

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

<b>IN THE MATTER OF THE REQUEST BY XCEL )</b>	<b>ORDER FOR AND NOTICE</b>
<b>ENERGY FOR A DETERMINATION OF ITS )</b>	<b>OF HEARING</b>
<b>TERRITORY BOUNDARIES )</b>	
)	<b>EL00-026</b>

On September 15, 2000, the Public Utilities Commission (Commission) received a request from Xcel Energy (Xcel) to determine a territorial boundary dispute. Xcel stated that Xcel and Southeastern Electric Cooperative, Inc. (Southeastern) do not agree on a service territory boundary located in southwest Sioux Falls. Xcel stated the following:

The area in question is known as the "Sunset Ridge Addition." It lies in northern Lincoln County just west of Interstate 29, in Section 7 of Township 100 North, Range 50 West. I am under the understanding that Southeast Coop believes the territorial boundary should be drawn at what is known as 61st Street. Xcel believes that the territorial boundary should be drawn somewhat south of 61st Street at what will be known as Bakker Park Drive.

The Commission has jurisdiction over this matter pursuant to SDCL 49-34A-42 through 49-34A-44, inclusive. The deadline for intervention is September 28, 2000.

A hearing shall be held on October 5, 2000, beginning at 10:00 a.m. in Room 412 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. All persons testifying shall be subject to cross-examination.

The issue at the hearing is to determine the electric service boundary between Xcel and Southeastern in Section 7, Township 100 North, Range 50 West, in Lincoln County.

The hearing shall be an adversary proceeding conducted pursuant to SDCL Chapter 1-26. All parties have the right to be present and to be represented by an attorney. These rights and other due process rights shall be forfeited if not exercised at the hearing. If you or your representative fail to appear at the time and place set for the hearing, the Final Decision will be based solely on the testimony and evidence provided, if any, during the hearing or a Final Decision may be issued by default pursuant to SDCL 1-26-20. After the hearing the Commission will consider all evidence and testimony that was presented at the hearing. The Commission will then enter Findings of Fact, Conclusions of Law, and a Final Decision regarding this matter. As a result of this hearing, the Commission shall determine the electric service boundary between Xcel and Southeastern in Section 7, Township 100 North, Range 50 West, in Lincoln County. The Commission's Final Decision may be appealed by the parties to the state Circuit Court and the state Supreme Court as provided by law. It is therefore

ORDERED, that the hearing shall commence at 10:00 a.m., on October 5, 2000, in Room 412 of the State Capitol Building, 500 East Capitol, Pierre, South Dakota.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 20<sup>th</sup> day of September, 2000.

<b>CERTIFICATE OF SERVICE</b>	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Melaine Kelbo</u>
Date:	<u>9/20/00</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner