

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

IN THE MATTER OF THE APPLICATION)	ORDER ASSESSING FILING FEE
OF BLACK HILLS POWER, INC. FOR)	AND SUSPENDING OPERATION
AUTHORITY TO INCREASE ITS)	OF PROPOSED RATES
ELECTRIC RATES)	
)	
)	EL12-061

On December 17, 2012, the South Dakota Public Utilities Commission (Commission) received an Application for Authority to Increase Its Electric Rates (Application) filed by Black Hills Power, Inc. (BHP) for approval to increase rates for electric service to customers in its South Dakota service territory by approximately \$13.7 million annually or approximately 9.94% based on BHP's test year ending June 30, 2012. BHP states a typical residential electric customer using 650 kWh per month would see an increase of \$7.11 per month. The proposed changes may potentially affect approximately 65,000 customers in BHP's South Dakota service territory. On December 20, 2012, the Commission electronically transmitted notice of the filing and the intervention deadline of February 28, 2013, to interested individuals and entities. On January 15, 2013, the Commission received the Petition to Intervene (Petition) of GCC Dacotah, Inc., Pete Lien & Sons, Inc., Rushmore Forest Products, Inc., Spearfish Forest Products, Inc., and Rapid City Regional Hospital, known collectively as Black Hill Industrial Intervenors (BHII).

SDCL 49-1A-8 authorizes the Commission to require a deposit of up to two hundred fifty thousand dollars (\$250,000) in the Commission's Regulatory Assessment Fee fund to defray Commission expenses incident to analyzing and ruling upon an application to increase rates as part of a general rate case. SDCL 49-1A-8 also authorizes the Commission to assess a filing fee of up to fifty thousand dollars (\$50,000) to defray expenses incident to analyzing and ruling upon an application for approval of a tariff mechanism for the automatic annual adjustment of charges for jurisdictional costs of new or modified transmission facilities. The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 49-1A, 49-34A and ARSD 20:10:13.

At its regularly scheduled meeting on January 15, 2013, the Commission considered this matter. In accordance with Staff's recommendation, the Commission voted unanimously to assess BHP filing fees pursuant to SDCL 49-1A-8 up to the statutory limit of \$250,000 for expenses related to the general rate case and up to the statutory limit of \$50,000 for expenses related to the transmission facility cost recovery tariff and to suspend the operation of the schedule of rates proposed by BHP pursuant to SDCL 49-34A-14 for 180 days after the Application filing date of December 17, 2012. It is therefore

ORDERED, that BHP shall be assessed a filing fee in an amount up to the statutory limit of Two Hundred Fifty Thousand Dollars (\$250,000) for expenses related to the general rate case, with payments made to the Commission's Regulatory Assessment Fee fund as periodically billed by the Commission. It is further

ORDERED, that BHP shall be assessed a filing fee in an amount up to the statutory limit of Fifty Thousand Dollars (\$50,000) for expenses related to the transmission facility cost recovery tariff, with payments made to the Commission's Regulatory Assessment Fee fund as periodically billed by the Commission. It is further

ORDERED, that the proposed schedule of rates shall be suspended for 180 days after December 17, 2012, pursuant to SDCL 49-34A-14.

Dated at Pierre, South Dakota, this 17th day of January, 2013.

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: [Signature]
Date: 1-18-13

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature]
GARY HANSON, Chairman

[Signature]
CHRIS NELSON, Commissioner

[Signature]
KRISTIE FIEGEN, Commissioner