

FEDERAL ENERGY  
REGULATORY COMMISSION  
400 First Street NE  
Washington, DC 20426

neopost<sup>®</sup>  
02/13/2019  
US POSTAGE \$000.50<sup>0</sup>



ZIP 20426  
041M12252370

Docket No.: ER19-633

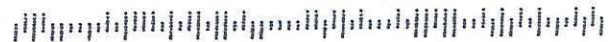
South Dakota Public Utilities Commission  
Secretary  
500 East Capitol  
Capitol BLDG  
Pierre, SD 57501-

**RECEIVED**

FEB 19 2019

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

5750185070 C012



FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, DC 20426

OFFICE OF ENERGY MARKET REGULATION

In Reply Refer To:  
NorthWestern Corporation  
Docket No. ER19-633-000

Issued: February 12, 2019

M. Andrew McLain  
Director – Transmission Market Strategy & FERC Compliance Officer  
NorthWestern Energy  
11 East Park  
Butte, Montana 59771

Reference: Rate Schedule No. 41-SD

On December 20, 2018, NorthWestern Corporation (NorthWestern) filed an Electric Service Agreement Emergency-Type Service (ESA) by and among NorthWestern, East River Electric Power Cooperative, Inc. (East River), and the City of Miller. You add that NorthWestern and the City of Miller have entered into a Purchase Agreement under which the City of Miller will purchase certain transmission facilities from NorthWestern. You further add that in order to maintain the ability of both NorthWestern and East River to provide emergency transmission to each other over the facilities to be transferred to the City of Miller, NorthWestern, East River, and the City of Miller have entered into a new three-party ESA. The ESA is accepted for filing, effective December 27, 2018, as requested.<sup>1</sup>

This filing was noticed on December 21, 2018, with comments, protests, or motions to intervene due on or before January 10, 2019. East River intervened, but provided no substantive comments. Notices of intervention and unopposed timely filed motions to intervene are granted pursuant to the operation of Rule 214 of the Commission's Rules of Practice and Procedure (18 C.F.R. § 385.214). Any opposed or untimely filed motion to intervene is governed by the provisions of Rule 214.

This action does not constitute approval of any service, rate, charge, classification, or any rule, regulation, contract, or practice affecting such rate or service provided for in the filed documents; nor shall such action be deemed as recognition of any claimed

<sup>1</sup> NorthWestern Corporation, FERC FPA Electric Tariff, Other Rate Schedules; Rate Schedule 41-SD, RS 41-SD - ESA with East River and City of Miller, L0,0

Docket No. ER19-633-000

2

contractual right or obligation associated therewith; and such action is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against NorthWestern.

This action is taken pursuant to authority delegated to the Director, Division of Electric Power Regulation - West, under 18 C.F.R. § 375.307. This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.

Issued by: Carlos D. Clay, Acting Director, Division of Electric Power Regulation - West