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MAY 01 2006

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

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MARGO D. NORTHRUP, Associate

April 27, 2006

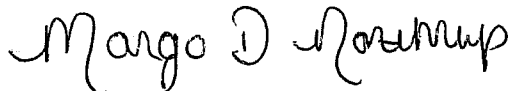
Patty Van Gerpen
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

Re: IN THE MATTER OF THE PETITION FOR DESIGNATION OF MONTANA-
DAKOTA UTILITIES CO. AS ELECTRIC SERVICE PROVIDER FOR THE
NEW NORTH CENTRAL FARMERS ELEVATOR LOCATION IN
BOWDLE, SOUTH DAKOTA, AS A LARGE LOAD CUSTOMER

Dear Patty:

Enclosed herein are original and ten (10) copies of the Petition to Intervene of FEM for filing in the above reference docket.

Sincerely yours,



Margo D. Northrup
Attorney at Law

MDN/ea

Enclosures

CC: Client
Dave A. Gerdes
Carlyle E. Richards

MAY 01 2006

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION
FOR DESIGNATION OF MONTANA-
DAKOTA UTILITIES CO. AS ELEC-
TRIC SERVICE PROVIDER FOR THE
NEW NORTH CENTRAL FARMERS
ELEVATOR LOCATION IN BOWDLE,
SOUTH DAKOTA, AS A LARGE LOAD
CUSTOMER.

Docket Number EL06-011

PETITION TO INTERVENE OF
FEM

FEM Electric Association, Inc. ("FEM"), a member system of East River Electric Power Cooperative ("East River"), hereby petitions to intervene as a party in this matter pursuant to ARSD 20:10:01:15.02 and objects to the petition of Montana Dakota Utilities ("Montana-Dakota") to be designated as the electric supplier for North Central Farmers Elevator ("North Central") located in Bowdle, South Dakota.

In support of this Petition, FEM states that it is an interested party in Docket EL06-011, for the following reasons:

1. The proposed site of the new grain handling/multi-unit train loading facility ("North Central Facility") is within the exclusive assigned service territory of FEM.
2. FEM has served the site continuously for many years, including service prior to March 21, 1975.
3. FEM can and is willing to furnish an adequate and reliable electrical supply to the North Central Facility with minimal construction of facilities.

4. The electrical service is not a large load as designated in SDCL § 49-34A-56.

5. FEM can furnish electrical service to the North Central Facility at favorable rates.

6. FEM has designated facilities in close proximity from which electric services of the type required may be delivered.

7. North Central has chosen FEM as its provider and has entered into an Electrical Service Agreement with FEM.

FEM disagrees with the allegations contained in Montana-Dakota's Petition. FEM disputes the application of SDCL § 49-34A-56 to this facility, for the following reasons:

1. The North Central Facility is not a large load, as defined in SDCL § 49-34A-56, and Montana-Dakota's petition is thus improper.

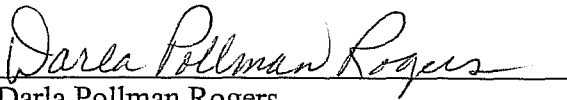
2. The North Central Facility is located within FEM's assigned service territory, and North Central has entered into an Electrical Service Agreement with FEM.

3. To apply SDCL § 49-34A-56 in the manner advocated by Montana-Dakota in its Petition would completely erode and undermine the South Dakota Territorial Integrity Act.

Accordingly, FEM objects to the Montana-Dakota petition. FEM has not agreed to allow Montana-Dakota to provide service to this customer, which is within its assigned service area, and FEM seeks the opportunity to present evidence that FEM is the appropriate provider of electrical service to the North Central Facility.

WHEREFORE, FEM requests that the Commission grant its Petition and allow it to intervene and be granted party status in this proceeding.

Dated this twenty-seventh day of April, 2006.



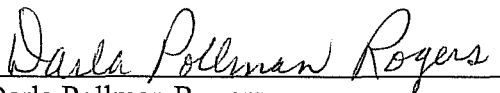
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition to Intervene was served via the method(s) indicated below, on the twenty-seventh day of April, 2006, addressed to:

South Dakota Public Utilities Commission	(X)	First Class Mail
500 East Capitol Avenue	()	Hand Delivery
Pierre, South Dakota 57501	()	Facsimile
	()	Overnight Delivery
	()	E-Mail
	()	Electronic Delivery
David A. Gerdes	(X)	First Class Mail
May, Adam, Gerdes & Thompson	()	Hand Delivery
503 S. Pierre Street	()	Facsimile
P. O. Box 160	()	Overnight Delivery
Pierre, South Dakota 57501	()	E-Mail
	()	Electronic Delivery
Carlyle E. Richards	(X)	First Class Mail
Richards & Oliver	()	Hand Delivery
P. O. Box 114	()	Facsimile
Aberdeen, South Dakota 57402	()	Overnight Delivery
	()	E-Mail
	()	Electronic Delivery

Dated this twenty-seventh day of April, 2006.



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