

EL01-021

EL01-021

DOCKET NO. _____

In the Matter of _____

IN THE MATTER OF THE JOINT _____

REQUEST FOR AN ELECTRIC _____

SERVICE TERRITORY BOUNDARY _____

CHANGE BETWEEN XCEL ENERGY _____

AND SOUTHEASTERN ELECTRIC _____

COOPERATIVE, INC. _____

Public Utilities Commission of the State of South Dakota

DATE

MEMORANDA

9/20/01 Filed and Docketed;

9/27/01 Weekly Filing;

10/31/01 Order Granting Approval of Electric Service Territory Agreement;

10/31/01 Docket Closed.

EL01-021



**Southeastern
Electric Cooperative, Inc.**

PO Box 388 • 501 South Broadway Avenue • Marion, SD 57043-0388
Telephone: 605-648-3619 • Facsimile: 605-648-3778 • E-mail: sec@sunrise.net.com

Alcester Office
PO Box 105
605 SD Highway 11
Alcester, SD 57001-0105
Telephone: 605-934-1961
Facsimile: 605-934-1964
Toll-Free in SD: 1-800-333-2859

September 18, 2001

Debra Elofson, Executive Director
South Dakota Public Utilities Commission
State Capitol Building
500 East Capitol Avenue
Pierre, SD 57501-5070

RECEIVED

SEP 20 2001

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Re: Joint Request for an Electric Service Territory Boundary Change

Dear Ms. Elofson:

Southeastern Electric Cooperative, Inc. (SEC) and Xcel Energy (Xcel) wish to submit two enclosed "Joint Request for an Electric Service Territory Boundary Change" requests for consideration by the Commission.

The first territory boundary change is being requested to allow each utility to provide electric service to the proposed Sunset Ridge Addition southwest of Sioux Falls, SD, in a more efficient manner based on the layout of the streets and the lots. We have obtained and enclosed a letter from Mr. Jim Daniels of 27160 470th Avenue, Tea, SD 57064-8112 (the owner/developer of Sunset Ridge Addition) consenting to the proposed change in territory boundaries. There are no existing consumers affected by the proposed change and there are no facilities that will be sold.

The second territory boundary change is for a minor boundary change for the Auburn Hills Addition, which was previously approved by the SDPUC on July 2, 1999, SDPUC docket EL99-013. We have formalized the written description for the Auburn Hills Addition including the minor change as noted in the attached documents agreed upon by SEC and Xcel.

If you have any questions regarding these items, please feel free to give Jim Wilcox or myself a call.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brad Schardin", written in a cursive style.

Brad Schardin
General Manager

Enclosures

cc Jim Wilcox, Government & Regulatory Affairs Manager, Xcel Energy

JOINT REQUEST FOR AN ELECTRIC SERVICE TERRITORY BOUNDARY CHANGE

EL01-021

Shown below is the written description of the electric service area boundaries of Southeastern Electric Cooperative, Inc. (Southeastern) and Xcel Energy Company (Xcel), that both companies have agreed upon to reflect the changes to the original territorial agreement (see attachment "Exhibit B" page 4, numbers 1, 2, and 3). This written description coincides with the map titled "Territory Boundary Exception" (See Exhibit A) between Xcel and Southeastern in the Sunset Ridge Addition in the Northeast Quarter and the Southeast Quarter (NE1/4, SE1/4) of Section 7, Township 100 North, Range 50 West.

1. Starting at the center of 57th Street and a point that would coincide with the Northeast corner of Lot 1 in Lincoln Highlands and the Northwest Corner of Lot 1 in Block 1 of the Sunset Ridge Addition or the North Quarter corner of Section 7, Township 100 North, Range 50 West.
2. Then South along the back lot lines of Lot 1 in Lincoln Highlands Addition and Lot 1, Block 1 of the Sunset Ridge Addition to the center of 61st Street that would coincide with the Southeast Corner of Lot 11, Block 4 in the Lincoln Highlands Addition and the Southwest Corner of Lot 12, Block 4, in the Sunset Ridge Addition or the Northeast Corner of Lot 1, Block 7 in the Lincoln Highlands Addition and the Northwest corner of Lot 1, Block 7 of the Sunset Ridge Addition.
3. Then East along the center line of 61st Street to the center that would coincide with the Southeast Corner of Lot 12 or the Southwest Corner of Lot 13, Block 5 of the Sunset Ridge Addition or the Northeast Corner, Lot 1 or Northwest Corner Lot 24 in Block 8 of the Sunset Ridge Addition.
4. Then South along the back lot line of Lot 1 or the back lot line of Lot 24, Block 8 to the Southeast corner of Lot 11 or the Northeast corner of Lot 12 or Southwest corner Lot 14 or Northwest corner of Lot 13 in Block 8 of the Sunset Ridge Addition.
5. Then East along the South boundary line of Lot 14 or the North boundary line of Lot 13 to the Southeast corner of Lot 14 or the Northeast corner of Lot 13, Block 8 in the Sunset Ridge Addition.
6. Go North and East to the Northwest corner of Lot 12 or the Southwest Corner of Lot 1, Block 11 in the Sunset Ridge Addition.
7. Then East along the North boundary line of Lots 12, 11, 10, 9 and 8, or the South boundary lot lines of Lot 1, 2, 3, 4, 5, 6, and 7 of Block 11 of the Sunset Ridge Addition to the center of Marion Road that would coincide with the Southeast corner of Lot 7 or the Northeast corner of Lot 8 in Block 11 of the Sunset Ridge Addition.
8. Then South along the center line of Marion Road to the equidistant line as ordered by the SDPUC on the 9th day of November, 2000, pursuant to SDCL1-26-32. (See Exhibit C).

This written description and map will replace a section of original description and map in Exhibit B, page 4, number 1, 2, and 3 of Section 7, Range 50W, Township 100 North of Lincoln County and further defines the service territories as established by the SDPUC in "Exhibit C."

Xcel Energy

BY: *Al Wilson*
Government & Regulatory Affairs Manager

DATE: 9-4-2001

Southeastern Electric Cooperative, Inc.

BY: *Bob Schudler, Mgr.*
General Manager

DATE: 8-31-2001

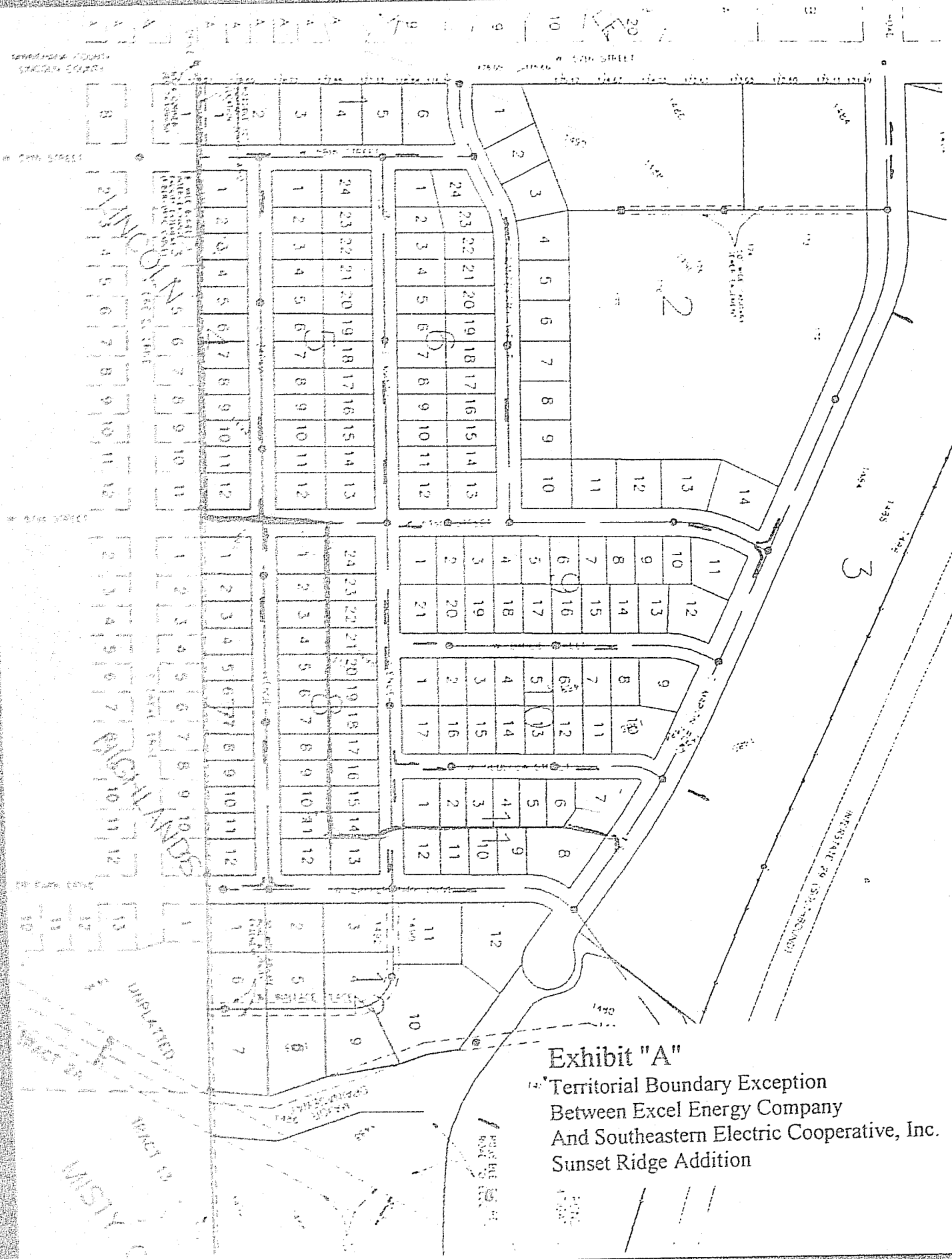


Exhibit "A"
 Territorial Boundary Exception
 Between Excel Energy Company
 And Southeastern Electric Cooperative, Inc.
 Sunset Ridge Addition

Shown below is description of electric service area boundaries agreed upon by Lincoln-Union Electric Company and Northern States Power Company and as shown on the attached General Highway Map of Lincoln County, South Dakota:

1. Beginning at the north center line of section 7, R50W, T100N,
2. Then south to the center point of section 7, R50W, T100N.
3. Then east along the half mile line to the center of I29 in section 7, R50W, T100N.
4. Then south along center of I29 to Junction of Highway 229 in section 18, R50W, T100N.
5. Then northeast along Highway 229 to the section line between sections 8 and 9, R50W, T100N.
6. Then south along the section line to the north quarter mile line between sections 16 and 17, R50W, T100N.
7. Then east along quarter mile line to the west quarter mile line of section 16, R50W, T100N.
8. Then south along the west quarter mile line one-half mile to the south quarter mile line of section 16, R50W, T100N.
9. Then west along the south quarter mile line to the half mile line of section 17, R50W, T100N.
10. Then north along the half mile line to the north section line of section 17, R50W, T100N.
11. Then west along section line to the east quarter mile line of section 18, R50W, T100N.
12. Then south along the east quarter mile line to south section line of section 18, R50W, T100N.
13. Then west along the section line to the center of I29.
14. Then south on I29 to the south quarter mile line in section 19, R50W, T100N.
15. Then east along the south quarter mile line to the east quarter mile line of section 19, R50W, T100N.
16. Then south along the quarter mile line to the north quarter mile line of section 30, R50W, T100N.
17. Then west along the north quarter mile line to the center of I29 in section 30, R50W, T100N.
18. Then south along the center of I29 to the south quarter mile line of section 30, R50W, T100N.
19. Then west along the south quarter mile line to the west quarter mile line of section 25, R51W, T100N.
20. Then south along the west quarter mile line to the south section line of section 25, R51W, T100N.
21. Then west to the northwest corner of section 25, R51W, T100N.
22. Then north along the section line one-half mile to the east center of section 26, R51W, T100N.
23. Then west along the half mile line to the west quarter mile line of section 26, R51W, T100N.
24. Then north along the west quarter mile line to the north quarter mile line in section 26, R51W, T100N.
25. Then west along the north quarter mile line to the half mile line of section 27, R51W, T100N.
26. Then south along the half mile line to the center point of section 34, R51W, T100N.
27. Then east one-half mile to the east section line of section 34, R51W, T100N.
28. Then north along the section line to the northeast corner of section 34, R51W, T100N.
29. Then east along the section line one-eighth mile.

Descriptions continued

Exhibit "C"

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

IN THE MATTER OF THE REQUEST BY XCEL)	FINDINGS OF FACT AND
ENERGY FOR A DETERMINATION OF ITS)	CONCLUSIONS OF LAW;
TERRITORY BOUNDARIES)	NOTICE OF ENTRY OF
)	ORDER
)	EL00-026

On September 15, 2000, the Public Utilities Commission (Commission) received a request from Xcel Energy (Xcel) to determine a territorial boundary dispute. Xcel stated that Xcel and Southeastern Electric Cooperative, Inc. (Southeastern) do not agree on a service territory boundary located in southwest Sioux Falls. Xcel stated the following:

The area in question is known as the "Sunset Ridge Addition." It lies in northern Lincoln County just west of Interstate 29, in Section 7 of Township 100 North, Range 50 West. I am under the understanding that Southeast Coop believes the territorial boundary should be drawn at what is known as 61st Street. Xcel believes that the territorial boundary should be drawn somewhat south of 61st Street at what will be known as Bakker Park Drive.

The hearing was held as scheduled on October 5, 2000, beginning at 10:00 a.m. in Room 412 of the State Capitol Building, 500 E. Capitol, Pierre, South Dakota. The issue at the hearing was to determine the electric service boundary between Xcel and Southeastern in Section 7, Township 100 North, Range 50 West, in Lincoln County. Briefs were filed following the hearing.

At its November 2, 2000, meeting, the Commission considered this matter. The Commission allowed the admission, as an exhibit, of the transcript of the original proceeding that established the territorial boundaries. With respect to the merits of the case, the Commission found that the territorial map of the Commission establishes that the southern boundary of Xcel's service area is the line equidistant between the northern and southern boundaries of Section 7, Township 100 North, Range 50 West, in Lincoln County.

Based on the evidence of record, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. On September 15, 2000, the Commission received a request from Xcel to determine a territorial boundary dispute. Xcel stated that Xcel and Southeastern do not agree on a service territory boundary located in southwest Sioux Falls. The boundary line at issue is located in Section 7, Township 100 North, Range 50 West, in Lincoln County (hereafter referred to as Section 7). Exhibits 1-4.
2. Xcel maintained that its southern boundary is a line equidistant between the south section line and the north section line of Section 7. Tr. at 16-17.

3. Southeastern contended that the boundary line was not equidistant between the south section line and the north section line of section 7, but was located further north, which would place the boundary line near 61st Street. Tr. at 79-81. Southeastern contended that the written description of the location of the territorial boundary placed the line near 61st Street and that the map was consistent with the written description. *Id.*

4. In 1976, Southeastern and Excel (formerly Northern States Power Company) entered into a contract in which they came to an agreement as to the location of their territorial boundaries. Exhibit 2. Attached to the contract was a map showing the boundaries and written descriptions of each utility's service area. *Id.* The written description describes the disputed section as follows:

1. Beginning at the north center line of section 7, R50W, T100N.
2. Then south to the center point of section 7, R50W, T100N.
3. Then east along the half mile line to the center of I29 in section 7, R50W, T100N.

5. Section 7 is a fractional section and it is not a full mile from south to north. Tr. at 20-21, 30. When dealing with a fractional section, the term "half mile line" is a surveyor's term that generally requires a surveyor to start at the southeast quarter and go a half mile to the north to find the "half mile line." Tr. at 30. This would put Xcel's southern boundary near 61st Street. Tr. at 31. However, the written description also contains some terms that are not commonly used surveying terms and can be interpreted in different ways. Tr. at 22-23, 39-41, 60-61, 63, 76, 108-110. A Southeastern witness agreed that the written description was quite possibly written by a lay person trying to describe a map that was already drawn. Tr. at 109-110. The Commission finds that the written description of the disputed area as attached to the contract is ambiguous.

6. The contract provided that if there was any conflict between the map and the written description, "the map shall in all respects be conclusive proof of the assigned service area of each utility." *Id.* at 3. The map attached to the contract shows that the disputed boundary line is located equidistant between the north and south section lines. Tr. at 10-11; Exhibits 2, 3.

7. On July 1, 1976, the Commission approved the official electrical territorial maps for all territorial boundaries in the Sioux Falls area. Exhibit 15. The Commission's order stated that "the Official Electrical Territorial Maps attached hereto and being hereby incorporated as if set forth in full herein constitutes the aforementioned territorial boundary agreements and stipulations by the parties." *Id.* at 1 (finding of fact IV). The Commission then ordered that the Official Electrical Territorial Maps establish the assigned service areas of the electric utilities. *Id.* at 2 (ordering clause).

8. Exhibit 1 is a copy of the official territorial map on file with the Commission. Tr. at 53-54. Exhibit 4 is an enlarged Exhibit 1. Tr. at 13. The official territorial map as filed with the Commission shows that the boundary line in Section 7, that depicts the southern boundary of Xcel's territory and the northern boundary of Southeastern's territory, is a line

equidistant between the south section line and the north section line of Section 7. Tr. at 16-17, 42, 61-62, 89.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to SDCL 49-34A-42 through 49-34A-44, inclusive.
2. The Commission finds that the official territorial map as approved by the Commission shows that the boundary line in Section 7, that depicts the southern boundary of Xcel's territory and the northern boundary of Southeastern's territory, is a line equidistant between the south section line and the north section line of Section 7. Tr. at 16-17, 42, 61-62.
3. The Commission further finds that the written description of the disputed area as attached to the contract is ambiguous. Exhibit 2. The Commission finds that the map attached to the contract also shows that the disputed boundary line was located equidistant between the north and south section lines. Tr. at 10-11; Exhibits 2, 3.

It is therefore

ORDERED, that the southern boundary of Xcel's territory and the northern boundary of Southeastern's territory is a line equidistant between the south section line and the north section line of Section 7.

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that this Order was duly entered on the 9th day of November, 2000. Pursuant to SDCL 1-26-32, this Order will take effect 10 days after the date of receipt or failure to accept delivery of the decision by the parties.

Dated at Pierre, South Dakota, this 9th day of November, 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:	<u>Alvin Kalko</u>
Date:	<u>11/9/00</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSIONER:

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner



September 17, 2001

RECEIVED

SEP 20 2001

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Mr. Brad Schardin
% Southeastern Electric Cooperative, Inc.
PO Box 388
Marion, SD 57043

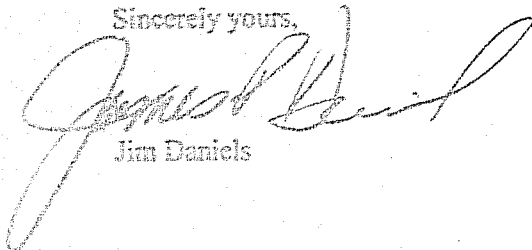
Dear Mr. Schardin:

Based on my recent conversation with Roger Smith, Assistant Operations Manager he reviewed with me the plans for electrical service in the area known as the Sunset Ridge Addition in the North Quarter corner of Section 7, Township 100 North, Range 50 West in the city of Sioux Falls, SD. I am the owner/developer of Sunset Ridge Addition on this parcel of land located in the southwest side of Sioux Falls, SD.

Please accept this letter as my acknowledgement of and agreement to the changes being proposed to the electrical service area mentioned above. I agree to the changes that have been worked out between Southeastern Electric Cooperative, Inc., and Xcel Energy.

Please contact me if I can be of further assistance.

Sincerely yours,



Jim Daniels

South Dakota Public Utilities Commission
WEEKLY FILINGS

For the Period of September 20, 2001 through September 26, 2001

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

CONSUMER AFFAIRS

CT01-041 In the Matter of the Complaint filed by Susan Brenneman, Iowa City, Iowa, against Qwest Corporation and AT&T Communications of the Midwest, Inc. Regarding Unauthorized Collect Call Charges.

Complainant states that she requested a collect call block on her telephone line. Complainant states that even though she requested a collect call block, she does not believe that the block was put on her line at her original request. Collect calls were made to her home from a correctional facility and Complainant's daughter accepted the collect calls. Complainant feels that she did everything possible to prevent the collect calls and that she should not be held responsible for the charges.

Staff Analyst: Mary Healy
Staff Attorney: Karen E. Cremer
Date Docketed: 09/20/01
Intervention Deadline: N/A

CT01-042 In the Matter of the Complaint filed by Mark E. Ferdig on behalf of Siouxland Telephone Company, Inc., North Sioux City, South Dakota, against Lightyear Communications, Inc. f/k/a UniDial Communications Regarding Failure to Pay Dial-Around Compensation.

Complainant's representative alleges that Siouxland Telephone Co., has been unable to collect compensation for payphone calls made using its facilities. Complainant requests that the SD Public Utilities Commission order the respondent to pay Dial-around compensation of \$97,049.07, plus interest at the rate of 11.25%.

Staff Analysts: Charlene Lund/Harian Best
Staff Attorney: Karen E. Cremer
Date Docketed: 09/25/01
Intervention Deadline: N/A

CT01-043 In the Matter of the Complaint filed by Mark E. Ferdig on behalf of Siouxland Telephone Company, Inc., North Sioux City, South Dakota, against ALLTEL Communications, Inc. Regarding Failure to Pay Dial Around Compensation.

Complainant's representative alleges that Siouxland Telephone Co., has been unable to collect compensation for payphone calls made using its facilities. Complainant requests that the SD Public Utilities Commission order the respondent to pay Dial-around Compensation of \$11,681.05, plus interest at the rate of 11.25%.

Staff Analysts: Charlene Lund/Harian Best
Staff Attorney: Karen E. Cremer
Date Docketed: 09/26/01
Intervention Deadline: N/A

ELECTRIC

EL01-021 In the Matter of the Joint Request for an Electric Service Territory Boundary Change between Xcel Energy and Southeastern Electric Cooperative, Inc.

Southeastern Electric Cooperative, Inc. and Xcel Energy jointly request the Commission grant an electric service territory boundary change. The boundary change is requested to allow each utility to provide electric service to the proposed Sunset Ridge Addition, Sioux Falls, SD in a more efficient manner based on the layout of the streets and the lots. The Sunset Ridge Addition is located in the Northeast Quarter and the Southeast Quarter of Section

7, Township 100 North, Range 50 West.

Staff Analyst: Michele Farnis
Staff Attorney: Karen E. Cremer
Date Docketed: 09/20/01
Intervention Deadline: 10/12/01

EL01-022 In the Matter of the Joint Request for an Electric Service Territory Boundary Change between Xcel Energy and Southeastern Electric Cooperative, Inc.

Southeastern Electric Cooperative, Inc. and Xcel Energy jointly request the Commission grant an electric service territory boundary change. On July 2, 1999, in Docket EL99-013, the Commission approved a territory boundary change for the Auburn Hills Addition. At the time a written description was not included with the map. This docket includes a written description to coincide with the map approved in EL99-013. In addition the two companies are requesting minor modifications to the existing electric service territory boundary. The Auburn Hills Addition is located in the Southwest Quarter of Section 15, Township 100 North, Range 50 West, in Lincoln County, South Dakota.

Staff Analyst: Michele Farnis
Staff Attorney: Karen E. Cremer
Date Docketed: 09/20/01
Intervention Deadline: 10/12/01

EL01-023 In the Matter of the Filing by Xcel Energy for Approval of its 2000 Economic Development Annual Report and 2001 Economic Development Plan.

Application by Xcel Energy for approval of its year 2000 economic development report on actual expenditures and proposed year 2001 economic development budget. This report and budget are filed annually pursuant to the Commission's Order in Docket EL91-004.

Staff Analyst: Dave Jacobson
Staff Attorney: Karen E. Cremer
Date Docketed: 09/25/01
Intervention Deadline: 10/09/01

NATURAL GAS

NG01-010 In the Matter of the Application of MidAmerican Energy Company for Authority to Increase Rates for Natural Gas Service.

Application by MidAmerican Energy Company (MidAmerican) for approval of a general increase in rates. MidAmerican proposes to increase rates for natural gas service in South Dakota by approximately \$3,667,000 or approximately 5.6% effective October 27, 2001. MidAmerican acknowledges that this effective date may be suspended pending review.

Staff Analyst: Dave Jacobson
Staff Attorney: Kelly Frazier
Date Docketed: 09/24/01
Intervention Deadline: 11/9/01

TELECOMMUNICATIONS

TC01-151 In the Matter of the Filing for Approval of a Local Interconnection Agreement between Qwest Corporation and Sprint Communications Company L.P.

On September 24, 2001, the Commission received a Filing for Approval of Local Interconnection Agreement between Qwest Corporation (Qwest) and Sprint Communications Company, L.P. (Sprint). According to the parties the agreement is a negotiated agreement which sets forth the terms, conditions and prices under which Qwest will provide services for resale to Sprint for the provision of local telecommunication services. 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 October 15, 2001. Parties to the agreement may file written responses to the comments no later than twenty days after the service of the initial comments.

Staff Attorney: Kelly Frazier
Date Docketed: 09/24/01
Initial Comments Due: 10/15/01

TC01-162 In the Matter of the Request of Red River Telecom, Inc. for Certification Regarding its Use of Federal Universal Service Support.

The purpose of this filing is to provide information constituting Red River Telecom, Inc.'s plan for the use of its federal universal service support and to otherwise verify that Red River Telecom, Inc. will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

Staff Analyst: Harlan Best
Staff Attorney: Karen E. Cremer
Date Docketed: 09/26/01
Intervention Deadline: 09/27/01

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



**Southeastern
Electric Cooperative, Inc.**

PO Box 388 • 501 South Broadway Avenue • Marion, SD 57043-0388
Telephone: 605-645-3619 • Facsimile: 605-645-3778 • E-mail sec@sunrisenet.com

EL01-021
Alcester Office
PO Box 105
625 SD Highway 11
Alcester, SD 57021-0105
Telephone: 605-934-1961
Facsimile: 605-934-1964
Toll-Free in SD: 1-800-333-2859

September 28, 2001

Michele Farris, Utility Analyst
South Dakota Public Utilities Commission
State Capitol
Pierre, South Dakota 57501-5070

Dear Ms. Farris,

Thanks for the call on Tuesday, September 25, 2001, relating to the materials sent for the joint request for territory changes between Southeastern Electric Cooperative, Inc., (SEC) and Xcel Energy (Xcel). You requested a statement relating to SDCL 49-34A-55 and an additional letter from the owner/developer of the Auburn Hills Addition relating to the changes proposed. I apologize for not including these items with my materials sent to you last week for the Sunset Ridge Addition and the Auburn Hills Addition.

In both of these developments, SEC and Xcel have concluded that the customer's interest will be served best by redrawing the service territory boundary so as to provide for the certain assignment of customers to each of the respective electric distribution organizations. By making these changes in our territory boundaries this will fulfill the statutory standard of SDCL-49-34A-55. With the approval of our joint request we will be able to avoid unnecessary duplication of facilities and be able to provide adequate electric service to all areas and customers affected in an efficient and economical manner.

Included with this letter is an additional letter from Myron VanBuskirk of VanBuskirk Companies relating to the slight change in his development called the Auburn Hills Addition. As noted in that letter, please give him a call if you have any questions or need any additional information from him.

Again, thanks for the call and I hope the materials I provided for you cover the issues you need additional information on for these joint requests.

Sincerely Yours,

Brad Schardin,
General Manager

Cc: Jim Wilcox
enclosures

RECEIVED

OCT 01 2001

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION



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

IN THE MATTER OF THE JOINT REQUEST)	ORDER GRANTING
FOR AN ELECTRIC SERVICE TERRITORY)	APPROVAL OF ELECTRIC
BOUNDARY CHANGE BETWEEN XCEL)	SERVICE TERRITORY
ENERGY AND SOUTHEASTERN ELECTRIC)	AGREEMENT
COOPERATIVE, INC.)	EL01-021

On September 20, 2001, the Public Utilities Commission (Commission) received a joint filing by Xcel Energy (Xcel) and Southeastern Electric Cooperative, Inc. (SEC) for approval of an electric service territory boundary change. According to the application, the change is being requested to allow each utility to provide electric service to the proposed Sunset Ridge Addition southwest of Sioux Falls, South Dakota, in a more efficient manner based on the layout of the streets and lots. The Sunset Ridge Addition is located in the NE¼SE¼ of Section 7, Township 100 North, Range 50 West, Lincoln County, South Dakota. The owner/developer consented to the proposed change in territory boundaries. There are no existing customers affected and no facilities will be sold. The electric service boundary change is as follows:

Starting at the center of 57th Street and a point that would coincide with the Northeast Corner of Lot 1 in Lincoln Highlands and the Northwest Corner of Lot 1 in Block 1 of the Sunset Ridge Addition or the North Quarter Corner of Section 7, Township 100 North, Range 50 West.

Then South along the back lot lines of Lot 1 in Lincoln Highlands Addition and Lot 1, Block 1 of the Sunset Ridge Addition to the center of 61st Street that would coincide with the Southeast Corner of Lot 11, Block 4 in the Lincoln Highlands Addition and the Southwest Corner of Lot 12, Block 4, in the Sunset Ridge Addition or the Northeast Corner of Lot 1, Block 7 in the Lincoln Highlands Addition and the Northwest Corner of Lot 1, Block 7 of the Sunset Ridge Addition.

Then East along the center line of 61st Street to the center that would coincide with the Southeast Corner of Lot 12 or the Southwest Corner of Lot 13, Block 5 of the Sunset Ridge Addition or the Northeast Corner, Lot 1 or Northwest Corner Lot 24 in Block 8 of the Sunset Ridge Addition.

Then South along the back lot line of Lot 1 or the back lot line of Lot 24, Block 8 to the Southeast Corner of Lot 11 or the Northeast Corner of Lot 12 or Southwest Corner Lot 14 or Northwest Corner of Lot 13 in Block 8 of the Sunset Ridge Addition.

Then East along the South boundary line of Lot 14 or the North boundary line of Lot 13 to the Southeast Corner of Lot 14 or the Northeast Corner of Lot 13, Block 8 in the Sunset Ridge Addition.

Go North and East to the Northwest Corner of Lot 12 or the Southwest Corner of Lot 1, Block 11 in the Sunset Ridge Addition.

Then East along the North boundary line of Lot 12, 11, 10, 9 and 8, or the South boundary lot lines of Lot 1, 2, 3, 4, 5, 6 and 7 of Block 11 of the Sunset Ridge Addition to the center of Marion Road that would coincide with the Southeast Corner of Lot 7 or the Northeast Corner of Lot 8 in Block 11 of the Sunset Ridge Addition.

Then South along the center line of Marion Road to the equidistant line as ordered by the SDPUC on the 9th day of November 2000, pursuant to SDCL 1-26-32.

On October 23, 2001, at its regularly scheduled meeting, the Commission considered the request for approval of the boundary change. Commission Staff recommended approval.

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 change in the service territory boundary will avoid unnecessary duplication of facilities, provide adequate electric service to all customers affected, and promote the efficient use and development of the electric systems of Xcel and SEC. The Commission therefore concludes that the change in the service territory boundary is in the public interest and it shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of an electric service territory boundary change between Xcel and SEC is hereby granted.

Dated at Pierre, South Dakota, this 31st day of October, 2001.

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	<u>Neiland Kalko</u>
Date	<u>11/1/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner