

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

**IN THE MATTER OF THE JOINT REQUEST FOR)
SERVICE RIGHTS EXCEPTION BETWEEN)
CODINGTON-CLARK ELECTRIC)
COOPERATIVE, INC. AND NORTHWESTERN)
CORPORATION DBA NORTHWESTERN)
ENERGY)**

**ORDER GRANTING
APPROVAL
OF AN ELECTRIC SERVICE
RIGHTS EXCEPTION**

EL22-034

On December 2, 2022, the South Dakota Public Utilities Commission (Commission) received an Agreement for Service Rights Exception between Codington-Clark Electric Cooperative, Inc. (Codington-Clark) and NorthWestern Corporation dba NorthWestern Energy (NorthWestern) to allow NorthWestern to provide electrical service to a property in Codington-Clark's assigned service territory. The legal description for the property is the NE 1/4 of Section 13, Township 113 North (T100N), Range 57 West (R057W), Clark County, South Dakota. NorthWestern has an existing service located closer to the property and that will result in a lower contribution in aid of construction for the owner to receive electrical service. On January 11, 2023, NorthWestern submitted a project map and cost estimate.

On December 8, 2022, the Commission electronically transmitted notice of the filing and the intervention deadline of December 27, 2022, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed.

The Commission has jurisdiction over this matter pursuant to SDCL 49-34A, specifically 49-34A-42 through 49-34A-44 and 49-34A-55.

At its regularly scheduled meeting on January 17, 2023, the Commission considered this matter. Commission staff recommended granting approval of the requested service rights exception. Finding that the service rights exception will avoid unnecessary duplication of facilities, provide adequate electric service to the customer affected, promote the efficient and economical use and development of Codington-Clark's and NorthWestern's electric systems, and that the exception to the parties' assigned service territories is in the public interest, the Commission voted unanimously to approve the requested service rights exception. It is therefore

ORDERED, that the Agreement for an Electric Service Rights Exception is hereby granted.

Dated at Pierre, South Dakota, this 19th day of January 2023.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.
By: <u><i>Adam Detwiler</i></u>
Date: <u>1/19/23</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner