

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

IN THE MATTER OF BLACK HILLS POWER, INC.) DBA BLACK HILLS ENERGY'S APPLICATION FOR) ADJUSTMENT IN ITS COGENERATION AND SMALL) POWER PRODUCTION SERVICE SIMULTANEOUS) NET BILLING GENERATION CREDIT RATE(S)))))	ORDER GRANTING REQUEST FOR ACCESS TO CONFIDENTIAL INFORMATION AND DENYING HOLD ON 90-DAY EXTENSION EL16-042
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On December 30, 2016, the South Dakota Public Utilities Commission (Commission) received an application from Black Hills Power, Inc. dba Black Hills Energy (BHE) for approval of an adjustment to its Cogeneration and Small Power Production Service Simultaneous Net Billing Generation Credit Rate(s). This filing updates this generation credit rate based on BHE's current avoided costs. BHE requests an effective date of March 1, 2017.

On January 5, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of January 20, 2017, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On February 13, 2017, Richard A. Bell, PE, CEM filed a Petition to Intervene and requested a 90-day extension on the effective date of this matter. At its regularly scheduled meeting on February 28, 2017, the Commission granted intervention and the 90-day extension to Mr. Bell. On March 3, 2017, Mr. Bell filed a request for access to the Confidential Information contained in this docket in accordance with ARSD 20:10:01:43 and for the Commission to place a hold on the approved 90-day extension until the confidentiality treatment of this information is determined. On March 3, 2017, BHE filed a Petition for Confidential Treatment of Information and Exhibit A – Non-Disclosure Agreement.

The Commission has jurisdiction of this matter pursuant to SDCL Chapters 1-26 and 49-34A, specifically 49-34A-13.1 and 49-34A-14 and ARSD 20:10:01:39 through 20:10:01:44, inclusive.

At its regularly scheduled meeting on March 14, 2017, the Commission considered the requests for access to the Confidential Information and hold on the approved 90-day extension. The Commission voted unanimously to grant the request for access to the Confidential Information on the condition that Mr. Bell signs the non-disclosure agreement provided by BHE and to deny the hold on the approved 90-day extension. It is therefore

ORDERED, that Richard A. Bell's request for access to the Confidential Information is hereby granted on the condition that Mr. Bell signs the non-disclosure agreement provided by BHE. It is further

ORDERED, that Richard A. Bell's request for a hold on the approved 90-day extension is hereby denied.

Dated at Pierre, South Dakota, this 21st day of March, 2017.

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 or by mail.

By: Karol E. Bremer

Date: 03/21/2017

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Flegen
KRISTIE FLEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner