

**BEFORE THE SOUTH DAKOTA  
PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION</b>	)	
<b>OF BLACK HILLS POWER, INC. FOR</b>	)	<b>AMENDMENT TO SETTLEMENT</b>
<b>APPROVAL OF ITS TRANSMISSION</b>	)	<b>STIPULATION</b>
<b>FACILITIES ADJUSTMENT</b>	)	<b>Docket EL14-013</b>

This AMENDMENT is made and entered into, on this 5<sup>th</sup> day of May, 2015, by Black Hills Power, Inc. (“BHP”), a South Dakota Corporation, and the Staff of the South Dakota Public Utilities Commission (“Commission Staff”); throughout this agreement BHP and Commission Staff will be jointly referred to as the Parties.

**RECITALS**

1. The Parties hereto are the parties to the agreement titled Settlement Stipulation in South Dakota Public Utilities Commission (“Commission”) Docket EL14-013, which was put before the Commission on May 13, 2014, and approved by the Commission as final resolution of all matters in Docket EL14-013.

2. The Settlement Stipulation established several annual reporting obligations of BHP for information related to its Transmission Facility Adjustment (“TFA”) tariff mechanism that is applicable to electric service rendered by BHP to its South Dakota customers.

3. According to Paragraph 6, under *Elements of Settlement Stipulation* of the Settlement Stipulation, the Parties agreed BHP will provide Commission Staff with an *Annual Report of South Dakota Jurisdictional Financial Condition* (“Report”) and the Report is to be provided by April 15<sup>th</sup> of each year.

4. According to Exhibit A attached to the Settlement Stipulation, BHP’s South Dakota Electric Tariff Book, Section No. 3C, Sheet No. 22 states the TFA will be updated and filed each year on or before February 15<sup>th</sup>.

5. The Parties recognize the Report is intended to provide Commission Staff information to assist in the evaluation process of BHP’s TFA annual filings. As Commission

Staff requires the Report during the review process of annual filings, the Parties agree the submission deadline for the Report must be adjusted to correspond to the deadline adopted by the Parties in the Settlement Stipulation for the submission of the filing.

### AGREEMENT

**NOW, THEREFORE**, in consideration of the foregoing and of the mutual promises, covenants, undertakings, and conditions set forth herein, the Parties agree to amend the Settlement Stipulation as follows:

1. Paragraph 6 under *Elements of Settlement Stipulation* of the Settlement Stipulation is hereby amended and restated in its entirety to read as follows:

**“Annual Reports of South Dakota Jurisdictional Financial Condition**—The Parties agree that, by February 15<sup>th</sup> of each year, the Company will send to Commission Staff an informational report of its South Dakota jurisdictional financial condition for the preceding calendar year. The determinations will be presented on an actual basis and will reflect South Dakota ratemaking practices. This requirement will exist only as long as the Company is receiving revenue from the TFA. The Company is not required to submit the report if BHP has (a) filed a general rate case within 12 months of the report due date or (b) adjusted rates as a result of a general rate case within 12 months of the report due date.”

2. This Amendment is intended to relate only to the specific matters referred to herein; the Parties waive no right or claim with respect to any matter not expressly provided for herein.

3. Upon execution of this Amendment, the Parties shall file this document with the Commission, along with a joint motion asking the Commission to issue an order approving this Amendment in its entirety.

**IN WITNESS WHEREOF**, the Parties have caused this Amendment to the Settlement Stipulation to be executed by their duly authorized representatives.

**Black Hills Power, Inc.**

**South Dakota Public Utilities Commission**

By: Kyle D. White

By: Karen E. Cremer

Its: D.P. of Regulatory Affairs

Its: Staff Attorney