

transmission line and will have a minimum contracted demand of 2,000 kilowatts or more. NorthWestern states that "[p]roviding electric service to Dakota Access will have a neutral effect on our electric system from an operations or technical perspective. The benefit will be economic based on revenue growth." In order to provide this service, NorthWestern and Dakota Access have entered into an Electric Distribution Service Agreement.

In the Settlement Agreement, NorthWestern, Northern Electric, and Dakota Access agreed that NorthWestern is authorized to serve the Pump Station as proposed and as built and that if the energy needs at the Pump Station increase, NorthWestern is authorized to serve that additional load. In addition, the Settlement Agreement provided that the "parties reserve their rights under law in regard to electrical service rights for any new facility or service which may be developed in the future." The Settlement Agreement further provided that the "Agreement is not intended by the parties to indicate consent to any other change in the service territories of NorthWestern or Northern Electric." Staff recommended approval of Dakota Access's Petition.

After consideration of the factors in SDCL 49-34A-56, the Commission unanimously voted to grant the Petition. The Commission finds that NorthWestern is authorized to provide electrical service to Dakota Access's Pump Station as proposed and built, and if energy needs to be increased at the Pump Station, NorthWestern is authorized to serve that load. The Commission finds that the requirements of SDCL 49-34A-56 have been met as Dakota Access is a new customer who requires electric service with a contracted minimum demand of 2,000 kilowatts or more. In addition, an examination of the factors contained in SDCL 49-34A-56 demonstrates that Dakota Access's Petition requesting NorthWestern as its electric service provider should be granted. It is therefore

ORDERED, that Dakota Access's request to receive electric service from NorthWestern pursuant to SDCL 49-34A-56 is hereby granted.

Dated at Pierre, South Dakota, this 22nd day of February, 2016.

<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>Rolayne West</u></p> <p>Date: <u>2-22-16</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