



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

**IN THE MATTER OF THE)
APPLICATION OF BLACK HILLS) Docket No. EL09-018
POWER, INC., FOR AUTHORITY TO)
INCREASE ITS ELECTRIC RATES) **JOINT MOTION FOR APPROVAL OF
SETTLEMENT STIPULATION****

COME NOW, Black Hills Power, Inc. (“BHP”), and the Staff of the South Dakota Public Utilities Commission (“Commission Staff”), jointly referred to as “Parties,” and request that the South Dakota Public Utilities Commission (“Commission”) adopt the attached Settlement Stipulation (“Settlement Stipulation”) as the settlement and resolution of all of the issues in this proceeding.

In support of this Motion, the Parties submit as follows:

- 1. This Motion is made pursuant to ARSD 20:10:01:19.
- 2. The Settlement Stipulation represents a negotiated settlement of all of the issues in Docket No. EL09-018.

The terms of the Settlement Stipulation agreed upon are just, fair and reasonable and consistent with South Dakota law. The Parties respectfully request that intervenors Liliias Jarding, Bobbie Handy, Carla Cock, and the South Dakota Peace and Justice Center (collectively the “Residential Consumers Coalition” or “RCC”) be allowed the opportunity to comment on the Settlement Stipulation, consistent with S.D.C.L. § 49-34A-13.1, and in accordance with South Dakota law, and that the Commission approve the Settlement Stipulation.

WHEREFORE, for the foregoing reasons, the undersigned parties jointly request the South Dakota Public Utilities Commission to: 1) adopt the attached Settlement Stipulation

without modification for the purposes of resolving all issues in this rate proceeding, and 2) enter an Order finding that the attached Settlement Stipulation results in just and reasonable rates for customers of Black Hills Power.

Dated this 14th day of May, 2010.

BLACK HILLS POWER, INC.

SOUTH DAKOTA PUBLIC UTILITIES
COMMISSION STAFF

By: Tal R

By: Karen E. Bremer

Its: Attorney

Its: Attorney