

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

IN THE MATTER OF THE FILING BY )  
INTERCOUNTY ELECTRIC ASSOCIATION, )  
INC. REGARDING A SERVICE TERRITORY )  
AGREEMENT )

ORDER GRANTING  
APPROVAL

EL96-016

On June 19, 1996, the Public Utilities Commission (Commission) received a filing from Intercounty Electric Association, Inc. (Intercounty) for approval of an agreement for service rights exception. The purpose of the filing was to seek Commission approval for Intercounty to accommodate a customer who has requested service to an irrigation well located just within Northwestern Public Service (NWPS) territory. The site of the well is more accessible to Intercounty than to NWPS. Intercounty submitted a letter of justification, a map and plat of the affected area, and a copy of a "Consent and Agreement," which landowner Calvin Anderson, Intercounty and NWPS had signed, signifying their agreement. The property which is the subject of this transfer and request for approval is described as "an irrigation well owned by Calvin Anderson and located on the following described property:

The Northwest quarter of Section 36, Township 103N, Range 60W of the 5th P.M.,  
Davison County, South Dakota."

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, and 49-34A-55. Further, the Commission finds that granting the service rights transfer will avoid the unnecessary duplication of facilities, provide adequate service to Mr. Anderson, and promote the efficient use and development of the electric systems of the contracting electric utilities. The Commission therefore concludes that the request is in the public interest and shall be granted.

As the Commission's final decision in this matter, it is therefore

ORDERED that the request seeking approval of service territory agreement is hereby granted.

Dated at Pierre, South Dakota, this 18<sup>th</sup> day of July, 1996.

**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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Delaine Kaelbo

Date: 7/19/96

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kenneth Stofferahn  
KENNETH STOFFERAHN, Chairman

James A. Burg  
JAMES A. BURG, Commissioner

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner