

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

IN THE MATTER OF THE FILING BY ) NORTHWESTERN CORPORATION DBA ) NORTHWESTERN ENERGY FOR APPROVAL ) OF A CONTRACT WITH DEVIATIONS )	ORDER GRANTING MOTION TO DISMISS  EL16-015
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On April 15, 2016, the Public Utilities Commission (Commission) received a request for approval of a contract with deviations from NorthWestern Corporation dba NorthWestern Energy (NorthWestern). In this filing, NorthWestern sought approval of an Electric Service Agreement with Dakota Plains Ag Center, LLC (customer).

On April 21, 2016, the Commission electronically transmitted notice of the filing and the intervention deadline of May 6, 2016, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On July 22, 2016, NorthWestern filed a Motion to Dismiss NorthWestern's Request for Approval of Contract with Deviations citing the fact that the customer has chosen to take service from the local provider.

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

At its regularly scheduled meeting on August 2, 2016, the Commission considered this matter. NorthWestern stated that the customer has chosen to take service from the local provider. The Commission voted unanimously to grant the Motion to Dismiss Request for Approval of Contract with Deviations. It is therefore

ORDERED, that NorthWestern's Motion to Dismiss Request for Approval of Contract with Deviations is granted.

Dated at Pierre, South Dakota, this 11<sup>th</sup> day of August, 2016.

<b>CERTIFICATE OF SERVICE</b>
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: <u>Karen E. Bremer</u>
Date: <u>8/11/16</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

<u>Chris Nelson</u> CHRIS NELSON, Chairman
<u>Kristie Fiegen</u> KRISTIE FIEGEN, Commissioner
<u>Gary Hanson</u> GARY HANSON, Commissioner