

**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 Association) Docket No. EL16-013

**OPPOSITION TO PETITION OF SDREA
TO INTERVENE**

COMES NOW, the Petitioner, Dakota Plains Ag Center, LLC, by and through one of its attorneys, Brett Koenecke, and files its opposition to the Petition of the South Dakota Rural Electric Association to intervene as a party in the above-captioned matter.

1. Dakota Plains Ag Center is located in the service territories of both Northwestern Energy and Bon Homme – Yankton Electric Association. Both entities are parties to the matter and are represented by competent, able, counsel.

2. South Dakota Rural Electric Association has no direct and pecuniary interest in the outcome of this proceeding. A direct and pecuniary interest is required pursuant to SDCL §1-26-17.1, referenced in the Petition of the South Dakota Rural Electric Association. SDREA will be neither harmed nor helped by the ultimate decision in this matter. SDREA may or may not like the result, but no pecuniary interest is at risk.

3. SDREA’s allegation that the issues presented in the petition directly affect all of its member companies and their consumers is not credible. The issues in this docket directly affect the current parties and no more. Denial of the Petition to Intervene is hardly detrimental to the public interest and extremely unlikely to result in a miscarriage of justice, despite what the Petition states.

4. SDREA’s Petition amounts to an improper desire to have more lawyers involved, more seats at the table, and more voice in the matter. The law doesn’t permit this, and for good reason. If Bon Homme – Yankton needs more help, it seems that all can appear with Bon Homme – Yankton.

For these reasons and upon the authority found in state law for the proper recognition of interventions, Dakota Plains respectfully asks the Commission to deny the Petition to Intervene.

Dated this 25 day of April, 2016.

MAY, ADAM, GERDES & THOMPSON, LLP

BY: 
BRETT KOENECKE
KARA C. SEMMLER
May, Adam Law Firm
503 S. Pierre, St
Pierre, SD 57501
(605) 224-8803
kcs@mayadam.net
brett@mayadam.net

CERTIFICATE OF SERVICE

Brett Koenecke of May, Adam, Gerdes & Thompson hereby certifies that on or before the 25 day of April, 2016, he electronically served through the PUC filing system or mailed by US First Class Mail, a copy of the Objection to Petition of SDREA to Intervene to the service list on PUC Docket EL16-013.



BRETT KOENECKE