

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

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| IN THE MATTER OF THE PETITION BY LEOLA) | NOTICE OF HEARING ON |
| DATA CENTER LLC TO HAVE MONTANA-) | MOTION FOR SUMMARY |
| DAKOTA UTILITIES CO., A SUBSIDIARY OF) | JUDGMENT |
| MDU RESOURCES GROUP INC., ASSIGNED) | |
| AS ITS ELECTRIC PROVIDER IN THE) | |
| SERVICE AREA OF FEM ELECTRIC) | EL24-027 |
| ASSOCIATION INC.) | |

On August 5, 2024, the South Dakota Public Utilities Commission (Commission) received a Petition from Leola Data Center, LLC (Petitioner) to have Montana-Dakota Utilities Co., a Subsidiary of MDU Resources Group Inc. (Montana-Dakota), Assigned as its Electric Provider in the Service Area of FEM Electric Association Inc. (Petition). The Petition asks the Commission for an order pursuant to SDCL 49-34A-56 that allows Data Center to take electric service from Montana-Dakota, for its proposed Location adjacent to, Montana-Dakota’s Leola substation at 11641 358th Avenue, Leola, South Dakota. The Location is currently within the assigned service area of FEM Electric Association Inc. (FEM). 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. Intervention has been granted to Montana-Dakota, FEM, East River Electric Power Cooperative, and Basin Electric Power Cooperative.

On November 7, 2024, Petitioner filed a Motion for Summary Judgment.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 1-26 and SDCL 49-34A-56. The Commission may rely upon any or all of these or other laws of this state in making its determination, including SDCL Chapter 15-6.

A motions hearing will be held by the Commission beginning at 9:30 a.m. CT, Tuesday, December 17, 2024, during the Commission’s regularly scheduled commission meeting in Room 413 of the State Capitol Building, 500 East Capitol Avenue, Pierre, South Dakota. The Commission will consider the Motion for Summary Judgment in this docket.

It is therefore

ORDERED, that a hearing will be held during the Commission’s regularly scheduled Commission meeting on December 17, 2024, at 9:30 a.m. CT in Room 413 of the Capitol Building in Pierre, South Dakota. It is further

ORDERED, that responsive pleadings may be filed by the parties no later than 5:00 p.m. CT, December 2, 2024. It is further


ORDERED, that Petitioner may file a reply no later than 5:00 p.m. CT, December 10, 2024.

Dated at Pierre, South Dakota, this 13th day of November 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:



Date:

13 Nov 2024

BY ORDER OF THE COMMISSION:



KRISTIE FIEGEN, Chairperson



GARY HANSON, Commissioner



CHRIS NELSON, Commissioner