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*South Dakota*

**PUBLIC UTILITIES COMMISSION**

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May 11, 2012

Patricia Van Gerpen  
Executive Director  
SD Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

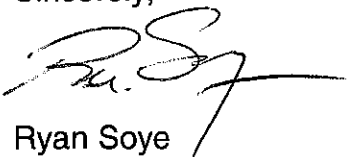
**Re: EL11-001 - In the Matter of the Petition of Black Hills Power, Inc. to Establish an Environmental Measures Cost Recovery Tariff**

Dear Ms. Van Gerpen:

On January 25, 2011, the Public Utilities Commission (Commission) received a petition from Black Hills Power, Inc. (BHP) requesting the Commission approve an Environmental Improvement Adjustment (EIA) tariff mechanism pursuant to SDCL 49-34A, Sections 97 through 100. On June 17, 2011, the Commission issued its *Order Approving Joint Motion For Settlement Stipulation And Approving Tariffs*, which was jointly filed by BHP and Commission Staff to establish the EIA and resolve all issues in the docket.

As part of the EL11-001 Settlement Stipulation, BHP agreed to file an Annual Report of South Dakota Jurisdictional Earnings (Report) by June 1<sup>st</sup> of each year, beginning 2012. However, this June 1<sup>st</sup> submission date coincides with the June 1<sup>st</sup> effective date for the annual EIA rate adjustments. As it stands, the Commission cannot utilize the information contained in the Report to assist in its review and decision on the annual rate adjustment. In order to remedy this time disparity, BHP and Commission Staff have agreed to amend the EL11-001 Settlement Stipulation according to the Amendment to Settlement Stipulation attached hereto. Commission Staff requests Commission approval of this amendment in order to modify the annual submission date for the Report.

Sincerely,

  
Ryan Soye