

## SERVICE RIGHTS EXCEPTION AGREEMENT

Central Electric Cooperative, Inc., of Mitchell, South Dakota, hereinafter referred to as "Central" and the City of Plankinton, hereinafter referred to as "City," hereby request a service rights exception within their electric boundaries, as follows:

1. Floyd A. Noble and Sandra L. Noble, d/b/a Cabin Fever Motel and RV Park, Plankinton, South Dakota, have constructed a sign which requires electric service. This sign is located on the north side of Interstate 90 at Exit 308, which is located within the assigned electric service territory of the City.

2. The Cabin Fever sign has been constructed adjacent to an existing Central Electric Service line and is some distance from the nearest City line.

3. City and Central agree that the public interests would be served by Central providing electric service to the sign. Specifically, the parties would avoid unnecessary duplication of facilities and Central Electric would provide adequate electric service to the Cabin Fever sign and the arrangement would promote the efficient and economical use and development of the electric systems.

4. The Cabin Fever sign is located within the following legal description:

Lot D of F & S Noble's First Addition, a subdivision of the unplatted portion of the North Half (N ½) of the Southeast Quarter (SE 1/4) of Section Twenty-Two (22), and the unplatted portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-Two (22), all lying east of Main Street of the City of Plankinton, Township One Hundred Three (103) North, Range Sixty-four (64) West of the 5<sup>th</sup> P.M., Aurora County, South Dakota;

5. The owners of the sign and real property upon which the sign is located are Floyd A. Noble and Sandra L. Noble. Floyd A. Noble and Sandra L. Noble freely and voluntarily consent to the agreement contained herein, as evidenced by their signatures below.

6. The City and Central understand and agree that the electric service to be transferred from the City to Central shall be limited to the service to the Cabin Fever sign which is located in the most southern portion of the legal description set forth in paragraph 4, above.

7. The City and Central understand and agree that this agreement SHALL CONSTITUTE AN APPLICATION OR PETITION REGARDING THEIR MUTUAL AGREEMENT AND THAT IT SHALL BE SUBMITTED TO THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION FOR APPROVAL. THE PARTIES SPECIFICALLY REQUEST THAT THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION APPROVE THIS SERVICE RIGHTS EXCEPTION.

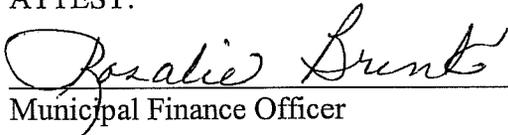
8. The City and Central further agree that this exchange does not establish a precedent for future service rights or territory exceptions, and, it is further agreed that this agreement does not modify any other territorial agreement, which may exist between the parties.

This agreement is conditioned upon the approval of the Commission.

Dated this 25<sup>th</sup> day of Oct, 2004.

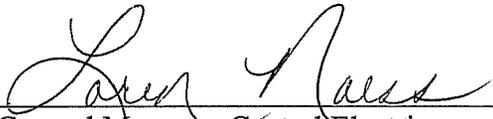
  
\_\_\_\_\_  
Mayor, City of Plankinton

ATTEST:

  
\_\_\_\_\_  
Municipal Finance Officer

(SEAL)

Dated this 2 day of November, 2004.

  
\_\_\_\_\_  
General Manager, Central Electric

Dated this 2 day of November, 2004.

  
\_\_\_\_\_  
Floyd A. Noble

  
\_\_\_\_\_  
Sandra L. Noble

STEELE & STEELE, P.C.

RECEIVED

Attorneys-at-law  
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P.O. Box 577

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SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Susan N. Steele, Lawyer  
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Lola Mae Cranny, Legal Assistant & Office Manager

Telephone 605-942-7725  
Fax 605-942-7641

March 4, 2005

Pam Bonrud, Executive Officer  
Public Utilities Commission  
500 East Capital  
Pierre, SD 57501

Dear Pam:

Please find enclosed an original SERVICE RIGHTS EXCEPTION AGREEMENT and ten copies of the same. This AGREEMENT has been entered into by and between Central Electric Cooperative, Inc., the City of Plankinton, and land owners Floyd and Sandra Noble, doing business as Cabin Fever Motel and RV Park.

As set forth in paragraph 7 of the AGREEMENT, the parties understand that this AGREEMENT shall constitute an application or petition regarding their mutual agreement and that it shall be submitted to the South Dakota Public Utilities Commission for approval.

Please schedule the SERVICE RIGHTS EXCEPTION AGREEMENT at the next convenient PUC meeting. Please also feel free to give a call with any questions you may have.

Thank you for your assistance with this matter.

Sincerely,

STEELE & STEELE, P.C.



Susan N. Steele

SNS:lmc  
Enc.