

**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 TEMPORARY 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 and 58, respectfully petitions the South Dakota Public Utilities Commission (the “Commission”) as follows:

I.

Dakota Plains is constructing and will operate a grain terminal (the “Terminal”), at a site near Yankton, South Dakota, located on the following tract of land:

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 5th P.M., Yankton County, South Dakota as per plat recorded in book S20, Page 132.

II.

Dakota Plains is a new customer at a new location. No supplier currently provides electric power to the location. The location overlaps the service areas of NorthWestern Energy (“NorthWestern”) and BonHomme -Yankton Electric (“B-Y”) such that the location is in the territories of both electric providers.

III.

Construction has begun on the project starting with the dirt work on April 1st 2016. An adequate temporary power source is needed within the next two weeks to begin construction of the shop and office buildings. Construction of the main terminal is scheduled to begin April 20th, 2016.

IV.

B-Y currently holds the territory within which the terminal is located. B-Y is not rendering service to the location currently, and does not propose to render adequate service to the facility for some time.

V.

Simultaneous with the filing of this Petition, Dakota Plains has filed a Petition pursuant to SDCL §49-34A-56, requesting this Commission to enter an order authorizing NorthWestern to be the permanent electric service provider to Dakota Plains at this location.

VI.

NorthWestern has facilities already in place alongside the location and is ready, willing, and able to provide electric service to Dakota Plains during the construction stage of the project.

VII.

It would be an undue economic burden for Dakota Plains to delay construction for such time until NorthWestern is able and authorized by the Commission to provide permanent service to the construction site.

VIII.


Accordingly, Dakota Plains petitions this Commission to authorize NorthWestern to furnish temporary electric service to the entire property during the construction phase, pursuant to the Commission's authority under SDCL §49-34A-58.

IX.

NorthWestern has authorized Dakota Plains to represent that it supports this Petition and will be filing a Petition for Intervention in the proceeding regarding permanent service as soon as Dakota Plains and NorthWestern have executed a service agreement.

WHEREFORE, Petitioner Dakota Plains requests the Public Utilities Commission, after notice and hearing on the above-entitled matter, to assign NorthWestern as the supplier of temporary electrical service to Dakota Plains at the above described location.

Dated this 1 day of April, 2016.



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