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May 13, 2019

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Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501

**RE: Docket EL19-009 In the Matter of the filing by Montana Dakota Utilities for
Approval of the Annual Update to its Transmission Cost Recovery Rider Rate**
Our File: 0069

Dear Ms. Van Gerpen:

I write on behalf of my client Montana Dakota Utilities to inform the commission in writing prior to tomorrow's hearing that Montana Dakota agrees and accepts the staff's conclusions as to this docket, except with respect to the Bowdle East Transmission Substation Project.

A reading of SDCL 49-34A-25.1 shows that the statute is capable of being read in more than one way. You could read the statute to require that the modifications must affect more than five miles of length, or you can read it to require that modifications must be to a line which is more five miles in length. Montana Dakota is proposing that the commission consider accepting staff's recommendation as to everything but the Bowdle East Transmission Substation Project and set the same for hearing probably on July 26. In the meantime, Montana Dakota will prepare and provide pre-filed testimony and will provide a witness at hearing in order to put the testimony in the record and allow the commission to ask questions if any.

I'll plan to be in person at tomorrow morning's hearing to explain the request further. I've been in contact with staff about it for the past couple of days.

Very truly yours,

MAY, ADAM, GERDES & THOMPSON LLP



BRETT KOENECKE
BK/jrw

Cc: Tamie Aberle

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