

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

IN THE MATTER OF THE COMPLAINT)	
OF ENERGY OF UTAH, LLC AND FALL)	JOINT MOTION FOR APPROVAL
RIVER SOLAR, LLC AGAINST BLACK)	OF A SETTLEMENT
HILLS POWER INC. DBA BLACK HILLS)	STIPULATION
ENERGY FOR DETERMINATION OF)	
AVOIDED COST)	EL18-038

Black Hills Power, Inc., d/b/a Black Hills Energy (“Black Hills Energy”), the Staff of the Public Utilities Commission (“Staff”), and Energy of Utah, LLC and Fall River Solar, LLC (“Fall River”) jointly referred to as “Parties” make this Joint Motion for Approval of a Settlement Stipulation (“Joint Motion”).

In support of this Joint Motion, the Parties submit:

1. This Joint Motion is made pursuant to ARSD 20:10:01:19;
2. The Settlement Stipulation is a negotiated, disputed fact, and disputed claim settlement and resolves all issues in Docket No. EL-038, subject to Black Hills Energy and Fall River entering into a Power Purchase Agreement and Large Generator Interconnection Agreement as considered in the Settlement Stipulation;
3. The Settlement Stipulation complies with PURPA as it is a negotiated resolution, is based on a thorough and good faith analysis, and constitutes a reasonable approximation of avoided cost; and
4. The Parties request confidential treatment of designated terms in the stipulation pursuant to ARSD 20:10:01:42 and are filing a public and confidential version of the Settlement Stipulation.

WHEREFORE, for the foregoing reasons, the Parties request the Commission hear this Joint Motion for Approval of a Settlement Stipulation at its August 18, 2020 Commission

meeting, grant the request for confidential treatment, grant this Joint Motion for Approval of a Settlement Stipulation, and approve the Settlement Stipulation without modification or condition.

Dated this 12th day of August 2020.

Black Hills Power, Inc., d/b/a Black Hills Energy

By: Catt M. [Signature]

Its: Attorney

SD Public Utilities Commission Staff

By: Quister Edwards [Signature]

Its: Staff Attorney

Energy of Utah, LLC and Fall River Solar, LLC

By: William Taylor [Signature]

Its: Attorney