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

PETITION TO INTERVENE BASIN ELECTRIC POWER COOPERATIVE

COMES NOW Basin Electric Power Cooperative ("Basin Electric"), by and through its undersigned counsel, and pursuant to SDCL 1-26-17.1 and A.R.S.D. 20:10:01:15.02, petitions this Commission for leave to intervene in the above-captioned proceeding. In support hereof, Petitioner states and declares as follows:

- 1. Basin Electric is a non-profit electric generation and transmission ("G & T") cooperative located in Bismarck, North Dakota.
- 2. East River Electric Power Cooperative, Inc. ("East River") is a non-profit electric G & T cooperative located in Madison, South Dakota.
- 3. Sioux Valley-Southwestern Electric Cooperative, Inc. ("Sioux Valley Energy") is an electric cooperative and energy provider to members in Minnehaha, Lake, Moody, Brookings, and Kingsbury counties in South Dakota.
- 4. Basin Electric generates electric power which it sells and transmits to its Class A Members for resale and retransmission to its Class C Members located in nine states for distribution to over three million users, residential and commercial.
- 5. East River is a Class A Member of Basin Electric. It has entered into a long-term bilateral wholesale power supply contract with Basin Electric. East River purchases and receives energy and capacity from Basin Electric for resale to its Members. These Members include twenty-four rural electric distribution cooperatives, one of which is Sioux Valley Energy.

- 6. Every Basin Electric Class A Member has a long-term wholesale power contract with Basin Electric pursuant to which Basin Electric sells and transmits power to the Class A Members for resale and retransmission to Class C Members.
- 7. The revenues from the wholesale power contracts between Basin Electric and its Class A Members are the primary and essential support for Basin Electric's financial ability to operate, maintain, and improve the Basin Electric electrical system.
- 8. On September 12, 2025, Sweetman Constr. Co. d/b/a Knife River ("Knife River") filed a Petition for Electric Service with this Commission (the "Petition"). In its Petition, Knife River requested that the Commission assign Excel Energy as the electrical service supplier to Knife River's planned facility in Minnehaha County, near the City of Corson, South Dakota.
 - 9. Knife River's planned facility is within the service territory of Sioux Valley Energy.
- 10. Basin Electric supports the statements made in Paragraphs 9 through 11 of East River's Petition to Intervene filed on October 1, 2025, and requests intervention to provide East River and Sioux Valley Energy with further support in this proceeding.
- 11. By virtue of its relationship with East River, and by extension East River's relationship with Sioux Valley Energy, Basin Electric has a direct and substantial interest in this proceeding as this Commission's decision will, directly or indirectly, affect its contractual and financial relationships with its Members.
- 12. Accordingly, Basin Electric desires to intervene in order that it may receive pleadings and other documents, present evidence and written argument, and otherwise take all actions necessary to clarify or oppose certain positions taken by the parties to this docket. Basin Electric will work cooperatively with each of East River and Sioux Valley Energy to avoid duplication of efforts and promote efficiency in the handling of this docket.

Dated this 2nd day of October, 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 2nd day of October, 2025, a true and correct copy of Basin Electric Power Cooperative's Petition to Intervene 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 (605) 342-2592 mnadolski@lynnjackson.com

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

/s/ Meredith A. Moore
Meredith A. Moore