

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

<b>IN THE MATTER OF THE JOINT REQUEST )</b>	<b>ORDER GRANTING</b>
<b>FOR AN ELECTRIC SERVICE TERRITORY )</b>	<b>APPROVAL OF ELECTRIC</b>
<b>BOUNDARY CHANGE BETWEEN BUTTE )</b>	<b>SERVICE TERRITORY</b>
<b>ELECTRIC COOPERATIVE, INC. AND BLACK )</b>	<b>AGREEMENT</b>
<b>HILLS POWER )</b>	<b>EL03-028</b>

On November 3, 2003, the Public Utilities Commission (Commission) received a joint filing by Butte Electric Cooperative, Inc. (Butte) and Black Hills Power (BHP) for Commission approval to exchange electric service territory. The exchange includes the following service territory: Lots 2, 3, 4, 5, 6, and 7, located in Spruce Mountain Estates No. 2, all of which are located in Section 24 of Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota, would be transferred from BHP territory to Butte territory; and Lots 1, 6, and 5, located in Spruce Mountain Ranches, all of which are located in Section 18 of Township 6 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota, would be transferred from Butte territory to BHP territory. The proposed electric service territory line is as follows: The NW¼SW¼ of Section 24, Township 6 North, Range 4 East, Black Hills Meridian, Lawrence County, South Dakota, to Butte; and the SE¼NW¼ and the E½SW¼ of Section 18, Township 6 North, Range 5 East, Black Hills Meridian, Meade County, South Dakota, to BHP. Dwight Ahlers, the current property owner, is in agreement with the change.

On December 2, 2003, at its regularly scheduled meeting, the Commission considered the request for approval of the boundary change. Commission Staff recommended approval of the joint request.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, and 49-34A-55. Further, the Commission finds that the boundary change will avoid unnecessary duplication of facilities and help minimize operational challenges. The Commission concludes that the change in the service territory boundary 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 Butte and BHP is hereby granted.

Dated at Pierre, South Dakota, this 17<sup>th</sup> day of December, 2003.

<p><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u>Melaine Kolbo</u></p> <p>Date: <u>12/19/03</u></p> <p align="center">(OFFICIAL SEAL)</p>
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**BY ORDER OF THE COMMISSION:**

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Gary Hanson  
GARY HANSON, Commissioner

James A. Burg  
JAMES A. BURG, Commissioner