

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

IN THE MATTER OF THE PETITION
FOR SWEETMAN CONST. CO. D/B/A
KNIFE RIVER, TO HAVE XCEL ENERGY
ASSIGNED AS ITS ELECTRIC
PROVIDER IN THE SERVICE AREA OF
SIOUX VALLEY ELECTRIC

**EL-25-032
RESPONSES OF BASIN ELECTRIC
POWER COOPERATIVE TO STAFF'S
FIRST DATA REQUEST**

Docket Number: EL25-032
Subject Matter: First Data Request
Request to: Basin Electric Power Cooperative (Basin)
Request from: South Dakota Public Utilities Commission Staff
Date of Request: October 31, 2025
Responses Due: November 14, 2025

- 1-1. Per SDCL § 49-34A-56(2) provide details about the availability of Basin Power Electric Cooperative's (Basin) adequate power supply for the anticipated load of 11 Megawatts. For example, where is the power supply located, what are the technical specifications of the power supply?

RESPONSE: Basin sells and delivers capacity to East River Electric Power Cooperative, Inc. ("East River"), which delivers wholesale power to Sioux Valley – Southwestern Electric Cooperative's ("Sioux Valley Energy"), which then provides retail electric service to its members. Basin has electric power supply and transmission capacity/services contracts with East River, through which East River delivers capacity to its members, including Sioux Valley Energy.

The site which Sweetman Const. Co. d/b/a Knife River ("Knife River") identifies as a "new location" is situated within the boundaries of Sioux Valley Energy's assigned service area. Knife River is also a current member/customer of Sioux Valley Energy. *See* Sioux Valley Energy's Petition to Intervene at ¶¶ 7-8. East River has an existing transmission system near the Knife River site and it maintains a substation near Corson that Sioux Valley Energy currently uses to serve Knife River via its distribution system.

Basin has adequate power supply for Knife River's stated anticipated load of 11 Megawatts ("MW"). According to the Southwest Power Pool, as specifically set forth in the 2025 SPP Summer Season Resource Adequacy Report, Basin has a 355 MW surplus in 2025. *See* Exhibit 1. For future resources to meet forecasted load, Basin is currently building the Bison Generation Station in North Dakota. Once complete, it will have capacity for additional power supply of approximately 1,490 MW in SPP.

- 1-2. Per SDCL § 49-34A-56(3) provide a detailed answer as to the development or improvement of Basin's electric system, including the economic factors relating thereto, needed for Basin to serve this customer.

RESPONSE: See Response to Data Request 1-1. Basin has adequate power supply for Knife River's stated anticipated load of 11 MW. Basin understands that East River's transmission system and Sioux Valley Energy's distribution system are adequate to serve Knife River, but also refers Staff to Sioux Valley's Energy's response to this same data request.

Additionally, discovery in this matter is also ongoing and Knife River has not provided to any of Sioux Valley Energy, East River, or Basin any information relating to the anticipated service needs of its new rock crushing plant. Basin thus reserves the right to amend or supplement this response when such information is known. However, Basin is unaware of any development or improvement to its system that will be necessary.

- 1-3. Per SDCL § 49-34A-56(4) provide the proximity of Basin's adequate facilities from which electric service of the anticipated load of 11 Megawatts may be delivered. What type of service would be extended and what is the approximate cost Basin anticipates to extend service to the customer? What existing facilities exist? Who would Basin anticipate pay for such extension cost?

RESERVATION AND RESPONSE: Basin believes this request is best answered by Sioux Valley Energy and East River and therefore refers Staff to their respective responses to this same data request. However, because Knife River is a current member/customer of Sioux Valley Energy, Basin believes East River and Sioux Valley Energy have adequate existing facilities to serve Knife River. See response to DR 1-1.

Discovery in this matter is also ongoing and Knife River has not provided to any of Sioux Valley Energy, East River, or Basin any information relating to the anticipated service needs of its new rock crushing plant. Basin thus reserves the right to amend or supplement this response when such information is known.

- 1-4. SDCL § 49-34A-56(5) states the Commission shall consider the preference of the customer. Explain in detail why the Commission should disregard this preference of the Customer in favor of taking power from Basin, taking into account that a new customer at a new location ... with a contracted minimum demand of 2,000 kilowatts or more is not obligated to take electrical service from the electric utility having the assigned service area.

RESERVATION AND RESPONSE: See Responses to Data Requests 1-1, 1-2, and 1-3. Additionally, this Request addresses only one of the six factors the Commission can take into consideration in determining whether a new customer at a new location may seek an alternate service provider. At this time, Basin does not have any information to establish that Knife River is a new customer or that the location at issue is a new location.

Discovery in this matter is also ongoing and Knife River has not provided to any of Sioux Valley Energy, East River, or Basin any information relating to the anticipated service needs of its new rock crushing plant. Basin thus reserves the right to amend or supplement this response when such information is known.

1-5. Per SDCL § 49-34A-56(6) provide any and all pertinent factors affecting the ability of Basin to furnish adequate electric service to fulfill the customers' requirements.

RESERVATION AND RESPONSE: See Responses to Data Requests 1-1, 1-2, and 1-3. Additionally, this Request addresses only one of the six factors the Commission can take into consideration in determining whether a new customer at a new location may seek an alternate service provider. At this time, Basin does not have any information to establish that Knife River is a new customer or that the location at issue is a new location. Basin has adequate power supply for Knife River's stated anticipated load has no reason to believe Sioux Valley Energy cannot furnish electric service to Knife River.

Discovery in this matter is also ongoing and Knife River has not provided to any of Sioux Valley Energy, East River, or Basin any information relating to the anticipated service needs of its new rock crushing plant. Basin thus reserves the right to amend or supplement this response when such information is known.

1-6. Do you dispute that this is a new customer?

RESERVATION AND RESPONSE: Yes. Currently, Basin does not have any information to establish that Knife River is a new customer or that the location at issue is a new location.

The site Knife River identifies as a "new location" is situated within the boundaries of Sioux Valley Energy's assigned service area. Sioux Valley Energy identifies Knife River as a current member/customer of Sioux Valley Energy at its current rock crushing plant. See Sioux Valley Energy's Petition to Intervene at ¶¶ 7-8.

Sioux Valley Energy, East River, and Basin served a set of joint discovery requests on Knife River asking for all facts and documents establishing that Knife River is a new customer seeking service at a new location. Knife River's responses are not yet due. Basin thus reserves the right to amend or supplement this response when such information is known.

1-7. Do you dispute that this is a new location?

RESERVATION AND RESPONSE: Yes. Currently, Basin does not have any information to establish that Knife River is a new customer or that the location at issue is a new location.

The site which Knife River identifies as a "new location" is situated within the boundaries of Sioux Valley Energy's assigned service area. Sioux Valley Energy identifies Knife River as a current member/customer of Sioux Valley Energy at its current rock crushing plant. See Sioux Valley Energy's Petition to Intervene at ¶¶ 7-8.

Sioux Valley Energy, East River, and Basin served a set of joint discovery requests on Knife River asking for all facts and documents establishing that Knife River is a new customer seeking service at a new location. Knife River's responses are not yet due. Basin thus reserves the right to amend or supplement this response when such information is known.

1-8. Do you dispute that this is located outside municipalities?

RESPONSE: Based on the map included with Xcel Energy's Petition to Intervene, Basin does not dispute that Knife River's proposed location is outside municipalities.

1-9. Do you dispute that Xcel has the availability of an adequate power supply?

RESERVATION AND RESPONSE: Knife River has not provided to any of Sioux Valley Energy, East River, or Basin any information relating to the anticipated service needs of its new rock crushing plant. Sioux Valley Energy, East River, and Basin served a set of joint discovery requests on Xcel Energy seeking information about how Xcel Energy intends to fulfill Knife River's demand and energy requirements, whether it will need to procure or construct additional capacity to cover Knife River's expected demand, and whether it has or will perform any studies on the large load addition to its transmission system. Xcel Energy's responses are not yet due. Basin thus reserves the right to amend or supplement this response when such information is known.

Dated this 14th day of November, 2025.

CUTLER LAW FIRM, LLP
Attorneys at Law

/s/ Meredith A. Moore
Meredith A. Moore
140 N. Phillips Ave., 4TH Floor
PO Box 1400
Sioux Falls, SD 57101-1400
Attorneys for Basin Electric Power Cooperative

CERTIFICATE OF SERVICE

I, Meredith A. Moore, hereby certify that on the 14th day of November, 2025, a true and correct copy of Responses of Basin Electric Power Cooperative to Staff's First Data Request in the above-captioned matter was served on the following via email:

Ms. Leah Mohr
Executive Director
South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501
Leah.Mohr@state.sd.us
(605) 773-3201

Ms. Jennie Fuerst
Staff Attorney
South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501
jennie.fuerst@state.sd.us
(605) 773-3201

Mr. Joseph Rezac
Staff Analyst
South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501
joseph.rezac@state.sd.us
(605) 773-3201

Mr. William VanCamp – Representing: Sweetman Const. Co. dba Knife River
Attorney
Olinger, Lovald, McCahren & Van Camp, P.C.
PO Box 66
Pierre, SD 57501-0066
bvancamp@olingerlaw.net
(605) 224-8851

Michael F. Nadolski
General Counsel for Sioux Valley-Southwestern
Electric Cooperative, Inc.
909 St. Joseph Street, Ste. 8
Rapid City, SD 57701
mnadolski@lynnjackson.com
(605) 342-2592

Daniel J. Brown
East River General Counsel
East River Electric Power Cooperative, Inc.
211 South Harth Ave., PO Box 227
Madison, SD 57042
dbrown@eastriver.coop
(605) 256-4536

Zeviel Simpser
Dorsey & Whitney LLP
Xcel Energy
50 South 6th Street, Suite 1500
Minneapolis, MN 55402
simpser.zev@dorsey.com
(612) 492-6129

Steven T. Kolbeck
State Director
Xcel Energy
500 W. Russell Street, PO Box 988
Sioux Falls, SD 57101
steven.t.kolbeck@xcelenergy.com
(605) 339-8350

Christine Marquis
Regulatory Administrator
Xcel Energy
414 Nicollet Mall – 401, 7th Floor
Minneapolis, MN 55401
regulatory.records@xcelenergy.com
(651) 528-0365

/s/ Meredith A. Moore

Meredith A. Moore