



May 17, 2006

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RECEIVED

MAY 18 2006

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Ms. Patricia Van Gerpen
Executive Director
SD Public Utilities Commission
State Capitol Building
Pierre, SD 57501

Re: Territory Exception, Bon Homme County, SD

Dear Ms. Gerpen:

The purpose of this letter is to request approval from the Public Utilities Commission allowing Bon Homme Yankton Electric Association, Inc. (B Y Electric) to provide three phase electrical power to an Irrigation Well. Said Irrigation Well is located in NorthWestern Energy's (NorthWestern) Service Territory in the approximate center of the Northwest Quarter (NW1/4) of Section 1, Township Ninety-five North (T95 N.), Range Fifth-eight West, Bon Homme County, South Dakota.

This Irrigation Well requires three phase power, NorthWestern's closest three phase power line is located 1.5 miles East and One (1) mile South of the North Quarter Corner of said Section (1). B Y Electric has a three Phase power line located along SD Highway #46 on the North side of said Section One (1).

Mr. John A. Fillaus has requested (see attached letter) that NorthWestern allow B Y Electric to provide electrical service to an Irrigation Well located in the approximate center of the Northwest Quarter (NW1/4) of said Section 1. Enclosed you will find a Consent and Agreement for Electric Service in assigned Service Territory of Another Electric Supplier (prepared by NorthWestern). Also enclosed is a drawing (Exhibit "A") illustrating the location of the Irrigation Well and B Y Electric's three phase power line.

Thank you, for your assistance if you have any questions please call me at 605/353-7528.

Sincerely,

A handwritten signature in black ink that reads "Ron Gogolin".

Ron L. Gogolin
Coordinator - Land and Easement

Cc: Brad Wenande (NorthWestern)
John A. Fillaus (Land Owner)

**CONSENT AND AGREEMENT FOR
ELECTRIC SERVICE IN
ASSIGNED SERVICE TERRITORY
OF ANOTHER ELECTRIC SUPPLIER**

As agreed between NorthWestern Corporation, d/b/a NorthWestern Energy (NorthWestern), 600 Market Street West, Huron, South Dakota 57350-1500 and Bon Homme, Yankton Electric Association, Inc. (B Y Electric) P.O. Box 158, Tabor, South Dakota.

NorthWestern has assigned territorial rights to provide Electrical Service to Section One (1), Township Ninety-five North (Lincoln Township), Range Fifty-eight West (R.58 W.) of the Fifth (5th) Principal Meridian, Bon Homme County, South Dakota. By this Consent and Agreement NorthWestern hereby agrees to allow B Y Electric to supply electric service in its assigned service territory, pursuant to South Dakota Codified Law 49-34A-55 and the provisions of this Consent and Agreement.

The execution of this Consent and Agreement is made with the understanding and agreement that the land described herein shall remain a part of the assigned service area of NorthWestern, and that by virtue of this Consent and Agreement, B Y Electric does not acquire any assigned service area rights in any portion of the property, nor will B Y Electric acquire any rights to provide electric service in the area or in any other area on the basis of the electric line construction allowed pursuant to this Consent and Agreement. Furthermore, this Consent and Agreement shall not be admissible in evidence before any court or commission, nor shall it constitute or establish at any time a precedent between NorthWestern and B Y Electric.

NorthWestern consents to B Y Electric providing Electrical Service to an Irrigation Well for as long as said Irrigation Well is used to Irrigate the following described property. Should said well cease being used for Irrigation purposes all rights granted by this Consent and Agreement shall be Terminated.

Said Irrigation Well is located in the approximate center of the Northwest Quarter (NW1/4) of Section One (1), Township Ninety-five North (T. 95 N.), Range Fifty-eight West (R.58 W) of the Fifth (5th) Principal Meridian, Bon Homme County, South Dakota

As shown on the drawing attached as Exhibit "A"

This Consent and Agreement is effective only after being approved by the Public Utilities Commission.

Dated this 16th day of May, 2006.

NORTHWESTERN ENERGY

By: [Signature]
Its: GM Retail Operations - SD/NE

BON HOMME, YANKTON ELECTRIC ASSOCIATION, INC.

By: [Signature]
Its: Gen. Mgr.

May 8, 2006

NorthWestern Energy
600 Market St. West
Huron, SD 57350

Dear Sir:

I am digging an irrigation well which will be located in the center of the NW ¼ of Section 1, Range 58 West, Township 95 North, Lincoln Township, Bon Homme County, South Dakota.

As you know, I need a 3-phase line for this project. Having NorthWestern Energy build a new 3-phase line to service one irrigation unit is too costly for both parties. B-Y Electric has an existing 3-phase line on the ^{North}west side of my property. Because of the cost factor, I request NorthWestern Energy to release electric service for this irrigation project to B-Y Electric, Tabor, SD.

Thanks for your cooperation.

Sincerely,

John A. Fillaus

John A. Fillaus
28911 420th Ave.
Scotland, SD 57059
605-583-2388

COPY

APPROXIMATE END OF NORTHWESTERN'S EXISTING
SINGLE PHASE OVERHEAD ELECTRICAL POWER LINE

12.5 MILES MORE OR LESS TO US HIGHWAY #81
1/2 MILE MORE OR LESS TO BORN HODME / YANKTON COUNTY LINE

SO. DAK.

SECTION CORNER

HIGHWAY

SECTION LINE

#46

B - Y ELECTRIC EXISTING, 3 PHASE OVERHEAD ELECTRICAL POWER LINE

NORTH 1/4 SECTION CORNER

1.4 MILES EAST AND ONE MILE SOUTH TO NORTHWESTERN
ENERGY'S 3 PHASE OVERHEAD ELECTRICAL POWER LINE

AVENUE

SECTION LINE

427th

SECTION LINE

SECTION LINE

NW 1/4

NE 1/4

SERVICE TO IRRIGATION WELL LOCATED IN THE APPROXIMATE
CENTER OF THE NW 1/4 OF SECTION 1, T.95 N., R.58 W. TO BE
RELEASED TO B - Y ELECTRIC OF TABOR, SOUTH DAKOTA

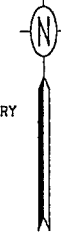
WEST 1/4 SECTION CORNER

1/4 SECTION LINE

SEC. 1, T.95 N., R.58 W.

NORTHWESTERN SERVICE TERRITORY

CENTER OF SECTION



SCALE 1"=300'
MAY 2006

EXHIBIT "A"

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