

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

In the Matter of the Application
Of Black Hills Power, Inc. for
Authority to Increase its Electric
Rates

Docket No. EL12-061

**Petition to Intervene
of Wal-Mart Stores, Inc.
and Sam's West, Inc.**

Wal-Mart Stores, Inc. and Sam's West, Inc. (collectively, "Walmart"), by and through its undersigned counsel and pursuant to South Dakota Codified Law ("SDCL") § 49-34A-13.1 and the Administrative Rules of South Dakota ("A.R.S.D.") 20:10:01:15.02 and 20:10:01:15.03, hereby petition the Commission for leave to intervene as parties in the above-captioned matter.

In support of this petition, Walmart states as follows:

1. A.R.S.D. 20:10:01:15:03 provides that "a petition to intervene shall set out clearly and concisely the facts supporting the petitioner's alleged interest in the proceeding and, to the extent known, the position of the petitioner in the proceeding."

2. On December 17, 2012, Black Hills Power, Inc. ("Black Hills") filed an Application in the above-titled Docket, to make changes in its charges for electric services provided to its South Dakota customers.

3. Walmart is a large retailer with its offices located at 2001 SE 10th Street, Bentonville, Arkansas 72716-0550. Walmart has fifteen facilities and over 4,700 associates in South Dakota. These facilities include Supercenters, Sam's Clubs, and a gas station. Four of these facilities take electric service from Black Hills.

3. Walmart is an electric customer of Black Hills and will be directly and substantially affected by the electric rates charged by Black Hills to Walmart facilities. As a large commercial Black Hills customer who has heavily invested in energy efficiency and

demand-side management technology, Walmart has direct financial interests in all cost of service, rate design, and policy determinations to be considered and determined by the Commission in this proceeding.

4. Walmart's interest in the outcome of this proceeding will not be adequately represented by any other party, nor will Walmart's participation delay this proceeding as Walmart does not request any changes to the Procedure Schedule in this Docket.

5. Walmart timely requests intervention in this proceeding.

6. A copy of this petition to intervene in this proceeding has been served all on parties to this proceeding. Copies of all notices, orders or pleadings in this proceeding should be served on:

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WHEREFORE, for the reasons set forth above, Walmart requests that the South Dakota Public Utilities Commission grant this timely Petition to Intervene and permit Walmart to participate in this proceeding with full rights as a party.

Respectfully submitted,

/s/ Kevin E. Burr

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