

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

IN THE MATTER OF THE)	
COMPLAINT OF ENERGY OF UTAH)	Docket No. EL 18-038
LLC, AND FALL RIVER SOLAR, LLC)	
AGAINST BLACK HILLS POWER)	BLACK HILLS POWER’S MOTION FOR
INC. DBA BLACK HILLS ENERGY)	ORDER COMPELLING RESPONSES TO
FOR DETERMINATION OF)	DISCOVERY REQUESTS AND FOR
AVOIDED COSTS)	EXTENSION OF PRE-HEARING
)	MOTION DEADLINE
)	

Respondent, Black Hills Power, Inc., d/b/a Black Hills Energy (“BHE”), by and through its counsel of record, respectfully moves the Commission for an Order Compelling Responses to Discovery Requests and for Extension of Pre-Hearing Motion Deadline pursuant to SDCL 15-6-37(a) and based upon the Affidavit of Catherine M. Sabers in Support of Motion for Order Compelling Responses to Discovery Requests and for Extension of Pre-Hearing Motion Deadline filed contemporaneously herewith.

On February 13, 2020, BHE served Black Hills’s Power’s Third Set of Data Requests to Fall River Solar on Petitioners, Energy of Utah, LLC and Fall River Solar, LLC (collectively “Fall River”), and indicated therein that responses and production of requested documents were to be produced on or before February 28, 2020. BHE has followed up through multiple items of correspondence which are set forth in the Affidavit of Catherine M. Sabers filed as support for this Motion. To date, BHE has not received responses to its discovery requests from Fall River.

With respect to the Pre-Hearing Motion Deadline, the Parties stipulated informally to one extension of the deadline to file pre-hearing motions from March 13, 2020 until March 20, 2020. Because Fall River has yet to produce responses to the discovery served February 28, 2020, this Motion also seeks an extension of the Pre-Hearing Motion Deadline until March 31, 2020.

Although BHE has not sought an Order continuing the Evidentiary Hearing at this point, BHE believes that further delay could impact the ability for the parties to proceed on the current schedule.

WHEREFORE, BHE respectfully moves the Commission for the following:

1. Set a hearing on this Motion;
2. Enter an Order compelling Fall River to fully and completely answer and produce the documents and other materials requested in Black Hills Power's Third Set of Data Requests to Fall River Solar;
3. Extend the Pre-Hearing Motion Deadline to March 31, 2020; and
4. For such other relief that the Commission deems just and equitable.

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Dated this 16th day of March, 2020.

By: Cathy M. Sabers
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CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of March, 2020, I served the foregoing Black Hills Power's Motion for Order Compelling Responses to Discovery Requests and for Extension to Pre-Hearing Motion Deadline to by email to the following:

Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 E. Capitol Avenue
Pierre, SD 57501
Patty.Vangerpen@state.sd.us

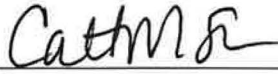
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