

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

**IN THE MATTER OF THE PETITION FOR)
ELECTRICAL SERVICE BY DAKOTA PLAINS AG)
CENTER, LLC TO HAVE NORTHWESTERN)
ENERGY ASSIGNED AS ITS ELECTRIC)
PROVIDER IN THE SERVICE AREA OF BON)
HOMME YANKTON ELECTRIC ASSOCIATION,)
INC.)**

**ORDER GRANTING MOTION
FOR CONTINUANCE AND
AMENDING PROCEDURAL
SCHEDULE**

EL16-013

On April 1, 2016, the South Dakota Public Utilities Commission (Commission) received a petition from Dakota Plains Ag Center, LLC (Dakota Plains) for a service territory exception pursuant to SDCL 49-34A-56. Dakota Plains states it is constructing and will operate a grain terminal at a site near Yankton, South Dakota. The new grain terminal will be at a site located in the following tract of land in Yankton County, South Dakota:

Lot One (1), Dakota Rail Park Subdivision, located in Section Twenty-one (21), Township Ninety-four (94) North, Range Fifty-six (56) West of the 5th P.M., Yankton County, South Dakota as per plat recorded in book S20, Page 132.

Dakota Plains further states it would be a new customer, seeking electrical service to a new location, which has developed since March 21, 1975. Such location overlaps the territorial boundaries of both NorthWestern Corporation d/b/a NorthWestern Energy (NorthWestern) and Bon Homme Yankton Electric Association, Inc. (B-Y Electric). Dakota Plains requests authorization to take electric service from NorthWestern. Intervention has been granted to NorthWestern, B-Y Electric, and the South Dakota Rural Electric Association (SDREA).

On May 20, 2016, the Commission issued an Order Establishing Procedural Schedule. On May 31, 2016, B-Y Electric filed a Motion for Continuance Pending Completion of Discovery Pursuant to SDCL 15-6-56(f) (Motion). On June 2, 2016, a Stipulation and Agreement to Continue and to Amend Procedural Schedule (Stipulation and Agreement) was signed by all parties and filed by Commission Staff.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26, 15-6, 49-34A, and ARSD 20:10:01:19.

At its regularly scheduled meeting on June 7, 2016, the Commission considered the Motion. Hearing no objection, the Commission voted unanimously to grant the Motion for Continuance with the procedural schedule amended as set forth in the Stipulation and Agreement. It is therefore

ORDERED, that the Motion for Continuance is hereby granted, with the procedural schedule amended as set forth in the Stipulation and Agreement.

Dated at Pierre, South Dakota, this 10th day of June, 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>Karen E. Cremer</u></p> <p>Date: <u>6-10-16</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner