

**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                    )     Docket No. EL16-\_\_\_\_  
Electric Provider in the Service Area of                )  
BonHomme-Yankton Electric                                )

**PETITION FOR ELECTRIC SERVICE**

Comes now Dakota Plains Ag Center, LLC (“Dakota Plains”) by and through Brett Koenecke and Kara Semmler, its attorneys, and pursuant to SDCL 49-34A-56, respectfully petitions the South Dakota Public Utilities Commission (the “Commission”) as follows:

I.     **DAKOTA PLAINS AS QUALIFYING CUSTOMER**

A. The Petitioner Dakota Plains has plans to construct and operate a grain terminal with rail service near Yankton, South Dakota. The new grain terminal (herein the “Terminal”) will be at a site located in the following tract of land in Yankton County, South Dakota:

**Lot One (1), Dakota Rail Park Subdivision, located in Section Twenty-one (21),  
Township Ninety-four (94) North, Range Fifty-Six (56) West of the 5<sup>th</sup> P.M.,  
Yankton County, South Dakota as per plat recorded in book S20, Page 132.**

See Exhibit A.

B. Dakota Plains is a new customer, seeking electrical service to a new location, which has developed since March 21, 1975. Such location overlaps the territorial boundaries of both NorthWestern Energy, an investor owned utility and BonHomme-Yankton Electric, an REC, as such boundaries existed on March 21, 1975, all pursuant to SDCL 49-34A-56.

C. Dakota Plains is negotiating an Electric Service Agreement with NorthWestern Energy, subject to Commission approval, which Dakota Plains believes will allow it to receive

reliable electrical service at an economic rate and without extensive development of new or duplicative facilities to provide such service. The Terminal is designed for an electric usage of approximately 2300 kilowatts. As such the Electric Service Agreement will have a contracted minimum demand in excess of the statutory threshold of two thousand kilowatts.

## II. REQUESTED ELECTRIC SERVICE PROVIDER

A. Dakota Plains desires to receive electrical service from NorthWestern Corporation, doing business as NorthWestern Energy (“NorthWestern Energy”), for all of its electrical needs at the Terminal.

B. Dakota Plains is informed and believes that NorthWestern Energy can furnish electrical service to meet the Terminal’s needs, consistent with the factors of SDCL 49-34A-56 as follows:

- (1) NorthWestern Energy can meet the electrical service requirements of the load to be served;
- (2) NorthWestern Energy has an adequate power supply;
- (3) Serving the Terminal will assist in the development and improvement of the NorthWestern Energy electric system, including economic factors relating thereto;
- (4) NorthWestern Energy has existing adequate facilities of its own, which are adjacent to the location, from which electric service of the type required may be delivered.;
- (5) Dakota Plains has a strong preference to be served by NorthWestern Energy; and
- (6) Other pertinent factors exist related to the furnishing of adequate electric service.

If BY were to fulfill Dakota Plains’ requirements, Dakota Plains would bear a tremendous expense in constructing duplicative electric facilities. The existing factors support the

Commission's consideration and determination that NorthWestern Energy should provide such service.

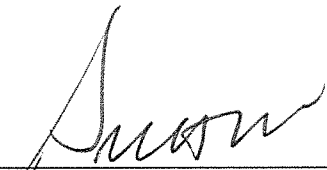
### III. CONCLUSION

Dakota Plains, as Petitioner, and as the owner of the proposed Terminal, hereby requests a hearing on this Petition as soon as possible to authorize Dakota Plains to receive permanent electrical service from NorthWestern Energy.

NorthWestern has authorized Dakota Plains to represent that it supports this Petition and will be filing a Petition for Intervention in This matter regarding permanent service as soon as Dakota Plains and NorthWestern have executed a service agreement. NorthWestern will provide evidence demonstrating the statements made in items II. B (1) through B (4) of this petition.

WHEREFORE, Petitioner Dakota Plains requests the Commission, after notice and hearing in this matter, to assign NorthWestern Energy as the supplier of electrical service to the location.

Dated this 7 day of April, 2016.

  
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