

**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)	PARTIAL SUMMARY JUDGMENT
FOR DETERMINATION OF)	
AVOIDED COSTS)	

Respondent, Black Hills Power, Inc., d/b/a Black Hills Energy (“BHE”), by and through its counsel of record, respectfully moves the Commission pursuant to SDCL §15-6-56(c) for an Order Granting Partial Summary Judgment on the date of the legally enforceable obligation (“LEO”) and on responsibility for regulation costs. This Motion is based upon the Brief in Support of Motion for Partial Summary Judgment, Statement of Undisputed Material Facts, Confidential Affidavit of Eric Egge, and Affidavit of Catherine M. Sabers filed contemporaneously herewith.

WHEREFORE, BHE respectfully moves the Commission for the following:

1. Set a hearing on this Motion for July 8, 2020;
2. Grant BHE’s Motion for Partial Summary Judgment finding that the LEO in this matter is September 14, 2018 and that Fall River shall be responsible for the regulation costs; and
3. For such other relief that the Commission deems just and equitable.

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Dated this 17th day of June, 2020.

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CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of June, 2020, I served the foregoing Black Hills Power's Motion for Partial Summary Judgment by email to the following:

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