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March 2, 2017

Patricia Van Gerpen, Executive Director
SD-PUC
625 Ninth Street
Pierre, SD 57701

Re: Docket No. EL16-042

Dear Ms. Van Gerpen,

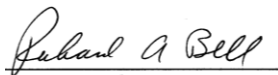
As you know, the Commission granted me a 90-day extension on the above-referenced docket on February 28, 2017. This extension was in response to my Petition to Intervene dated February 10, 2017 and assumed that a non-disclosure agreement (NDA) could be obtained with Black Hills Energy (BHE). However, I regret to inform you that such a NDA is unlikely to occur at this time because the terms and conditions of BHE's NDA are considered by me to be too onerous and restrictive.

Therefore, I am requesting access to the Confidential Information contained in this Docket in accordance with ARSD § 20:10:01:43.

I also ask that the 90-day extension be placed on hold until this information is determined to be confidential or not pursuant to § 20:10:01:42. After the confidentiality issue has been resolved, the the clock can then be resumed.

Please contact me at (216) 536-3994 if you would like to discuss this matter further.

Very truly yours,



Richard A. Bell, PE, CEM

cc: Jason S. Keil, Manager – Regulatory, BHE