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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE PETITION  
FOR ELECTRICAL SERVICE BY DA-  
KOTA ACCESS, LLC TO HAVE  
NORTHWESTERN ENERGY AS-  
SIGNED AS ITS ELECTRIC PROVIDER  
IN THE SERVICE AREA OF DAKOTA  
ENERGY COOPERATIVE, INC.

Docket Number EL15-023

PETITION TO INTERVENE OF  
NORTHERN ELECTRIC COOPERA-  
TIVE, INC.

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Northern Electric Cooperative, Inc. (“NEC”), hereby petitions to intervene as a party in this matter pursuant to SDCL 1-26-17.1 and ARSD §§ 20:10:01:15.02, 20:10:01:15.03 and 20:10:01:15.05 and objects to the petition of Dakota Access, LLC (“Dakota Access”) to have NorthWestern Energy (“NorthWestern Energy”) as the electric supplier for Dakota Access’s pump station (“Facility”) located in Spink County, South Dakota.

In support of this Petition, NEC states that it is an interested party in Docket EL15-023, for the following reasons:

1. The proposed site of the Facility is within the exclusive assigned service territory of NEC.
2. NEC has served the site continuously for many years, including service prior to March 21, 1975.
3. NEC can and is willing to furnish an adequate and reliable electrical supply to the Facility with minimal construction of facilities.
4. NEC can furnish electrical service to the Facility at favorable rates.

5. NEC has designated facilities in close proximity from which electric services of the type required may be delivered.

6. Although Dakota Access has chosen NorthWestern Energy as its provider and proposed to enter into an Electrical Service Agreement with NorthWestern Energy; this designation by itself is not determinative of which service provider is entitled to serve the Facility.


NEC disagrees with the allegations contained in Dakota Access's Petition. NEC disputes that the application of SDCL § 49-34A-56 to this facility, entitles NorthWestern Energy to serve the Facility for the following reasons:

1. The Facility is located within NEC's assigned service territory.
2. In applying the factors contained in SDCL § 49-34A-56, NEC should be the assigned service provider.

Accordingly, NEC objects to the Dakota Access and NorthWestern Energy petition. NEC has not agreed to allow NorthWestern Energy to provide service to this customer, who is within its assigned service area, and NEC seeks the opportunity to present evidence that NEC is the appropriate provider of electrical service to the Facility.

WHEREFORE, NEC requests that the Commission grant its Petition and allow it to intervene and be granted party status in this proceeding.

Dated this 23 day of June, 2015.

  
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