

EL00-021

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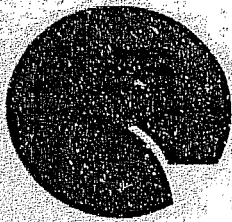
FL00-021

IN THE MATTER OF THE JOINT
REQUEST FOR ELECTRIC SERVICE
TERRITORY EXCEPTION BETWEEN
MCCOOK ELECTRIC COOPERATIVE,
INC. AND SIOUX VALLEY-
SOUTHWESTERN ELECTRIC
COOPERATIVE, INC.

DATE _____

MEMORANDA

6/5	00	Filed andocketed;
6/8	00	Weekly filing,
6/28	00	Cycle Granting Approval of Service Rights,
6/28	00	Docket Closed!



**SIoux VALLEY
SOUTHWESTERN
ELECTRIC**

P.O. Box 216 • Colman, SD 57017-0216
www.svswe.com

EL00-021

Telephone: 605-534-3535 • Toll-Free: 1-800-234-196
Office Fax: 605-256-1693 • Dispatch Fax: 605-256-1693

June 1, 2000

RECEIVED

JUN 05 2000

William Bullard, Executive Director
South Dakota Public Utilities Commission
500 East Capitol
Pierre, SD 57501

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Dear Mr. Bullard:

Enclosed for filing please find a copy of an executed "Joint Request for Electric Service Territory Exception" between McCook Electric Cooperative (MEC) and Sioux Valley-Southwestern Electric Cooperative (SVSW).

This agreement between the two parties seeks a transfer of service territory. SVSW and MEC jointly request an exception to the existing electric service territorial agreement to permit SVSW to provide electric service to Smith Farms Inc. for a seed handling service in the Northeast quarter of Section 25, Township 103 North, Range 53 West. Representatives of both SVSW and MEC have concluded that, in this instance, the consumers' interests will be better served with service from SVSW and have agreed that we should request a transfer of service territory. Also enclosed is a signature of consent signed by the affected customer concurring with the territorial transfer.

Sioux Valley Southwestern Electric respectfully requests South Dakota Public Utilities Commission consideration and an order approving this agreement.

Sincerely,

Don L. Marker
General Manager

Enclosure

A Touchstone Energy® Partner

JOINT REQUEST FOR ELECTRIC SERVICE TERRITORY EXCEPTION

Sioux Valley Southwestern Electric (SVSW) and McCook Electric Cooperative, Inc. (MEC) jointly request an exception to the existing electric service territorial agreement to permit SVSW to provide electric service to Smith Farms Inc. for a seed handling service in the Northeast quarter of Section 25, Township 103 North, Range 53 West. A drawing of the service site, Exhibit A, is attached for your information.

Representatives of both SVSW and MEC have concluded that, in this instance, the customer's interest will be best served by receiving service from SVSW and have agreed that we should request an exception to the existing territorial agreement.

We have also agreed that each such instance where territory boundaries become a factor should be dealt with on an individual basis.

This consent on the part of MEC is limited to the said service to Smith Farms, Inc. and will automatically terminate upon removal or abandonment of such service.

This exception is not to be construed as having any impact upon or indicating a desire to change the service area assigned by the South Dakota Public Utilities Commission.

SIOUX VALLEY-SOUTHWESTERN
ELECTRIC

MCCOOK ELECTRIC
COOPERATIVE INC.

BY *Don L. Mathis*
General Manager

BY *Mary Gelling*
General Manager

DATE 5-31-00

DATE 5-31-00

CONSENT:

I concur with the provisions described above.

BY *Paul D. Smith Sec*
Paul D. Smith, Smith Farms, Inc.

DATE 5-25-00

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of June 1, 2000 through June 7, 2000

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact Delaine Kolbo within five business days of this filing.
Phone: 605-773-3705 Fax: 605-773-3809

ELECTRIC

EL00-020 In the Matter of the Filing by Montana-Dakota Utilities Company for Approval of its Revised Rate Sheets for its Cogeneration Rates.

Application by Montana-Dakota Utilities Company to comply with the Commission's Order in Docket F-3365 by remitting annually updated cogeneration rates for approval. No customers will be affected by the proposed changes as there are no customers currently served by these rates.

Staff Analyst: Dave Jacobson
Staff Attorney: Camron Hoseck
Date Docketed: 06/01/00
Intervention Deadline: NA

EL00-021 In the Matter of the Joint Request for Electric Service Territory Exception between McCook Electric Cooperative, Inc. and Sioux Valley-Southwestern Electric Cooperative, Inc.

On June 5, 2000, the Commission received a joint request for electric service territory exception between McCook Electric Cooperative and Sioux Valley Southwestern Electric Cooperative. The agreement between the two parties seeks an exception to the existing electric service territorial agreement to permit Sioux Valley Southwestern to provide electric service to Smith Farms, Inc. for a seed handling service in the Northeast quarter of Section 25, Township 103, Range 53 West.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Docketed: 06/05/00
Intervention Deadline: 06/16/00

TELECOMMUNICATIONS

TC99-086 In the Matter of the Filing for Approval of a First Amendment to the Interconnection Agreement between DSLnet Communications, LLC and U S West Communications, Inc.

A first amendment to an interconnection agreement between DSLnet Communications, LLC and U S WEST Communications, Inc. was filed with the Commission. This amendment adds provisions which include UDIT, ADSL and line conditioning and associated rate elements.

Any party wishing to comment on the amendment may do so by filing written comments with the Commission and the parties to the amendment no later than June 26, 2000. Parties to the amendment may file written responses to the comments no later than twenty days after the service of the comments.

Staff Attorney: Camron Hoseck

Date Docketed: 06/05/00

Comments Due: 06/26/00

TC00-087 In the Matter of the Establishment of Switched Access Revenue Requirement for Midstate Communications, Inc.

Midstate Telephone Company and Heartland Communications, Inc., Kimball, South Dakota, filed a switched access cost study developing a revenue requirement that is included in the revenue requirement used to determine the switched access rates for the Local exchange Carrier Association. Midstate and Heartland were consolidated into Midstate Communications, Inc. on 01/01/00.

Staff Analyst: Heather K. Forney

Staff Attorney: Karen E. Cremer

Date Docketed: 06/01/00

Intervention Deadline: 06/23/00

TC00-088 In the Matter of the Filing for Approval of a First Amendment to an Amended Interconnection Agreement between U S WEST Communications, Inc. and Dakota Telecom, Inc.

A first amendment to an amended agreement for local wireline network interconnection and service resale between Dakota Telecom, Inc. and U S WEST Communications, Inc. was filed with the Commission. This amendment is made in order to allow Dakota Telecom, Inc. to originate EAS/local traffic from South Dakota and terminate this traffic in Nebraska. This EAS/local traffic must be within the same local calling areas as defined by U S WEST's current tariff.

Any party wishing to comment on the agreement may do so by filing written comments with the Commission and the parties to the agreement no later than June 21, 2000. Parties to the amendment may file written responses to the comments no later than twenty days after the service of the comments.

Staff Attorney: Camron Hoseck

Date Docketed: 06/01/00

Comments Due: 06/21/00

TC00-089 In the Matter of OLS, Inc. and Certain John Does.

Commission Staff filed a Motion To Assess Fines and Statutory Penalties against OLS, Inc. The basis for this Motion is the number of complaints which have recently been filed against OLS, Inc. which are alleged to represent a continuing pattern of reckless

disregard for South Dakota law and a disregard for the rights of South Dakota consumers. Staff moves the Commission to assess fines and penalties in accordance with SDCL 49-31-93, 49-31-94, impose other remedies and assess costs associated with processing the complaints.

Staff Analyst: Leni Healy

Staff Attorney: Karen E. Cremer

Date Docketed: 06/06/00

Intervention Deadline: NA

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You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc/>**

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

IN THE MATTER OF THE JOINT REQUEST)
FOR ELECTRIC SERVICE TERRITORY)
EXCEPTION BETWEEN MCCOOK ELECTRIC)
COOPERATIVE, INC. AND SIOUX VALLEY-)
SOUTHWESTERN ELECTRIC COOPERATIVE,)
INC.)

**ORDER GRANTING
APPROVAL OF SERVICE
RIGHTS**

EL00-021

On June 5, 2000, the Public Utilities Commission (Commission) received a joint request from McCook Electric Cooperative, Inc. (MEC) and Sioux Valley-Southwestern Electric Cooperative, Inc. (SVSW) seeking approval of an agreement for a service rights exception. The purpose of the filing was to seek Commission approval for an exception to the existing electric service territorial agreement. According to the application, "[T]his agreement between the two parties seeks a transfer of service territory. SVSW and MEC jointly request an exception to the existing electric service territorial agreement to permit SVSW to provide (sic) electric service to Smith Farms Inc. for a seed handling service in the Northeast quarter of Section 25, Township 103 North, Range 53 West."

MEC and SVSW have entered into an agreement entitled "Joint Request for Electric Service Territory Exception" dated May 31, 2000, and have filed same along with a map delineating the affected territories as well as a signature of consent signed by the affected customer concurring with the territorial transfer. The agreement stated that the "consent on the part of MEC is limited to the said service to Smith Farms, Inc. and will automatically terminate upon removal or abandonment of such service."

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 the service rights transfer is in the public interest and the request shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of service rights transfer is hereby granted.

Dated at Pierre, South Dakota, this 28th day of June, 2000.

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: Debrae Kelbo

Date: 6/29/00

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner