

COBBLESTONE, LLC

20 April 2021

Public Utilities Commission
Capitol Building, 1st Floor
500 East Capitol Avenue
Pierre, SD 57501-5070

RE: Request to Intervene in Docket EL21-011

Cobblestone, LLC (Cobblestone) wishes to intervene in Docket EL21-011 brought by Black Hills Power, Inc. (BHE) to Amend its Cogeneration and Small Power Production Service Tariff. Cobblestone will be directly and adversely impacted by this change if allowed to proceed. Cobblestone did not receive any official notice of this proposed change from BHE, and only became aware of this amendment request on 16 April 2021 through a 3rd party (not BHE). Cobblestone therefore requests an intervenor status, even though the official period has closed.

Cobblestone is a small real estate holding company in Spearfish, which is scheduled to begin construction on a mixed-use property in downtown Spearfish within the next 30 days. The building is designed and plans call for a 30-kW solar array on the roof.

When Cobblestone submitted its application for its permit to build in the C-1 zone, one of the possible criteria included:

“Utilize ecologically sustainable designs and technologies, which are in line with the goals of the Comprehensive Plan, such as, but not limited to:

- water conservation, energy efficiency, and renewable energy...”

Our inclusion of the solar array satisfied the requirements for this application process. Although the building is in the early stages of construction (currently demolishing the existing building onsite), there are already tenants waiting to occupy the space immediately upon issuance of an occupancy permit in early fall.

The request submitted by BHE would make the inclusion of the solar array impossible to justify, as Cobblestone would pay doubly – once for the cost of the array and once again for the power that array generated (as stated in section 6). Not including the array would negate the building application, which would result in redesign, resubmittal, a significant delay in the project, and an impact to all the subcontractors already selected, to the revitalization of the C-1 zone, and to those tenants already prepared to occupy the space.

If the BHE request passes as written, it would cause a significant and unforeseen burden on Cobblestone, both for this and future projects. Cobblestone respectfully asks that this amendment be rejected for the extreme undue burden it places on communities and businesses in the BHE footprint.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Headley". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Dr. Rachel MK Headley
Managing Member
Cobblestone, LLC
437 Main Street
Spearfish, SD 57783