

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

In the Matter of the Petition for Electrical  
Service by Dakota Plains Ag Center, LLC  
to have Northwestern Energy Assigned as its  
Electric Provider in the Service Area of  
Bon Homme Yankton Electric

**Motion to Compel by  
Bon Homme Yankton Electric  
Association, Inc.  
Docket EL16-013**

Bon Homme Yankton Electric Association, Inc. (“Cooperative”) moves the Commission pursuant to SDCL § 15-6-37(a) for an order compelling Dakota Plains Ag. Center, LLC (“Dakota Plains”) to provide answers to Bon Homme Yankton Electric Association, Inc.’s (the “Cooperative”) Interrogatories and Requests for Production of Documents (First Set).

Dakota Plains objects to and refused to provide answers to Cooperative’s Interrogatories No. 9, 10, 11, 12, 13, and 14 and Requests for Production of Documents No. 3 and 4. These requests seek information regarding Dakota Plains estimates of its proposed Napa Junction facility’s anticipated load demand and methods for calculating its estimates. The requests also seek comparative information and equipment lists for Dakota Plains’ other grain handling facility near Tripp, South Dakota (the “Beardsley Facility”). The Beardsley facility is similar in function, size, and operation to the proposed facility. The requested information is at the very heart of the dispositive issue in this matter, which is whether or not the proposed facility is a large load. Dakota Plains also objects to providing current and past load demand information for the Beardsley facility. Again, this information is relevant because it provides a reasonable, reliable comparison to the proposed Napa Junction facility. Finally, the Cooperative has conferred with counsel for Dakota Plains in an attempt to obtain the requested information without Commission involvement, but the Cooperative was unsuccessful in this attempt.

For the foregoing reasons, and based on the authority cited in the Brief in Support of Motion to Compel filed by Cooperative simultaneously with this Motion, Cooperative seeks highly relevant and easily accessible information that is well within the scope of discovery. The Cooperative respectfully asks the Commission to grant its Motion to Compel.

Dated this 31<sup>th</sup> day of May, 2016.

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