

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

**IN THE MATTER OF THE PETITION
BY LEOLA DATA CENTER LLC TO
HAVE MONTANA-DAKOTA
UTILITIES CO., A SUBSIDIARY OF
MDU RESOURCES GROUP INC.,
ASSIGNED AS ITS ELECTRIC
PROVIDER IN THE SERVICE AREA
OF FEM ELECTRIC ASSOCIATION
INC.**

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**JOINT AGREEMENT FOR
CONTINUANCE OF MOTION FOR
SUMMARY JUDGMENT**

EL24-027

COMES NOW, Leola Data Center, LLC (Leola); Montana-Dakota Utilities Co., a Subsidiary of MDU Resources Group Inc, (Montana-Dakota); FEM Electric Association, Inc.(FEM); Basin Electric Power Cooperative (Basin); East River Electric Power Cooperative, Inc (East River).; and Staff of the Public Utilities Commission, (together the “Parties”) and hereby file this Joint Agreement for Continuance of Motion for Summary Judgment (Agreement).

On August 5, 2024, the South Dakota Public Utilities Commission (Commission) received a Petition from Leola to have Montana-Dakota assigned as its electric provider in the service area of FEM. On November 7, 2024, Leola filed a Motion for Summary Judgment (MSJ). On November 13, 2024, the Public Utilities Commission issued a Notice of Hearing of Motion for Summary Judgment setting a hearing date and establishing a filing schedule for responsive pleadings and a petitioner reply. On November 25, 2024, FEM, East River and Basin filed a Joint Motion for Continuance (Joint Motion) requesting the Commission continue the responsive pleadings and the petitioner’s reply deadlines and to continue the hearing on the MSJ.

On November 27, 2024, the Parties met to discuss Leola’s MSJ and the Joint Motion. The Parties determined that additional time is needed for the Parties to work though outstanding matters before a hearing is held on the MSJ.

For this reason, the Parties agree that the hearing on the MSJ should be continued until January 28, 2025, and the current schedule for responsive pleadings and petitioner reply established in the Commission's Notice of Hearing on Motion for Summary Judgment should be suspended. The Parties agree that Commission acceptance of this agreement and issuance of a revised notice of hearing fully resolves the Joint Motion.

The Parties also agree that all responses to discovery requests served after the date of this Agreement are due 10 business days after service, unless otherwise agreed to in writing, by the inquiring and responding parties. The Parties each agree to work diligently and in good faith to provide responses in accordance with this timeline, however, the Parties agree that this is a short timeline to provide responses and therefore agree to provide reasonable, good faith extensions upon request.

WHEREFORE, Parties respectfully request the Commission accept this Agreement and issue a revised Notice of Hearing on Motion for Summary Judgment setting the hearing on the Motion for Summary Judgment during the Commission's regularly scheduled Commission meeting on January 28, 2025, at 1:30 p.m., with responsive pleadings to be filed no later than 5:00 p.m. on January 9, 2025, and a Petitioner reply to be filed no later than 5:00 p.m. on January 17, 2025. The Parties do not require a Commission order regarding the discovery timeline.

Dated this 27th day of November, 2024.

/s/ William VanCamp

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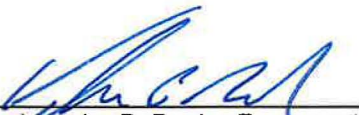
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