

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

IN THE MATTER OF THE APPLICATION)	ORDER GRANTING JOINT
OF BLACK HILLS POWER, INC., DBA)	MOTION FOR APPROVAL OF
BLACK HILLS ENERGY TO AMEND ITS)	SETTLEMENT STIPULATION;
COGENERATION AND SMALL POWER)	ORDER APPROVING
PRODUCTION SERVICE TARIFF)	SETTLEMENT STIPULATION;
)	ORDER DISMISSING AND
)	CLOSING DOCKET
)	
)	
)	EL21-011

On March 19, 2021, the South Dakota Public Utilities Commission (Commission) received an application from Black Hills Power, Inc., dba Black Hills Energy (Black Hills) requesting approval to amend its existing Cogeneration and Small Power Production Service Tariff to become its QF Service Tariff. Black Hills stated the amendment will put in place conditions of service for customers installing behind-the-meter generation that are fair for all Black Hills customers. Black Hills proposed the revised rates and terms of service be effective for qualifying generation facilities placed into operation on or after June 1, 2021, and that existing customers with qualifying facilities be exempt from the terms of the amended QF Service Tariff until May 31, 2041.

On March 25, 2021, the Commission electronically transmitted notice of the filing and the intervention deadline of April 9, 2021, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On April 14, 2021, the Commission issued an Order Granting Intervention (Richard Bell and R. Sonny Rivers). On May 4, 2021, the Commission issued an Order Granting Intervention (Xanterra Parks & Reports, Inc.; Cobblestone, LLC; Pangea Design Group, LLC; Black Hills Homestead; GenPro Energy Solutions, LLC; and Steve and Lynn Hammond).

On June 9, 2021, Commission staff filed a Motion for Procedural Schedule, which was granted by the Commission on June 24, 2021. On August 19, 2021, several of the Parties filed a Stipulation and Joint Motion for Suspension of Procedural Schedule. On August 27, 2021, the Commission issued an Order Granting Motion for Suspension of Procedural Schedule. On September 27, 2021, a Settlement Stipulation was filed with the Commission. On October 8, 2021, a Joint Motion for Approval of Settlement Stipulation was filed with the Commission.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A.

At its regularly scheduled meeting on October 12, 2021, the Commission considered whether to grant the Joint Motion for Approval of Settlement Stipulation. Having thoroughly reviewed the filings in the docket, the Commission found that the terms and conditions proposed in the Settlement Stipulation were just, reasonable, and in the public interest and that good and sufficient cause was demonstrated to approve the Settlement Stipulation. The Commission voted unanimously to grant the Joint Motion for

Approval of the Settlement Stipulation, to approve the Settlement Stipulation, and to dismiss and close the docket. It is therefore

ORDERED, that the Joint Motion for Approval of Settlement Stipulation is hereby granted, and the Settlement Stipulation is hereby approved. The Settlement Stipulation is incorporated by reference into this Order the same as if it had been set forth in its entirety herein. It is further

ORDERED, that the docket is dismissed, without prejudice, and the docket shall be closed.

Dated at Pierre, South Dakota, this 14th day of October 2021.

<p style="text-align: center;">CERTIFICATE OF SERVICE</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, electronically or by mail.</p> <p>By: <u>Karen E. Premer</u></p> <p>Date: <u>10/14/21</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner