

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

IN THE MATTER OF THE FILING BY OTTER)	ORDER APPROVING
TAIL POWER COMPANY FOR APPROVAL OF)	CONTRACT WITH
A CONTRACT WITH DEVIATIONS WITH THE)	DEVIATIONS
CITY OF BRITTON)	EL01-024

On October 9, 2001, the Public Utilities Commission (Commission) received a filing by Otter Tail Power Company (Otter Tail) for approval of a Contract with Deviations with the City of Britton (City). The contract replaces a contract between the parties which terminated on November 24, 2001. The new contract has a ten year term beginning on November 24, 2001. The new contract includes two fixtures, HPS23 and HPS44, which are owned by the City of Britton. The rates have been updated to include the approved energy only rate from the Otter Tail Power Company's Outdoor Lighting - Energy Only tariff, Rate Designation, M-41S. The rates also include an additional charge for maintenance requested by the City of Britton. Otter Tail filed the following tariff sheet for Commission approval:

Section No. 4, Fifth Revised Sheet No. 1, Canceling Fourth Revised Sheet No. 1

At its December 12, 2001, meeting, the Commission considered the request for approval of the Contract with Deviations. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-10, and 49-34A-11. Further, the Commission finds that Otter Tail's request for approval of a Contract with Deviations is just and reasonable and shall be approved. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a Contract with Deviations is in the public interest and is hereby granted. It is further

ORDERED, that the above referenced tariff sheet is effective for service rendered on and after the date of this order.

Dated at Pierre, South Dakota, this 20th day of December, 2001.

CERTIFICATE OF SERVICE
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 Kalbo</u>
Date: <u>12/21/01</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner