

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

IN THE MATTER OF THE REQUEST FOR *
A DECLARATORY RULING REGARDING THE * RESISTANCE OF CODINGTON-
ELECTRIC SERVICE TERRITORY BOUNDARY * CLARK ELECTRIC COOPERATIVE
BETWEEN NORTHWESTERN ENERGY AND * TO PETITION
CODINGTON-CLARK ELECTRIC *
COOPERATIVE, INC. * EL12-040

Codington-Clark Electric Cooperative, Inc., resists the
Petition of NorthWestern Energy which seeks to revise the
service territory maps between NorthWestern and Codington-
Clark, for the following reasons:

1. The assignment of service territories and the service
territory maps were provided for in SL 1975, Chap. 283. Section
33 provided:

Section 33. On or before twelve months from the effective
date of this Act, the commission shall, after notice and
hearing, establish the assigned service area or areas of each
electric utility and shall prepare or cause to be prepared a
map or maps to accurately and clearly show the boundaries of
the assigned service area of each electric utility. Any
electric utility which feels itself aggrieved by reason of an
assignment of a service area may protest such assignment
within a ninety-day period after issuance of the map of the
assigned service areas by the commission and the commission
shall have the power, after hearing, to revise or vacate such
assigned service area or portions thereof consistent with the
provisions of sections 32 to 37, inclusive, of this Act.

NorthWestern's request comes twenty six years after the
service area maps were drawn.

2. Codington-Clark serves a home site within the area which
will be included in NorthWestern's service area, if the map is
redrawn as requested by NorthWestern. The home site is within
Codington-Clark's service area under the service area map as now
drawn.

3. Filed herewith is the Affidavit of Dave Eide.

WHEREFORE, Codington-Clark Electric Cooperative, Inc., requests that the petition of NorthWestern Energy be denied.

Dated this 29th day of June, 2012.


BURNS LAW OFFICE

BY 

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CERTIFICATE OF SERVICE

Thomas F. Burns, attorney for Codington-Clark Electric Cooperative, Inc., in the above-entitled matter, hereby certifies that he served by mailing, by first-class mail, a true, correct and complete copy of the foregoing and the Affidavit of Dave Eide upon Heather H. Grahame, 208 N. Montana Avenue, Suite 205, Helena, MT 59601, and sent the same documents by e-mail to each person on the Service List attached hereto, all on June 29, 2012.



Thomas F. Burns

Commission Dockets | [previous page](#)

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EL12-040

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