

BEFORE THE STATE OF SOUTH DAKOTA

PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE)
APPLICATION OF BLACK HILLS)
POWER, INC., d/b/a BLACK HILLS)
ENERGY FOR APPROVAL TO)
IMPLEMENT A RENEWABLE)
READY SERVICE TARIFF)

Docket No. EL 18-060

**WALMART INC.'s
PETITION TO INTERVENE**

Walmart, Inc. (“Walmart”) by and through its undersigned counsel and pursuant to South Dakota Codified Law (“SDCL”) § 49-34A-13.1 and the Administrative Rules of South Dakota (“A.R.S.D.”) 20:10:01:15.02 and 20:10:01:15.03 hereby petitions the South Dakota Public Utilities Commission (“Commission”) for intervention in the above captioned proceeding filed by Black Hills Power, Inc. d/b/a Black Hills Energy (“BH Power”). In support thereof, Walmart states as follows:

1. A.R.S.D. 20:10:01:15.03 provides that “a petition to intervene shall set out clearly and concisely the facts supporting the petitioner’s alleged interest in the proceeding and to the extent known, the position of the petitioner in the proceeding.”
2. On December 17, 2018, BH Power filed an Application in the above-entitled Docket, to implement a renewable ready service tariff.
3. Walmart is a large retailer with offices located at 2001 Southeast 10th St., Bentonville, AR 72716-5530. Walmart has fifteen facilities and over 4,700 associates in South Dakota. Four of these facilities take electric service from BH Power.
4. Walmart is an electric customer of BH Power and will be directly and substantially affected by the electric rates charged by BH Power to Walmart facilities. As a large commercial customer who is heavily invested in energy efficiency and demand-side management

technology, Walmart has direct financial interests in all cost of service, rate design, and policy determinations to be considered and determined by the Commission in these proceedings.

5. Walmart's interest in the outcome of these proceedings will not be adequately represented by any other party, nor will Walmart's participation delay this proceeding.

6. While Walmart did not request intervention in this proceeding by the Commission's intervention timeline, Walmart intervention will not unduly prejudice the rights of other parties and is in the public interest.

7. A copy of this petition to intervene in this proceeding has been served all on parties to this proceeding. Copies of all notices, orders or pleadings in this should be served on:

Talbot J. Wieczorek
Gunderson, Palmer, Nelson & Ashmore, LLP
506 Sixth Street
P.O. Box 8045
Rapid City, SD 57709
E-mail: tjw@gpna.com

With copies to:

Steve W. Chriss
Walmart, Inc.
2001 SE Tenth Street
Bentonville, AR 72716-0550
E-mail: Stephen.Chriss@walmart.com

WHEREFORE, for the reasons set forth above, Walmart requests that the South Dakota Public Utilities Commission grant this timely Petition to Intervene and permit Walmart to participate in this proceeding with full rights as a party.

Dated: February 11, 2019.

ATTORNEYS FOR WALMART, INC.

By: _____

Talbot J. Wieczorek

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