

Service Territory Agreement between Xcel Energy and SE Coop

CONTRACT IN THE MATTER
OF THE ESTABLISHMENT OF AN
ASSIGNED SERVICE AREA

THIS CONTRACT, made this 29 day of January, 1976, by and between NORTHERN STATES POWER COMPANY and LINCOLN-UNION ELECTRIC COMPANY, pursuant to SDCL 49-34A.

Recitals

The parties to this contract are each an "electric utility" as that term is defined in SDCL 49-34A-1(7).

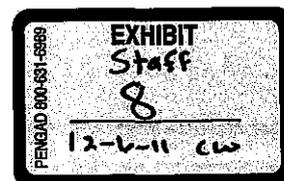
Northern States Power Company and Lincoln-Union Electric Company acknowledge that both electric utilities operate electric systems, portions of which lie in the same general geographical area and pursuant to SDCL 49-34A agree that it is in the public interest that such electric utilities shall negotiate designated service areas and customers to be served and have prepared a map attached hereto as Exhibit "A" to accurately and clearly show the boundaries of such areas of each electric utility.

The parties hereto further agree that it is in the public interest to eliminate or avoid unnecessary duplication of electric utility facilities, to promote the efficient and economical use and development of the electric systems of the parties to this contract and to provide adequate electric service to all areas and customers affected.

The parties hereto further agree that when applicable, due consideration has been given to the conditions as set out in SDCL 49-34A-43 and SDCL 49-34A-44.

Each party to this contract specifically indicates its willingness and good faith intent to provide adequate and dependable electric service in the area to be assigned.

It is the purpose of this writing to set forth certain



basic policies which will serve to guide the parties hereto in their relationship to the designated service area as depicted by the prepared map attached hereto as Exhibit "A" and incorporated into this contract as a part hereof.

NOW, WHEREFORE, the parties agree as follows:

That this contract provides for a mutually agreeable delineation of designated service area, for the area shown on Exhibit "A", involving distribution lines and does not involve transmission lines.

Exhibit "A", a map, clearly and accurately depicts the designated service area of each electric utility for the area shown in Exhibit "A".

It is understood and agreed by and between the parties hereto that irrespective of and notwithstanding the territories agreed upon by the parties hereto, each of the parties hereto shall have the exclusive right to continue providing electric service at retail to each and every location where it was serving a customer as of March 21, 1975.

This contract is made subject to all applicable rules, regulations, and orders, now or hereafter in force, of said South Dakota Public Utilities Commission.

Each person signing this contract warrants that he has the proper authority to bind his respective corporation.

It is mutually agreed and understood between the parties that this contract is not binding upon either of the parties to the contract until the contract has been approved in its present form by the South Dakota Public Utilities Commission.

It is mutually understood and agreed by and between the parties submitting this map, Exhibit "A", pursuant to SDCL 49-34A-44 that the descriptions, Exhibit "B", which are attached

to the map are not controlling if there is any conflict between the written description of areas and the map submitted. In each instance where there is a conflict between the map, Exhibit "A", and the written description, the map shall in all respects be conclusive proof of the assigned service area of each utility.

It is further understood and agreed by and between the parties hereto that nothing in this contract shall be construed to abrogate or set aside existing franchises of either of the parties to this contract, and it is further understood that notwithstanding any terms or provisions of this contract, either of the parties to this contract may extend electric lines for electric service to its own utility property and facilities as is allowed by SDCL 49-34A-57.

It is further understood and agreed by and between the parties to this contract that neither of the parties to this contract waives any right it may have to new customers as a result of the provisions of SDCL 49-34A-56.

It is further understood and agreed by and between the parties to this contract that this contract shall not in any way alter or diminish the right that each of the parties to this contract has under SDCL 49-34A-42 to, as an electric utility, extend its facilities through the assigned service area of another electric utility if the extension is necessary to facilitate the electric utility connecting its facilities or customers within its own assigned service area.

This contract will be submitted to the Public Utilities Commission for approval and that the territories agreed upon by the parties hereto will become the exclusive and sole territories of the respective parties following approval by the Public Utilities Commission pursuant to SDCL 49-34A-43.

Dated at Sioux Falls, South Dakota, this 29
day of January, 1976.

LINCOLN-UNION ELECTRIC COMPANY

By Herbert A. Wahl
Herbert A. Wahl
Its Manager

NORTHERN STATES POWER COMPANY

By Darrell D. Butterwick
Darrell D. Butterwick
General Manager
Sioux Falls Division

ATTEST:

C. V. Graham
~~Secretary~~
Witness

ATTEST:

John J. Johnson
Witness

Shown below is description of electric service area boundaries as agreed upon by Lincoln-Union Electric Company and Northern States Power Company and as shown on the attached General Highway Map of Minnehaha County, South Dakota:

AREA BOUNDARY AREA ALONG WEST PART OF COUNTY

1. Beginning at the center point of section 33, R50W, T101N.
2. Then east one quarter mile to the east quarter mile line of section 33, R50W, T101N.
3. Then south along east quarter mile line to the south quarter mile line of section 33, R50W, T101N.
4. Then east along the south quarter mile line to the half mile line of section 34, R50W, T101N.
5. Then north to the center point of section 34, R50W, T101N.
6. Then east along half mile line to the east section line of section 34, R50W, T101N.
7. Then south along section line to the south quarter mile line of section 34, R50W, T101N.
8. Then east along the south quarter mile line to the east quarter mile line of section 35, R50W, T101N.
9. Then south along the east quarter mile line to the south section line of section 35, R50W, T101N.

CENTER BOUNDARY AREA ALONG SOUTH PART OF COUNTY

1. Beginning at the west quarter mile line on the south section line of section 36, R49W, T101N.
2. Then north along west quarter mile line to the south quarter mile line of section 36, R49W, T101N.
3. Then east along south quarter mile line to the half mile line of section 36, R49W, T101N.
4. Then north along half mile line to the center point of section 36, R49W, T101N.
5. Then east along half mile line one mile to the center point of section 31, R48W, T101N.
6. Then south along half mile line to the south quarter mile line of section 31, R48W, T101N.
7. Then east along south quarter mile line to the east quarter mile line of section 31, R48W, T101N.
8. Then south along the east quarter mile line to the south section line of section 31, R48W, T101N.

EAST BOUNDARY AREA ALONG SOUTH PART OF COUNTY

1. Beginning at the half mile line on the east quarter mile line of section 32, R48W, T101N.
2. Then south along the east quarter mile line to the south section line of section 32, R48W, T101N.

Exhibit B page 2

Shown below is a description of electric service area boundaries as agreed upon by Lincoln-Union Electric Company and Northern States Power Company and as shown on the attached General Highway Map of Turner County, South Dakota:

NORTH AREA OF COUNTY

1. Beginning at the center point of section 12, R52W, T99N.
2. Then south along half mile line to center point of section 24, R52W, T99N.
3. Then east along half mile line to east section line of section 24, R52W, T99N.

CENTER AREA OF COUNTY

1. Beginning at the center point of section 33, R52W, T99N.
2. Then east along half mile line three quarter miles to the west quarter mile line of section 34, R52W, T99N.
3. Then north along quarter mile line one mile to the half mile line of section 27, R52W, T99N.
4. Then east along half mile line to east section line of section 27, R52W, T99N.
5. Then south along section line to southeast corner of section 27, R52W, T99N.
6. Then east one quarter mile along section line.
7. Then south along quarter mile line to the north quarter mile line of section 2, R52W, T98N.
8. Then east along quarter mile line to east section line of section 1, R52W, T98N.
9. Then south along section line one quarter mile to east center of section 1, R52W, T98N.

SOUTH AREA OF COUNTY

1. Beginning at the center point of section 34, R52W, T96N.
2. Then east along half mile line one and one half miles to east section line of section 35, R52W, T96N.
3. Then north along section line to northwest corner of section 36, R52W, T96N.
4. Then east along section line one half mile.
5. Then north along half mile line one and one half miles to center point of section 24, R52W, T96N.
6. Then west along half mile line one mile to center point of section 23, T52W, T96N.
7. Then north along half mile line one half mile to north section line of section 23, R52W, T96N.
8. Then west one half mile to southwest corner of section 14, R52W, T96N.
9. Then north along section line one half mile to west center of section 14, R52W, T96N.

Exhibit B page 3

Shown below is description of electric service area boundaries agreed upon by Lincoln-Union Electric Company and Northern States Power Company and as shown on the attached General Highway Map of Lincoln County, South Dakota:

LENNOX AREA - FERRY AND GRANT TOWNSHIP

1. Beginning at the west center of section 19, R51W, T99N.
2. Then east to center point of section 19, R51W, T99N.
3. Then north along half mile line one quarter mile.
4. Then east two miles along the north quarter mile line to the half mile line of section 21, R51W, T99N.
5. Then south one and one-half miles along half mile line to the south quarter mile line of section 28, R51W, T99N.
6. Then east along quarter mile line one-half mile to section line.
7. Then south along the section line three quarter miles to the east center of section 33, R51W, T99N.
8. Then west one half mile to the center point of section 33, R51W, T99N.
9. Then south along half mile line one and one quarter miles to south quarter mile line in section 4, R51W, T98N.
10. Then west one mile along quarter mile line to the half mile line of section 5, R51W, T98N.
11. Then north on half mile line to the center point of section 5, R51W, T98N.
12. Then west along the half mile line one and one-half miles to the west center of section 6, R51W, T98N to county line.
13. Then north along county line for one quarter mile.

CANTON AREA - CANTON TOWNSHIP

1. Beginning at the state line on the south quarter mile line of section 25, R49W, T98N.
2. Then west along quarter mile line to the half mile line of section 26, R49W, T98N.
3. Then south to center point of section 35, R49W, T98N.
4. Then west along half mile line one mile to the center point of section 34, R49W, T98N.
5. Then north two miles to the center point of section 22, R49W, T98N.
6. Then west one-half mile to the west center of section line.
7. Then north one-half mile along section line to northwest corner of section 22, R49W, T98N.
8. Then east along section line one quarter mile.
9. Then north one and one quarter miles along west quarter mile line to the south quarter mile line of section 10, R49W, T98N.
10. Then east along quarter mile line to east section line of section 10, R49W, T98N.
11. Then north along section line to the half mile line.
12. Then east one and one quarter miles to the west quarter mile line of section 12, R49W, T98N.
13. Then south along the quarter mile line to the north quarter mile line in section 13, R49W, T98N.
14. Then east along quarter mile line to the half mile line of section 17, R48W, T98N.
15. Then south to the center point of section 17, R48W, T98N.
16. Then east along the half mile line to state line.

Shown below is description of electric service area boundaries agreed upon by Lincoln-Union Electric Company and Northern States Power Company and as shown on the attached General Highway Map of Lincoln County, South Dakota:

1. Beginning at the north center line of section 7, R50W, T100N.
2. Then south to the center point of section 7, R50W, T100N.
3. Then east along the half mile line to the center of I29 in section 7, R50W, T100N.
4. Then south along center of I29 to Junction of Highway 229 in section 18, R50W, T100N.
5. Then northeast along Highway 229 to the section line between sections 8 and 9, R50W, T100N.
6. Then south along the section line to the north quarter mile line between sections 16 and 17, R50W, T100N.
7. Then east along quarter mile line to the west quarter mile line of section 16, R50W, T100N.
8. Then south along the west quarter mile line one-half mile to the south quarter mile line of section 16, R50W, T100N.
9. Then west along the south quarter mile line to the half mile line of section 17, R50W, T100N.
10. Then north along the half mile line to the north section line of section 17, R50W, T100N.
11. Then west along section line to the east quarter mile line of section 18, R50W, T100N.
12. Then south along the east quarter mile line to south section line of section 18, R50W, T100N.
13. Then west along the section line to the center of I29.
14. Then south on I29 to the south quarter mile line in section 19, R50W, T100N.
15. Then east along the south quarter mile line to the east quarter mile line of section 19, R50W, T100N.
16. Then south along the quarter mile line to the north quarter mile line of section 30, R50W, T100N.
17. Then west along the north quarter mile line to the center of I29 in section 30, R50W, T100N.
18. Then south along the center of I29 to the south quarter mile line of section 30, R50W, T100N.
19. Then west along the south quarter mile line to the west quarter mile line of section 25, R51W, T100N.
20. Then south along the west quarter mile line to the south section line of section 25, R51W, T100N.
21. Then west to the northwest corner of section 25, R51W, T100N.
22. Then north along the section line one-half mile to the east center of section 26, R51W, T100N.
23. Then west along the half mile line to the west quarter mile line of section 26, R51W, T100N.
24. Then north along the west quarter mile line to the north quarter mile line in section 26, R51W, T100N.
25. Then west along the north quarter mile line to the half mile line of section 27, R51W, T100N.
26. Then south along the half mile line to the center point of section 34, R51W, T100N.
27. Then east one-half mile to the east section line of section 34, R51W, T100N.
28. Then north along the section line to the northeast corner of section 34, R51W, T100N.
29. Then east along the section line one-eighth mile.

Descriptions continued

Description of electric service area boundaries agreed upon by Lincoln-Union Electric Company and Northern States Power Company continued.

30. Then south along the west one-eighth mile line to the half mile line of section 35, R51W, T100N.
31. Then east along the half mile line to the east quarter mile line of section 35, R51W, T100N.
32. Then north along the east quarter mile line to the north quarter mile line of section 35, R51W, T100N.
33. Then east along the north quarter mile line to the west quarter mile line of section 36, R51W, T100N.
34. Then south along the west quarter mile line to the half mile line of section 36, R51W, T100N.
35. Then east along the half mile line to the east section line of section 36, R51W, T100N.
36. Then north along the section line to the northeast corner of section 36, R51W, T100N.
37. Then east along the section to the west quarter mile line of section 31, R50W, T10
38. Then south along the west quarter mile line to the north quarter mile line of section 31, R50W, T100N.
39. Then east along the north quarter mile line to the half mile line of section 32, R50W, T100N.
40. Then south along the half mile line to the center point of section 5, R50W, T99N.
41. Then east along the half mile line to the center point of section 4, R50W, T99N.
42. Then north along the half mile line to the center point of section 33, R50W, T100N.
43. Then east along the half mile line to the center point of section 34, R50W, T100N.
44. Then north along the half mile line to the north quarter mile line in section 34, R50W, T100N.
45. Then east along the north quarter mile line to the half mile line of section 35, R50W, T100N.
46. Then south along the half mile line to the center point of section 2, R50W, T99N.
47. Then east along the half mile line to the east section line of section 2, R50W, T99N.
48. Then south along the section line to the half mile line of section 11, R50W, T99N.
49. Then west along the half mile line to the center point of section 11, R50W, T99N.
50. Then north one quarter mile to the north quarter mile line of section 11, R50W, T9
51. Then west along the north quarter mile line to the half mile line of section 10, R50W, T99N.
52. Then south one quarter mile to the center point of section 10, R50W, T99N.
53. Then west along the half mile line to the center point of section 9, R50W, T99N.
54. Then south along the half mile line to the south section line of section 16, R50W, T99N.
55. Then east one quarter mile along the section line.
56. Then south along the east quarter mile line to the north quarter mile line of section 28, R50W, T99N.
57. Then west to the half mile line of section 28, R50W, T99N.
58. Then south one quarter mile to the center point of section 28, R50W, T99N.
59. Then east one half mile to the east section line of section 28, R50W, T99N.
60. Then south along the section line to the southeast corner of section 28, R50W, T99N.
61. Then west one quarter mile along section line.
62. Then south along the east quarter mile line to the north quarter mile line in section 33, R50W, T99N.

Descriptions continued

Exhibit B page 6

Description of electric service area boundaries agreed upon by Lincoln-Union Electric Company and Northern States Power Company continued.

63. Then west along north quarter mile line to the half mile line of section 33, R50W, T99N.
64. Then south one quarter mile to the center point of section 33, R50W, T99N.
65. Then west one mile to the center point of section 32, R50W, T99N.
66. Then south along the half mile line to the north quarter mile line in section 8, R50W, T98N.
67. Then east along the north quarter mile to the west quarter mile line in section 10, R50W, T98N.
68. Then north along the west quarter mile line to the half mile line of section 3, R50W, T98N.
69. Then east along the half mile line to the east quarter mile line in section 3, R50W, T98N.
70. Then north along the east quarter mile line to the half mile line of section 34, R50W, T99N.
71. Then west along the half mile line to the west quarter mile line of section 34, R50W, T99N.
72. Then north along the west quarter mile line to the half mile line in section 27, R50W, T99N.
73. Then east along the half mile line to the center point of section 27, R50W, T99N.
74. Then north along the half mile line to the center point of section 22, R50W, T99N.
75. Then west along the half mile line to the west quarter mile line of section 22, R50W, T99N.
76. Then north along the west quarter mile line to the south quarter mile line of section 15, R50W, T99N.
77. Then east along the south quarter mile line to the east section line of section 15, R50W, T99N.
78. Then south to the southwest corner of section 14, R50W, T99N.
79. Then east one half mile along section line.
80. Then north one half mile to the center point of section 14, R50W, T99N.
81. Then east along the half mile line to the center point of section 13, R50W, T99N.
82. Then north along the half mile line to the north quarter mile line of section 13, R50W, T99N.
83. Then east one half mile to the east section line of section 13, R50W, T99N.
84. Then north along the section line to the half mile line of section 12, R50W, T99N.
85. Then west along the half mile line to the center point of section 12, R50W, T99N.
86. Then north one mile along the half mile line to the center point of section 1, R50W, T99N.
87. Then east along the half mile line to the west quarter mile line of section 6, R49W, T99N.
88. Then north along the west quarter mile line to the south quarter mile line in section 31, R49W, T100N.
89. Then east along the south quarter mile line to the half mile line of section 31, R49W, T100N.
90. Then north along half mile line to the center point of section 30, R49W, T100N.
91. Then west along the half mile line to the west section line of section 30, R49W, T100N.
92. Then north along the section line to the north quarter mile line of section 25, R50W, T100N.
93. Then west along the north quarter mile line to the east quarter mile line of section 25, R50W, T100N.
94. Then north along the east quarter mile line to the south quarter mile line of section 24, R50W, T100N.

Descriptions continued

Exhibit B page 7

Description of electric service area boundaries agreed upon by Lincoln-Union Electric Company and Northern States Power Company continued.

95. Then east along the south quarter mile line to the half mile line in section 19, R49W, T100N.
96. Then north along the half mile line to the north quarter mile line in section 19, R49W, T100N.
97. Then east along the north quarter mile line to the east quarter mile line in section 20, R49W, T100N.
98. Then north along the east quarter mile line to the half mile line of section 17, R49W, T100N.
99. Then west along the half mile line to the center point of section 13, R50W, T100N.
100. Then north along the half mile to the north quarter mile line of section 13, R50W, T100N.
101. Then west along the north quarter mile line to the west section line of section 13, R50W, T100N.
102. Then north along the section line to the south quarter mile line of section 12, R50W, T100N.
103. Then east along the south quarter mile line to the half mile line of section 12, R50W, T100N.
104. Then north one quarter mile to the center point of section 12, R50W, T100N.
105. Then east along the half mile line to the center point of section 7, R49W, T100N.
106. Then north along half mile line to the north quarter mile line of section 7, R49W, T100N.
107. Then east along the north quarter mile line to the west quarter mile line of section 8, R49W, T100N.
108. Then north along the west quarter mile line to the county line of section 8, R49W, T100N.

exhibit B page 8

Shown below is description of electric service area boundaries agreed upon by Lincoln-Union Electric Company and Northern States Power Company and as shown on the attached General Highway Map of Lincoln County, South Dakota:

SECTIONS 9 and 10, SPRINGDALE TOWNSHIP - LINCOLN COUNTY

1. Beginning at the north half mile line on county line of section 9, R49W, T100N.
2. Then south one half mile to the center point of section 9, R49W, T100N.
3. Then east along the half mile line to the center point of section 10, R49W, T100N.
4. Then north along the half mile line to the county line of section 10, R49W, T100N.

SECTIONS 16 and 17, SPRINGDALE TOWNSHIP - LINCOLN COUNTY

1. Beginning on the east quarter mile line along section line between section 17 and 20 R49W, T100N.
- * 2. Then east along section line to the west quarter mile line of section 16, R49W, T100N.
- * 3. Then north along the west quarter mile line to the north section line of section 16, R49W, T100N.
4. Then east one half mile to the east quarter mile line of section 16, R49W, T100N.
5. Then south along the east quarter mile line to the north quarter mile line of section 16, R49W, T100N.
6. Then east along the north quarter mile line to the east section line of section 16, R49W, T100N.
7. Then south along the section line to the south quarter mile line of section, R49W, T100N.
8. Then west along the south quarter mile line to the west quarter mile line of section 16, R49W, T100N.

NOTE: * = Included within the above service area boundaries is a "Contract In The Matter Of The Establishment Of An Assigned Service Area" contract between Lincoln Union Electric Company and Northern States Power Company and approved by the South Dakota Public Utilities Commission on December 17, 1975 and said copy of contract and SD P.U.C. order of approval (8157) is hereby attached.