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July 28, 2006

**ELECTRONICALLY FILED**  
**DATE**       JUL 28 2006      

**VIA EMAIL AND U.S. MAIL**

South Dakota Public Utilities Commission  
Capitol Building, 1st Floor  
500 East Capitol Avenue  
Pierre, SD 57501-5070

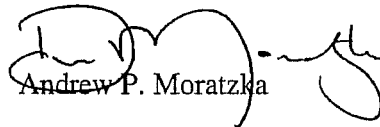
Re: In the Matter of the Application of Black Hills Power, Inc. for Authority to  
Increase Electric Rates  
Docket No. EL06-019

Dear Sir or Madam:

Enclosed for filing please find an original and ten copies of the Petition to Intervene and Notice of Appearance of Merillat Industries, LLC, GCC Dacotah, Inc., and Pope & Talbot, Inc., collectively referred to as the Black Hills Intervenors ("BHI"). Also enclosed is an affidavit of service copying all parties on the official service list.

Very truly yours,

MACKALL, CROUNSE & MOORE, PLC

  
Andrew P. Moratzka

Enclosure

cc: Attached Service List

RSL/cmc/799577v1

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

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In the Matter of the Application of  
Black Hills Power, Inc., for Authority to  
Increase Its Electric Rates

Docket No. EL06-019

**PETITION TO INTERVENE  
AND NOTICE OF APPEARANCE  
OF MERILLAT INDUSTRIES,  
LLC, POPE & TALBOT, INC.,  
AND GCC DACOTAH, INC.**

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Merillat Industries, LLC, Pope & Talbot, Inc., and GCC Dacotah, Inc. (collectively “Black Hills Intervenors” or “BHI”) hereby petition for leave to intervene as parties in the above entitled matter.

Merillat Industries, LLC (“Merillat”), is one of the nation’s largest cabinet manufacturers. Based in Michigan, Merillat has nine plants located throughout the United States. Along with its sister-brand Quality Cabinets, Merillat is part of the Masco Builder Cabinet Group. Masco, the parent company, is located in Taylor, Michigan, and includes a variety of operating companies such as Behr Paints, Delta Faucets, Milgard Windows, KraftMaid Cabinetry, Liberty Hardware, Masco Contractor Services, as well as many other businesses. Merillat is one of the industry leaders in sales of cabinets to builders and consumers. Relevant here is the particle board plant in Rapid City, South Dakota, which manufactures materials utilized in cabinet-making to help supply stores in Rapid City, Spearfish, and elsewhere around the country.

Pope & Talbot, Inc. (“PT”), is a publicly traded company with its roots in the pulp business. It manufactures softwood lumber and market pulp in the United States and Canada. In particular, it manufactures bleached kraft pulp for newsprint, writing paper, and tissue manufacturers. PT is headquartered in Portland, Oregon, and has operations in British Columbia, Oregon, and South Dakota. Relevant here is the Ponderosa Pine manufacturing facility, located in Spearfish, South Dakota. This facility manufactures 450,000 board feet per day.

GCC Dacotah, Inc. ("GCC") is a cement producer located in Rapid City, South Dakota. Its parent company is Grupo Cementos de Chihuahua, S.A. de C.V, headquartered in Mexico. The parent company has assets of more than \$875 million as of June 30, 2003, with cement, ready-mixed concrete, limestone aggregates, concrete block and gypsum operations, and an important presence, through U.S. subsidiary companies, in seven states in the United States and in the state of Chihuahua in Mexico. The parent company and its operating subsidiary companies employ approximately 1,500 people in the U.S. and Mexico. GCC was formed on March 16, 2001, in order to acquire a cement product facility in Rapid City, South Dakota. GCC has a cement production capacity of 950,000 metric tons annually. GCC markets and sells cement in nine states and distributes its cement through a network of distribution terminals located in South Dakota, Wyoming, and Colorado.

The Black Hills Intervenors seek to intervene in this matter because the proposed rate increase of Black Hills Power, Inc.'s ("BHP"), will greatly increase BHI's cost of doing business. BHI believes their interests in this proceeding are unique and may well not be adequately addressed by other intervenors. Based on the current service list available on the South Dakota Public Utilities Commission's website, it is not apparent that there are any other customer parties to this case, including but not limited to large industrial customers. BHI's participation in this matter will not disadvantage or burden any other party. Therefore, BHI asks that its petition be granted.

This will also constitute a Notice of Appearance of Robert S. Lee, Andrew P. Moratzka, and Timothy L. Droel of the law firm of Mackall, Crouse & Moore, PLC as the attorneys for BHI in this proceeding.

Respectfully submitted,

MACKALL, CROUNSE & MOORE, PLC

/e/ Timothy L. Droel

Robert S. Lee

Andrew P. Moratzka

Timothy L. Droel

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APM/apm/799607v1

In the Matter of the Application of Black Hills  
Power, Inc. for Authority to Increase Electric  
Rates

Docket No.: EL06-019

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF HENNEPIN )

AFFIDAVIT OF SERVICE

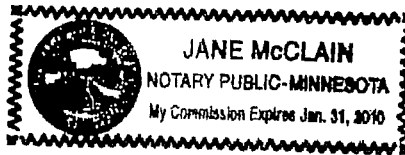
Carolyn M. Cochran, being first duly sworn on oath, deposes and states that on the 28<sup>th</sup> day of July, 2006, copies of the Petition to Intervene of Merillat Industries, LLC, GCC Dacotah, Inc. and Pope & Talbot, Inc., collectively referred to as the Black Hills Intervenors ("BHI") in the above-referenced matter were emailed and mailed by United States first class mail, postage prepaid thereon, to the parties on the attached service list.

Carolyn M Cochran  
Carolyn M. Cochran

Sworn to before me this  
28<sup>th</sup> day of July, 2006.

Jane McClain  
Notary Public

RSL/cmc/799583v1



# Service List

## Docket Number EL06-019

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