

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

IN THE MATTER OF THE APPLICATION BY) OTTER TAIL POWER COMPANY FOR) AUTHORITY TO INCREASE RATES FOR) ELECTRIC SERVICE IN SOUTH DAKOTA)))		ORDER OF ASSESSMENT) OF FILING FEE AND) SUSPENSION OF) IMPOSITION OF TARIFF)))
		EL10-011

On August 20, 2010, the Public Utilities Commission (Commission) received an application by Otter Tail Power Company (Otter Tail) for approval to increase rates for electric service in its South Dakota service territory. Otter Tail proposes to increase rates by \$2,755,954 annually or 9.96% based on Otter Tail's 2009 test year. Otter Tail states a typical residential customer will see an increase of \$9.68 per month under the rate design proposed by the Company. The proposed rate may potentially affect approximately 11,700 customers in Otter Tail's service territory.

SDCL 49-1A-8 authorizes the Commission to require a deposit of up to one hundred twenty five thousand dollars (\$125,000) in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incurred from the time of the filing incident to analyzing and ruling upon this type of filing. The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-1A, 49-34A and ARSD 20:10:01:15:02 and 20:10:01:15:03.

At its regularly scheduled meeting of September 14, 2010, the Commission considered this matter. The Commission found that pursuant to SDCL 49-1A-8, Otter Tail shall be assessed a filing fee as requested by the Commission Staff up to the statutory limit of \$125,000. Further an intervention deadline of October 8, 2010, has been established. Pursuant to SDCL 49-34A-14, the Commission suspended the operation of the schedule of rates proposed by Otter Tail for 180 days beyond August 20, 2010. It is therefore

ORDERED, that Otter Tail shall deposit an initial filing fee in the SDPUC regulatory assessment fee fund in an amount specified by the Executive Director and shall deposit any additional amounts as requested by Executive Director, not to exceed the statutory limit; it is further

ORDERED, that the proposed schedule of rates shall be suspended for 180 days beyond August 20, 2010, pursuant to SDCL 49-34A-14; and it is further

ORDERED, that the deadline for filing petitions to intervene in this case is October 8, 2010.

Dated at Pierre, South Dakota, this 28th day of September, 2010.

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>[Signature]</u>
Date: <u>09/28/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature]
DUSTIN M. JOHNSON, Chairman

[Signature]
STEVE KOLBECK, Commissioner

[Signature]
GARY HANSON, Commissioner