

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

**IN THE MATTER OF THE PETITION
OF DAKOTA RENEWABLE
HYDROGEN, LLC TO HAVE
KINGSBURY ELECTRIC
COOPERATIVE, INC. ASSIGNED AS
ITS ELECTRIC PROVIDER IN THE
SERVICE AREA OF OTTER TAIL
POWER COMPANY**

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**KINGSBURY ELECTRIC COOPERATIVE,
INC.’S**

PETITION TO INTERVENE

EL24-025

KINGSBURY ELECTRIC COOPERATIVE INC.’S PETITION TO INTERVENE

Kingsbury Electric Cooperative, Inc. (“*Kingsbury*”), by its undersigned counsel hereby petitions the South Dakota Public Utilities Commission (“*Commission*”) for intervention in the above-captioned proceeding pursuant to SDCL § 1-26-17.1, ARSD § 20:10:01:15.02 and 20:10:01:15.03. In support hereof, Kingsbury states as follows:

1. Kingsbury is a not-for-profit electric cooperative that delivers wholesale retail power to its members, which includes large portions of the geographic area located within Kingsbury County South Dakota.

2. Dakota Renewable Hydrogen, LLC (“DRH”) has indicated the intention to construct, own and operate a hydrogen production facility (“Facility”) in Kingsbury, South Dakota. DRH is a new customer, seeking electrical service at a new location, and the site is within the service territory of Otter Tail Power Company

3. Kingsbury has reviewed the construction plans as proposed by DRH and has the ability to provided retail electric services to DRH.

4. On June 28, 2024, DRH filed a Petition for Electrical Service (the “*Petition*”) pursuant to SDCL § 49-34A-56, in which it requested the Commission assign Kingbury Electric Cooperative Inc., (“Kingsbury”) as the supplier of electrical service to the Facility.

5. Kingsbury is a member of East River. East River delivers wholesale power to

Kingsbury. KEC provides retail electric service to its members.

6. On July 3, 2024, the Commission noticed the filing of the Petition and established an intervention deadline of July 19, 2024.

7. On March 26, 2024, East River, Kingsbury and DRH executed a contribution in-aid of construction (CIAC) agreement for facilities necessary for the immediate area around the DRH Facility to serve load and Kingsbury and NZI have fully negotiated an Electric Service Agreement.

8. East River and Kingsbury expect to invest millions of dollars in new transmission and related infrastructure to reliably serve the Facility.

9. Kingsbury's pecuniary interests will be directly and immediately affected by the Commission's decision on the Petition. Kingsbury desires to intervene in this matter to provide information regarding its ability to provide retail power to DRH and construct reliable infrastructure to serve the Facility.

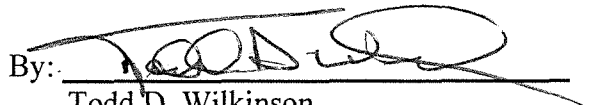
10. In addition to customer preference, Kingsbury is well situated to provide electrical service to NZI under the criteria established by SDCL §49-34A-56.

8. Based on the foregoing, Kingsbury is an interested party in this matter entitled to intervening party status.

WHEREFORE, East River requests that the Commission grant this Petition to Intervene and allow Kingsbury to be granted party status in this proceeding.

Dated this 15th day July, 2024.

KINGSBURY ELECTRIC COOPERATIVE, INC.

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