

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

IN THE MATTER OF THE REQUEST BY) MONTANA-DAKOTA UTILITIES CO., A) SUBSIDIARY OF MDU RESOURCES GROUP) INC., FOR APPROVAL OF AN ELECTRIC) SERVICE AGREEMENT UNDER RATE 45) BETWEEN MONTANA-DAKOTA UTILITIES) CO., A SUBSIDIARY OF MDU RESOURCES) GROUP INC., AND LEOLA DATA CENTER LLC)))))	ORDER GRANTING INTERVENTION TO LEOLA DATA CENTER LLC AND DENYING INTERVENTION TO FEM ELECTRIC ASSOCIATION, INC., EAST RIVER ELECTRIC POWER COOPERATIVE, AND BASIN ELECTRIC POWER COOPERATIVE EL24-028
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On August 5, 2024, the South Dakota Public Utilities Commission (Commission) received a filing from Montana Dakota Utilities Co., a Subsidiary of MDU Resources Group Inc. (MDU), requesting Commission Approval of an Electric Service Agreement under Rate 45 between MDU and Leola Data Center LLC.

On August 8, 2024, the Commission electronically transmitted notice of the filing to interested individuals and entities on the Commission's PUC Weekly Filing electronic listserv. Petitions to Intervene were timely filed by FEM Electric Association, Inc. (FEM), Leola Data Center LLC, East River Electric Power Cooperative Inc. (East River), and Basin Electric Power Cooperative (Basin). On August 30, 2024, MDU filed a Response and Objection to Petitions of FEM Electric Association, Inc., East River Electric Power Cooperative, and Basin Electric Power Cooperative. On September 4, 2024, the Commission issued a Notice of Hearing regarding the Petitions to Intervene. On September 13, 2024, Basin filed a Response to MDU's Objection to Petitions to Intervene. East River and FEM subsequently filed joinders in Basin's Response. Staff filed a response on September 17, 2024.

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

At its regularly scheduled meeting on September 24, 2024, the Commission considered FEM, Leola Data Center LLC, East River, and Basin's Electric's Petitions to Intervene and heard argument. The Commission found that as a party to the Electric Service Agreement at issue in this docket, Leola Data Center, LLC has a direct interest in the proceeding and is entitled to intervention. The Commission found that FEM, East River, and Basin failed to demonstrate a direct interest in the outcome of this docket to entitle them to intervention and that the interests articulated by those entities are appropriately addressed in Docket No. EL24-027 rather than this docket. Based upon these findings, the Commission voted unanimously to grant intervention to Leola Data Center LLC and to deny intervention to FEM, East River, and Basin without prejudice.

It is therefore

ORDERED, that Leola Data Center LLC's Petition to Intervene is hereby granted. It is further

ORDERED, that the Petitions for Intervention filed by FEM Electric Association, Inc., East River Electric Power Cooperative Inc., and Basin Electric Power Cooperative are hereby denied without prejudice.

Dated at Pierre, South Dakota, this 24th day of September 2024.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u></u></p> <p>Date: <u>24 Sept 2024</u></p>
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BY ORDER OF THE COMMISSION:


KRISTIE FIEGEN, Chairperson


GARY HANSON, Commissioner


CHRIS NELSON, Commissioner