

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

**IN THE MATTER OF THE PETITION OF GEVO NET-
ZERO 1, LLC TO HAVE KINGSBURY ELECTRIC
COOPERATIVE, INC. ASSIGNED AS ITS ELECTRIC
PROVIDER IN THE SERVICE AREA OF OTTER TAIL
POWER COMPANY)**

**ORDER GRANTING
INTERVENTION**

EL24-024

On June 28, 2024, the South Dakota Public Utilities Commission (Commission) received a Petition from Gevo Net-Zero 1, LLC (NZ1) to have Kingsbury Electric Cooperative, Inc. assigned as its Electric Provider in the Service Area of Otter Tail Power Company (Petition). The Petition asks the Commission for an order pursuant to SDCL 49-34A-56 that allows NZ1 to take electric service from Kingsbury Electric Cooperative, Inc. for its proposed sustainable aviation jet fuel facility outside Lake Preston, South Dakota, that is currently within the assigned service area of Otter Tail Power Company. Under SDCL 49-34A-56, new customers at new locations that develop after March 21, 1975, and who require electric service with a contracted minimum demand of two thousand kilowatts or more are not obligated to take electric service from the electric utility having the assigned service area where the customer is located if the Commission so determines after consideration of certain factors set forth in statute.

On July 3, 2024, the Commission electronically transmitted notice of the filing and the intervention deadline of July 19, 2024, to interested individuals and entities on the Commission's PUC Weekly Filing electronic listserv. On July 15, 2024, Kingsbury Electric Cooperative Inc. filed a Petition to Intervene. On July 18, 2024, East River Electric Power Cooperative, Inc. filed a Petition to Intervene. On July 19, 2024, Otter Tail Power Company filed a Petition to Intervene and Comments.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 1-26 and SDCL 49-34A-56 and ARSD 20:10:01:15.02 through 20:10:01:15.05.

At its regularly scheduled meeting on July 30, 2024, the Commission considered the Petitions to Intervene. Neither Gevo Net-Zero 1, LLC nor Commission staff objected to the interventions. The Commission found that the Petitions to Intervene demonstrated good cause to grant intervention and voted unanimously to grant Kingsbury Electric Cooperative, Inc.; East River Electric Power Cooperative, Inc.; and Otter Tail Power Company's Petitions to Intervene. It is therefore

ORDERED, that Kingsbury Electric Cooperative, Inc.; East River Electric Power Cooperative, Inc.; and Otter Tail Power Company's Petitions to Intervene are hereby granted.

Dated at Pierre, South Dakota, this 1st day of August 2024.

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: *Kristie Fiegen*

Date: 1 Aug 2024

BY ORDER OF THE COMMISSION:

Kristie Fiegen

KRISTIE FIEGEN, Chairperson

Gary Hanson

GARY HANSON, Commissioner

Chris Nelson

CHRIS NELSON, Commissioner