electric service to other consumers within a mile or less of where Petitioner's Facility will be located.

IX.

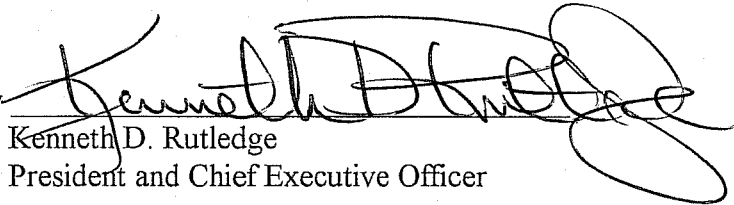
Turkey Growers, as Petitioner, and as the owner of the Facility, hereby requests a hearing on this Petition to authorize Turkey Growers to receive permanent electrical service from Dakota Energy.

WHEREFORE, Petitioner Turkey Growers requests the Public Utilities Commission, after notice and hearing on the above-entitled matter, to assign Dakota Energy as the supplier of electrical service to the Facility of Turkey Growers.

DATED this 14<sup>TH</sup> day of October, 2004.

DAKOTA TURKEY GROWERS, LLC:

By

  
Kenneth D. Rutledge  
President and Chief Executive Officer

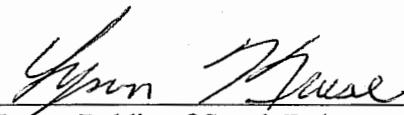


Darla Pollman Rogers  
Riter, Rogers, Wattier & Brown, LLP  
P. O. Box 280  
Pierre, South Dakota 57501  
Telephone (605) 224-7889

STATE OF SOUTH DAKOTA )  
 )SS.  
COUNTY OF BEADLE )

On this 14<sup>th</sup> day of October, 2004, before me, the undersigned Notary Public, personally appeared Kenneth D. Rutledge, known to me to be the President and Chief Executive Officer of Dakota Turkey Growers, LLC, authorized and licensed to do business in the state of South Dakota; and that he, as such General Manager, with full authority to do so, executed the foregoing Petition for the purposes contained by signing the name of the LLC by himself as General Manager.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public of South Dakota

My Commission Expires: 5-6-08

(SEAL)