



## SOUTH DAKOTA ELECTRIC RATE BOOK

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### **ECONOMIC FLEXIBLE LOAD SERVICE (EFLS)**

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#### **AVAILABLE**

This Economic Flexible Load Service Tariff (the "EFLS Tariff") is available to new customers that desire interruptible load, interconnected with Black Hills Power, Inc. d/b/a Black Hills Energy's ("Black Hills Power" or the "Company") system, of 10,000 kW (10 MW) or greater. Interruptions will be at the Company's discretion, but no later than 15 minutes prior to the interruption time. Each new customer that takes service under the EFLS Tariff will enter into an Economic Flexible Load Service Agreement (the "EFLS Agreement") with the Company.

#### **APPLICABILITY**

Customers that request Economic Flexible Load Service ("EFLS") will be considered upon written application to the Company. Upon receipt of the customer's written application and any additional information the Company may require, the Company and the customer may, at the sole discretion of the Company, commence negotiation of rates and terms and conditions of service under the EFLS Tariff. The electric service under this tariff is not applicable to temporary, standby, supplementary, emergency, resale, shared or incidental purposes.

#### **CHARACTER OF SERVICE**

Alternating current, 60 hertz, three phase, at a single standard utilization voltage most available to the location of the customer.

#### **EFLS Agreement**

As a condition to be eligible for service under the EFLS Tariff, each customer is required to enter into an EFLS Agreement. Once the EFLS Agreement is executed by both Black Hills Power and the new customer, Black Hills Power will provide a Confidential Copy to the South Dakota Public Utilities Commission for their records.



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The EFLS Agreement shall be in accordance with the provisions of this EFLS Tariff and at a minimum shall include:

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1. Electric service is for new interruptible load of 10,000 kW (10MW) or greater;
2. A term of at least two (2) years not to exceed (5) years;
3. Pricing terms, subject to renegotiation at least every three (3) years;
4. Identification of specific customer costs for any required infrastructure necessary to serve the customers load and how those costs will be paid for by the customer;
5. Negotiated service interruption provisions (size of interruptible load, notice of planned interruption, duration of interruption, and maximum hours of interruptions per year, including procedures for service interruptions);
6. EFLS customers that fail to interrupt service as required by the EFLS Agreement shall be responsible for all costs incurred by the Company due to such failure;
7. A release of liability of the Company for any losses or damages, including consequential damages, caused by or resulting from any interruption of service;
8. Terms and conditions of service shall be those contained in the EFLS Agreement; and
9. Customer shall not be eligible for any discounts or service conditions except as provided for in the EFLS Agreement.

Customers that are served under this EFLS Tariff that do not maintain the criteria listed above will have their electric service either terminated or moved to an otherwise applicable rate schedule.

### **MONTHLY RATE**

All charges for service under this tariff shall be in accordance with the EFLS Agreement.



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### **COST ADJUSTMENT(S) CHARGES**

Customers receiving service under the EFLS Tariff shall not be charged the Company's Energy Cost Adjustment ("ECA") Rate, which is comprised of an ECA Base Cost Rate, which includes a Base Fuel and Purchase Power Cost ("FPP") and a Base Transmission Cost ("TC"), the Company's Fuel and Purchased Power Adjustment ("FPPA") and the Company's Transmission Cost Adjustment ("TCA").

Customers receiving service under the EFLS Tariff shall not be charged the Company's Environmental Improvement Adjustment ("EIA") Rate.

Customers receiving service under the EFLS Tariff shall not be charged the Company's Transmission Facility Adjustment ("TFA") Rate.

### **CREDIT SUPPORT**

The Company may require from the EFLS customer a deposit or other Company approved credit support as outlined in the EFLS Agreement. The credit support shall not be considered as an advance payment of any bills for service to be rendered but shall be held as security for payment of obligations incurred on behalf of the customer.

### **PAYMENT**

Net monthly bills are due and payable twenty days from the date of the bill, and after that date the account becomes delinquent. A late payment charge of 1.5% on the current unpaid balance shall be calculated and included as part of each monthly billing. If a bill is not paid, the company shall have the right to suspend service, providing ten (10) days written notice of such suspension has been given. When service is suspended for nonpayment of a bill, a Customer Service Charge will apply.





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### **COST AND BENEFIT ASSIGNMENT**

The Company assumes all financial and operational risks associated with EFLS service, and as such, the costs and benefits to the Company and its other retail customers shall be distributed as follows:

- All EFLS power supply costs and any associated revenues shall be separately identified in the books and records of the Company and shall be solely the responsibility of the Company. All EFLS power supply costs and related kWh shall be excluded when determining the Company's annual FPPA rate;
- All third-party and/or Black Hills Power transmission costs related to service under the EFLS Tariff shall be separately identified in the books and records of the Company and shall be solely the responsibility of the Company. Third-party and/or Black Hills Power transmission costs shall be excluded when determining the Company's annual TCA rate;
- All third-party and/or Black Hills Power ancillary service costs related to service under the EFLS Tariff shall be separately identified in the books and records of the Company and shall be solely the responsibility of the Company. Third-party and/or Black Hills Power ancillary service costs shall be excluded from the Company's annual TCA rate;
- The Company shall be responsible for corporate overhead expense as they are allocated to EFLS customers utilizing the then current Cost Allocation Manuals (CAM). These identified expenses will be removed from any earnings reports and the retail cost of service in any Company rate proceeding before the Commission; and
- In addition, retail electric customers shall receive a customer benefit credit of \$1.00 per megawatt hour of energy served under Agreements entered into pursuant to this tariff per the Company's Energy Cost Adjustment (ECA) Tariff.



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The customer benefit credit outlined herein and in the Company's Energy Cost Adjustment (ECA) Tariff shall be the exclusive benefit provided to other retail customers as a result of the Company providing EFLS service. Any demand, volumes, revenues, and expenses associated with EFLS service shall be removed from the Company's normalized earnings reports, rate of return calculations, and the retail cost-of-service in any rate proceedings before the Commission. Any profit or losses resulting from EFLS service shall inure to and be the responsibility of the Company. Black Hills Power shall not seek and is precluded from recovering from its South Dakota customers any unpaid debt of any EFLS Tariff customer, any increased interest expense and/or equity costs that retail customers incur due to a downgrade, as a result of service to EFLS Tariff customers, that is greater than it would have incurred if the debt would have been issued by a Black Hills Corporation entity that held a "BBB-" equivalent "investment grade" rating at the time of issuance. The "investment grade" status shall be a minimum presumption relative to the cost of equity, interest rate or debt cost, but if a higher rating than the minimum to obtain "investment grade" status is in place at the time of issuance, the actual rating graded shall be utilized. (N)

### TAX ADJUSTMENT

Bills computed under the above rate shall be adjusted by the applicable proportionate part of any impost, assessment, or charge imposed or levied by any governmental authority because of laws or ordinances enacted, which is assessed or levied on the basis of revenue for electric energy or service sold, and/or volumes of energy generated or sold.