

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

IN THE MATTER OF THE FILING BY THE CITY) OF WHITE FOR APPROVAL OF ITS REVISED) SERVICE TERRITORY AS A RESULT OF) ANNEXATION))	ORDER GRANTING MOTION TO DISMISS EL07-024
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On August 2, 2007, the City of White filed a petition to modify electric territory boundaries between the City of White and Otter Tail Power Company (OTP) as a result of annexation of OTP territory by the City of White. Resolution 2006-6 annexed Blocks Two (2), Three (3) and Four (4) of the Ballpark Addition in the SW1/4 of Section 12, T111N, R49W of the 5th P.M., Brookings County, South Dakota and Resolution 2007-9 is an offer to purchase from OTP the electric utility and service rights within the above annexed area per SDCL 49-34A-49.

On August 9, 2007, the Commission electronically transmitted notice of the filing and the intervention deadline of August 24, 2007, to interested individuals and entities. On August 20, 2007, the Commission received a Petition to Intervene from OTP. On August 21, 2007, the Commission received a Motion to Dismiss from OTP. On August 22, 2007, the Commission received a letter from counsel for the city of White also requesting dismissal of the case.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-42, 49-34A-48, 49-34A-49, 49-34A-50 and 49-34A-55.

On August 28, 2007, at its regularly scheduled meeting, the Commission considered the Motion to Dismiss. Commission Staff recommended approval. The Commission unanimously voted to grant the Motion to Dismiss. It is therefore

ORDERED, that the Motion to Dismiss is hereby granted.

Dated at Pierre, South Dakota, this 18th day of September, 2007.

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, electronically.
By: <u><i>Belaine Kolbe</i></u>
Date: <u>9/18/07</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Gary Hanson
GARY HANSON, Commissioner

Steve Kolbeck
STEVE KOLBECK, Commissioner