

**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 CONTINUING MOTION FOR SUMMARY JUDGMENT HEARING EL24-027
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On August 5, 2024, the South Dakota Public Utilities Commission (Commission) received a Petition for Electric Service by Leola Data Center, LLC (Leola) 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 Leola 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 November 7, 2024, Leola filed a Motion for Summary Judgment. On December 4, 2024, the Commission issued a Notice of Hearing on Motion for Summary Judgment, however, the motions hearing was later postponed indefinitely at the request of the Movant.

On March 26, 2026, Leola filed a letter informing the Commission that it wished to proceed with its Motion for Summary Judgment and requesting the same be scheduled for hearing. A Notice of Hearing was issued scheduling a hearing on the Motion for Summary Judgment for June 30, 2026. On June 25, 2026, Staff filed a letter informing the Commission that the Parties are engaging in settlement efforts and, therefore, wish for the June 30, 2026, hearing to be continued.

ORDERED, that the hearing on the Motion for Summary Judgment is hereby canceled.

Dated at Pierre, South Dakota, this 20th day of June 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: *Kristie Fiegen*

Date: *9th June 2024*

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner