

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

**IN THE MATTER OF THE JOINT REQUEST)
FOR AN ELECTRIC SERVICE RIGHTS)
EXCEPTION BETWEEN OTTER TAIL POWER)
COMPANY AND WHETSTONE VALLEY)
ELECTRIC COOPERATIVE, INC.)
)**

**ORDER GRANTING)
APPROVAL OF AN)
EXCEPTION TO THE)
ASSIGNED ELECTRIC)
SERVICE TERRITORY)
EL09-020)**

On October 16, 2009, Otter Tail Power Company (OTP) filed for Commission approval of a service territory exception to allow OTP to provide service to a grain bin site owned by Whetstone Ag Supply, Inc. which is located in Whetstone Valley Electric Cooperative, Inc.'s (Whetstone) service territory. The grain bin site is located in the E1/2NW1/4 of Section 1, Township 122 North, Range 50, Roberts County, South Dakota. The application includes an agreement by both utilities regarding the exception and a request from the customer for approval of the agreement. Approval with less than 30 days notice is being requested if applicable.

At its regularly scheduled meeting of October 20, 2009, the Commission considered the matter. 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-42 and 49-34A-55. Further, the Commission finds that OTP may provide temporary electrical service to a grain bin site as it will avoid unnecessary duplication of facilities, provide adequate electric service to the customer affected, and promote the efficient use and development of the electric systems of OTP and Whetstone. Further, the Commission finds that an exception to the assigned service territory is in the public interest and the request shall be granted. It is therefore

ORDERED, that the request seeking approval of an exception to the assignment of service territory is hereby granted on less than 30 days notice.

Dated at Pierre, South Dakota, this 3rd day of November, 2009.

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>Aeldine Kolbe</i></u>
Date: <u>11/4/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner