



EL 04-039

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Jim Wilcox, Manager,
Government & Regulatory Affairs
500 West Russell Street
P.O. Box 988
Sioux Falls, SD 57101-0988
Telephone (605) 339-8350 fax 612/573-9083
internet - james.c.wilcox@xcelenergy.com

December 10, 2004

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

Dear Pam:

Enclosed for filing please find an original copy of an executed "Service Territory Exception Agreement" between Xcel Energy and Sioux Valley Energy.

This agreement seeks an exception to our existing service territory near Sioux Falls, SD in order to provide for an efficient electrical connection to a SD DOT "Dynamic Message Board." (Highway Sign) The agreement specifies the legal description of the location.

The highway sign is being installed by the South Dakota Department of Transportation and requires electrical power. The sign is located within Xcel Energy's service territory, but because of proximity will be better connected to the Sioux Valley Energy's power system nearby.

The accompanying drawing provides additional graphical detail to this request. Xcel Energy respectfully requests that the South Dakota Public Utilities Commission approve this agreement. Also enclosed is a letter of concurrence from DOT.

If anyone has any questions, please call me at 339-8350

Sincerely,

Jim Wilcox

c. Don Marker, Sioux Valley Energy

**SERVICE TERRITORY EXCEPTION AGREEMENT
BETWEEN
XCEL ENERGY AND SIOUX VALLEY ENERGY**

Sioux Valley Southwestern Electric Cooperative, Inc., doing business as Sioux Valley Energy (SVE) and Northern States Power Company, doing business as Xcel Energy Inc. jointly agree to have SVE provide electric service to a State of South Dakota Department of Transportation Interstate Highway sign. The sign is located on the south side of I90 about 1 and 3/8 miles east of the intersection of I229 and I90 near Sioux Falls, SD. An exhibit A drawing of the service site is attached to this agreement.

Sioux Valley Energy and Xcel Energy have concluded that, in this instance, the consumer's interests will be best served by receiving service from Sioux Valley Energy and have agreed to this exception to the existing territorial agreement.

We also agree that each such instance where territory boundaries become a factor will be dealt with on an individual basis.

This consent on the part of Xcel Energy is limited to the said service to the DOT highway sign located along the south side of Interstate 90 in the southwest quarter of Section 25 of Mapleton Township 102N - Range 49W in Minnehaha County, SD and will automatically terminate upon removal or abandonment of such service.

This exception is not to be construed as having any impact upon or indicating a desire to change the service areas assigned by the South Dakota Public Utilities Commission.

The Parties agree to jointly submit these agreed upon changes to the South Dakota Public Utilities Commission for its approval.

XCEL ENERGY INC.:

By: _____


Manager, Government
& Regulatory Services

Date: 12-10-04

SIOUX VALLEY SOUTHWESTERN
ELECTRIC COOPERATIVE, INC.:

By: _____


General Manager

Date: 12-7-04

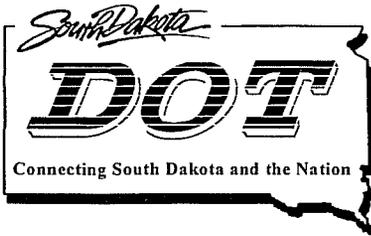
Exhibit A

Sioux Valley Energy Territory

Highway 501
SP201

Xcel Energy Territory

501



Department of Transportation

Sioux Falls Area Office

5316 W. 60th Street N.

Sioux Falls, SD 57107 (605)367-5680

Fax: (605)367-5685

November 24, 2004

Jim Wilcox
Xcel Energy
P.O. Box 988
Sioux Falls, SD 57104

RE: HR Z403(1) PCEMS.567N
Statewide Contract
Utility permission for Sioux Valley Energy concerning the DMS board at MRM 401.96 of EB I-90.

Dear Mr. Wilcox:

This letter is in regard to the Dynamic Message Board that the SD Department of Transportation is installing at MRM 401.96 on eastbound Interstate 90. It is my understanding that Sioux Valley Energy has a line on the west side of Minnehaha County Highway 121 (EROS Road) that is in Xcel Energy's distribution area. The Department is asking Xcel to allow Sioux Valley Energy to tie into the existing line and provide power exclusively to the Dynamic Message Board referenced above. The line will be tied in at the southwest quadrant of the I-90/Hwy 121 interchange and extend west in the state Right-of-Way to the Dynamic Message Sign location. The contact person for Sioux Valley Energy is Joel Boy at (605)582-2185.

If you have any further questions, please contact the Sioux Falls Area Office.

Sincerely,
SOUTH DAKOTA DEPT OF TRANSPORTATION
Craig Smith, PE
Area Engineer

A handwritten signature in black ink, appearing to read "Travis Dressen", is written over the typed name.

Travis Dressen
Project Engineer
Cell: (605)940-1165

**South Dakota Public Utilities Commission
WEEKLY FILINGS**

For the Period of December 9, 2004 through December 15, 2004

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

ELECTRIC

EL04-039 In the Matter of the Joint Request for an Electric Service Rights Exception between Xcel Energy, Inc. and Sioux Valley-Southwestern Electric Cooperative, Inc. d/b/a Sioux Valley Energy.

On December 14, 2004, Xcel Energy filed for Commission approval a Service Territory Exception Agreement between Northern States Power Company, d/b/a Xcel Energy, Inc. and Sioux Valley-Southwestern Electric Cooperative, Inc. d/b/a Sioux Valley Energy. The agreement seeks an exception to the existing service territory near Sioux Falls, SD in order to provide for an efficient electrical connection to a SD DOT "Dynamic Message Board." The sign is located within Xcel Energy's service territory, but because of proximity will be better connected to the Sioux Valley Energy's power system nearby. The location of the sign is on the south side of I90 about 1.375 miles east of the intersection of I229 and I90 near Sioux Falls, SD located in the SW 1/4 of Section 25 of Mapleton Township 102N, Range 49W in Minnehaha County. The agreement will automatically terminate upon removal or abandonment of the sign.

Staff Analyst: Michele Farris
Staff Attorney: Karen E. Cremer
Date Filed: 12/14/04
Intervention Deadline: 12/30/04

EL04-040 In the Matter of the Filing by Otter Tail Power Company for Approval of Tariff Revisions.

Application by Otter Tail Power Company (Otter Tail) for approval to revise its tariffed Summary List of Contracts with Deviations. The existing contract with the City of Clear Lake will expire on January 15, 2005. Otter Tail states the new agreement does not contain any deviations from Otter Tail's currently filed tariff and therefore requests that reference to a contract with the City of Clear Lake be removed from the Summary List of Contracts with Deviations.

Staff Analyst: Dave Jacobson
Staff Attorney: Sara Harens
Date Filed: 12/14/04
Intervention Deadline: 12/30/04

TELECOMMUNICATIONS

TC04-260 In the Matter of the Application of Budget Phone, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services and Local Exchange Services in South Dakota.

On December 14, 2004, Budget Phone, Inc. filed an application seeking a Certificate of Authority to provide interexchange services throughout South Dakota and local exchange services in the areas served by any LECs that are not eligible for a small or rural carrier exemption pursuant to Section 254(f)(1) of the federal act. The Applicant intends to offer resold interexchange and local exchange services utilizing the UNE-P platform.

Staff Analyst: Keith Senger
Staff Attorney: Sara Harens
Date Docketed: 12/14/04
Intervention Deadline: 12/30/04

TC04-261 In the Matter of the Filing by Qwest Corporation for Approval of Revisions to its Access Service Tariff.

On December 15, 2004, Qwest Corporation filed to add Optical DS3 Entrance Facility to its Access Service Tariff. The filing would mirror the current F.C.C. No. 1 Switched Access Tariff by adding a monthly recurring rate element to the intrastate Access Service Tariff for Optical DS3 Entrance Facility. Qwest Corporation requests this filing become effective January 12, 2005.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Filed: 12/15/04
Intervention Deadline: 12/30/04

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

IN THE MATTER OF THE JOINT REQUEST)	ORDER GRANTING
FOR AN ELECTRIC SERVICE RIGHTS)	APPROVAL OF AN
EXCEPTION BETWEEN XCEL ENERGY, INC.)	EXCEPTION TO THE
AND SIOUX VALLEY-SOUTHWESTERN)	ASSIGNED ELECTRIC
ELECTRIC COOPERATIVE, INC. D/B/A SIOUX)	SERVICE TERRITORY
VALLEY ENERGY)	EL04-039

On December 14, 2004, Xcel Energy, Inc. (Xcel) and Sioux Valley-Southwestern Electric Cooperative, Inc. d/b/a Sioux Valley Energy (Sioux Valley) filed a joint request with the Public Utilities Commission for approval of an Electric Service Rights Exception. The exception would allow Sioux Valley to provide electrical service to a South Dakota Department of Transportation Dynamic Message Board. The sign is located within Xcel's service territory, but because of proximity will be better connected to Sioux Valley's power system nearby. The location of the sign is on the south side of I90 about 1.375 miles east of the intersection of I229 and I90 near Sioux Falls, South Dakota, located in the SW 1/4 of Section 25 of Mapleton Township 102 North, Range 49 West in Minnehaha County, South Dakota. The agreement will automatically terminate upon removal or abandonment of the sign.

At its regularly scheduled meeting of February 8, 2005, 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 Sioux Valley may provide electrical service to the South Dakota Department of Transportation Dynamic Message Board until removal or abandonment of the sign as it will avoid unnecessary duplication of facilities, provide adequate electric service to all customers affected, and promote the efficient use and development of the electric systems of Xcel and Sioux Valley. 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 9th day of February, 2005.

<p>CERTIFICATE OF SERVICE</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>2/10/05</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Robert K. Sahr
ROBERT K. SAHR, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner