

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

IN THE MATTER OF THE JOINT REQUEST)	ORDER GRANTING
FOR AN ELECTRIC SERVICE RIGHTS)	APPROVAL OF CHANGES
EXCEPTION BETWEEN THE CITY OF)	IN THE ELECTRIC SERVICE
PLANKINTON AND CENTRAL ELECTRIC)	TERRITORY AS A RESULT
COOPERATIVE, INC.)	OF ANNEXATION AND
)	ORDER GRANTING
)	SERVICE RIGHTS
)	EXCEPTION
)	EL03-009

On March 4, 2003, the City of Plankinton (City) and Central Electric Cooperative, Inc. (Central Electric) filed an "Agreement to Provide Electric Service" with the Commission. On May 6, 2003, the Commission received a supplement to this filing. The City has annexed land located on its southeast boundary for the purpose of building a new school with residential development. The City and Central Electric entered into an Electric Service Agreement on February 17, 2003. The land annexed is in the service territory of Central Electric. The City provided notice to Central Electric of its intent to purchase the electric utility properties and service rights to a portion of said annexed property in compliance with SDCL 49-34A-49. The parties have reached an agreement whereby Central Electric will serve the new school and the City will serve the balance of the annexed area. The City and Central Electric agree that it is in the best interests of both parties and the public interest that electric service to the annexed area be divided and that a portion be served by each of the parties.

The real property annexed by the City includes Blocks 1, 2, Lots 1, 2, 3, 4, and 5 of Block 3, Lots 1, 2, and 3 of Block 4 of East Meadow First Addition, Vine Street, Pennington Street, Grace Street and Outlot A, all being a subdivision of that portion of the NW1/4 of Section 23 and the NE1/4 of Section 23, lying south of the right-of-way of the former Chicago, Milwaukee, St. Paul and Pacific Railroad Company, now the Division of Railroads for the state of South Dakota, lying north of Lot H1 - Old Highway No. 16, less Lot 1 in the NE1/4 of Section 23 and Lot H1 in the NW1/4 of Section 23, all in Township 103 North, Range 64 West of the 5th P.M. City of Plankinton, Aurora County, South Dakota..

City shall provide electrical service to consumers located in all of the above described real property, including rights-of-way.

In exchange, City shall transfer to Central Electric all of Block 2, including rights-of-way.

The City agrees to provide payment to Central pursuant to SDCL 49-34A-50, and Central agrees to provide payment to the City in accordance with SDCL 49-34A-46.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, 49-34A-46, 49-34A-50 and 49-34A-55. Further, the Commission finds that the change in the service territory boundary due to annexation and the joint request for a service rights exception will avoid unnecessary duplication of facilities, provide adequate electric service to all customers affected, and promote the efficient use and development of the electric systems of City and Central Electric. The Commission therefore concludes that the change in the service territory due to annexation and the joint request for a service rights exception is in the public interest and it shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of an electric service territory boundary change between City and Central Electric due to annexation is hereby granted. It is further

ORDERED, that the request seeking approval of the joint service rights exception is hereby granted.

Dated at Pierre, South Dakota, this 10th day of June, 2003.

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 Kolbo</u>
Date:	<u>6/12/03</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner

James A. Burg
JAMES A. BURG, Commissioner