

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE  
CONSIDERATION OF THE NEW  
PURPA STANDARDS AS SET FORTH  
IN THE ENERGY POLICY ACT OF  
2005

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EL06-018

BLACK HILLS POWER, INC.'s  
PETITION FOR LATE FILED  
INTERVENTION

COMES NOW Black Hills Power, Inc. (Black Hills) and petitions the Public Utilities Commission of the State of South Dakota (Commission) to intervene in this proceeding as follows:

1. Black Hills is a public utility doing business in the State of South Dakota under SDCL Ch. 49-34A and is a rate regulated investor owned utility.
2. The Commission has opened this proceeding to consider how to proceed with new federal standards imposed by the enactment of the Energy Policy Act of 2005 on August 8, 2005 regarding, among others things, fuel diversity, fossil fuel generation efficiency, smart metering, and interconnection for distributed resources.
3. As a rate regulated investor owned utility, Black Hills is bound by the outcome in this proceeding and is an "affected utility" as set forth in the Commission's order in this docket dated July 31, 2006. Further the interest peculiar to Black Hills is distinguished from an interest common to the public or to the taxpayers in general.
4. Denial of this petition to intervene would be detrimental to the interests of Black Hills and its customers, and accordingly would be detrimental to the public interest.

WHEREFORE, Black Hills prays that the Commission grant its petition to appear as a party in this proceeding.

Dated this 17<sup>th</sup> Day of August.

Black Hills Power, Inc.

By:   
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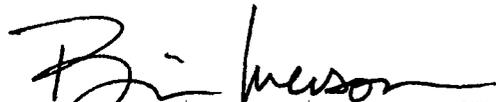
Certificate of Service

Brian G. Iverson hereby certifies that on the 17<sup>th</sup> day of August, 2006 the forgoing Petition to Intervene has been served in accordance with the rules of the Public Utilities Commission to the individuals listed below.

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