

**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.)

ORDER GRANTING JOINT MOTION
FOR APPROVAL OF STIPULATION
AND SETTLEMENT AGREEMENT;
ORDER APPROVING STIPULATION
AND SETTLEMENT AGREEMENT;
ORDER ASSIGNING ELECTRIC
PROVIDER PURSUANT TO SDCL
49-34A-56

EL24-027

On August 5, 2024, the South Dakota Public Utilities Commission (Commission) received a Petition for Electric Service by Leola Data Center, LLC (LDC) to have Montana-Dakota Utilities Co. (MDU), 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 LDC to take electric service from MDU for its proposed Data Center to be located adjacent to MDU'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.

On August 8, 2024, the Commission electronically transmitted notice of the filing and the intervention deadline of August 23, 2024, to interested persons and entities on the Commission's PUC Weekly Filings electronic listserv. On August 29, 2024, the Commission granted intervention to MDU, FEM, Basin Electric Power Cooperative (Basin) and East River Electric Power Cooperative, Inc. (East River). On June 18, 2026, in response to Staff's Third Set of Data Requests, LDC filed an updated Exhibit A – Preliminary Design and an Exhibit B – Construction Plans. On June 18, 2026, LDC also filed Exhibit A – Updated Site Plan Map. On August 27, 2026, LDC filed a Stipulation and Settlement Agreement, which is signed by all parties to the docket. On August 28, 2026, the parties filed a Joint Motion for Approval of the Stipulation and Settlement Agreement.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, and 49-34A.

At its regularly scheduled meeting of September 8, 2026, the Commission considered this matter. Commissioner Nelson moved to amend the Stipulation and Settlement Agreement at Settlement Term Section 6 by inserting "filed as of today" after "Commission Staff" so that the full sentence reads, "The Parties stipulate that all pre-filed testimony, exhibits, and responses to data requests from Commission staff filed as of today,¹ as well as the map LDC has committed to file in the future, will be made a part of the record in the Docket which is the subject of this Agreement." No party objected to the amendment. Having thoroughly reviewed the filings in the docket and after making further inquiry of the parties, the Commission found the Stipulation and Settlement Agreement to be consistent with the provisions of SDCL 49-34A-56, the Commission voted unanimously to approve the Stipulation and Settlement Agreement with the amendment listed above. It is therefore

ORDERED, that the Stipulation and Settlement Agreement is hereby adopted with the amendment stated above and shall be incorporated by reference into this Order the same as if it had been set forth in its entirety herein. It is further

ORDERED, that the Joint Motion for Approval of the Stipulation and Settlement Agreement as amended

¹ "Today" as used in the amendment refers to September 8, 2026.

is hereby granted. It is further

ORDERED, that LDC's petition to have MDU assigned as its electric provider in the service area of FEM, is hereby granted, subject to the terms and conditions of the Stipulation and Settlement Agreement as amended.

Dated at Pierre, South Dakota, this 11th day of September 2026.

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.

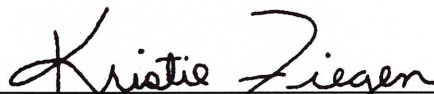
By: Jim J. Furst

Date: 09/11/26

BY ORDER OF THE COMMISSION:



CHRIS NELSON, Chairman



KRISTIE FIEGEN, Commissioner



GARY HANSON, Commissioner