

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

**IN THE MATTER OF THE COMPLAINT FILED)
BY VALLEY QUEEN CHEESE FACTORY,)
INC., MILBANK, SOUTH DAKOTA, AGAINST)
OTTER TAIL POWER COMPANY REGARDING)
AN ELECTRIC SERVICE DISPUTE)**

**ORDER GRANTING
REQUEST FOR STAY**

CE15-001

On May 20, 2015, Valley Queen Cheese Factory, Inc. (Valley Queen) filed a Complaint with the South Dakota Public Utilities Commission (Commission) requesting that the Commission find that Otter Tail Power Company (Otter Tail) breached its electric service contract with Valley Queen; failed to fulfill its tariff and regulatory duties and legal obligations; failed to allow Valley Queen to select rate options; caused monetary damages to Valley Queen of at least one million four hundred thousand dollars; direct Otter Tail to pay Valley Queen all damages arising from the alleged breach of contract and failure to fulfill its tariff and regulatory duties and legal obligations, together with interest thereon, Valley Queen's costs and disbursements; and order any other relief the Commission deems appropriate.

Valley Queen has also filed a lawsuit in federal court regarding this matter. On February 22, 2016, Otter Tail and Valley Queen filed a Stipulation as to Joint Filing and Request for Stay. The parties requested the stay in order to allow Otter Tail and Valley Queen to attempt to negotiate a settlement through voluntary negotiations and, if unsuccessful, a mediation. Otter Tail and Valley Queen agreed to provide notice to the Commission on or about April 4, 2016, as to the status of their negotiations.

The Commission considered the Request for Stay at its regular meeting on March 15, 2016. The Commission has jurisdiction over this matter pursuant to SDCL chapter 49-34A. The Commission voted unanimously to grant the stay. The Commission finds that good cause exists for a stay as Valley Queen and Otter Tail are attempting to negotiate a settlement through voluntary negotiations and, if unsuccessful, mediation. It is therefore

ORDERED, that the Request for Stay is granted.

Dated at Pierre, South Dakota, this 16th day of March, 2016.

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: Rosalynne West

Date: 3-16-16

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner