

**STATE OF SOUTH DAKOTA
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**

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**EAST RIVER ELECTRIC POWER
COOPERATIVE, INC.'S**

PETITION TO INTERVENE

EL25-032

**EAST RIVER ELECTRIC POWER COOPERATIVE INC.'S PETITION TO
INTERVENE**

East River Electric Power Cooperative, Inc. ("*East River*"), by its undersigned counsel hereby petitions the South Dakota Public Utilities Commission ("*Commission*") for intervention in the above-captioned proceeding pursuant to SDCL § 1-26-17.1, ARSD § 20:10:01:15.02 and 20:10:01:15.03. In support hereof, East River states as follows:

1. East River is a not-for-profit generation and transmission cooperative that delivers wholesale power to our members, which includes 24 rural electric distribution cooperatives, including Sioux Valley-Southwestern Electric Cooperative, Inc., ("Sioux Valley Energy"), and one municipally owned electric system in eastern South Dakota and western Minnesota.

2. East River has electric supply and transmission capacity/services contracts with Western Area Power Administration and Basin Electric Power Cooperative ("Basin Electric") for and on behalf of East River's members. East River is a Class A Member of Basin Electric and has entered into a long-term, bilateral wholesale power supply contract with Basin Electric, pursuant to which Basin Electric sells and delivers capacity and energy requirements to East River for resale by East River to its member distribution cooperatives.

3. East River delivers wholesale power to Sioux Valley Energy. Sioux Valley Energy provides retail electric service to its members.

4. Sweetman Const. CO. d/b/a Knife River, ("Knife River") plans to build and operate

a new Rock Crushing Plant (hereinafter the "Plant") in Minnehaha County, near the City of Corson, South Dakota, at the same address as an existing plant of Knife River that is currently being served by Sioux Valley Energy.

5. Knife River is seeking electrical service at a site within the service territory of Sioux Valley Energy.

6. On September 12, 2025, Knife River filed a Petition for Electrical Service (the "*Petition*") pursuant to SDCL § 49-34A-56, in which it requested the Commission assign Xcel Energy as the supplier of electrical service to the Plant.

7. On September 18, 2025, the Commission noticed the filing of the Petition and established an intervention deadline of October 3, 2025.

8. Knife River is negotiating an Electric Service Agreement ("ESA") with Xcel Energy.

9. East River's pecuniary interests will be directly and immediately affected by the Commission's decision on the Petition, and no other party could adequately represent East River's interests in this matter.

10. East River desires to intervene in this matter and objects to Knife River's request to have Xcel Energy assigned as its electric provider in the service area of Sioux Valley Energy on the grounds and for reasons that include the Plant is not a "new customer" at a "new location" as required by SDCL 49-34A-56.

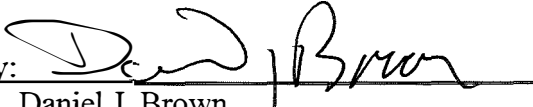
11. East River believes Sioux Valley Energy can provide electrical service to the Plant.

12. Based on the foregoing, East River is an interested party in this matter entitled to intervening party status.

WHEREFORE, East River requests that the Commission grant this Petition to Intervene and allow East River to be granted party status in this proceeding.

Dated this 1st day of October, 2025.

EAST RIVER ELECTRIC POWER COOPERATIVE, INC.

By: 
Daniel J. Brown
East River General Counsel
211 South Harth Ave., PO Box 227

Madison, SD 57042
(605) 256-4536
dbrown@eastriver.coop

CERTIFICATION OF SERVICE

I the undersigned hereby certify that on the 1st day of October 2025 true and correct copies of the foregoing, EAST RIVER ELECTRIC POWER COOPERATIVE, INC.'S PETITION TO INTERVENE, was served upon the following by electronic mail:

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

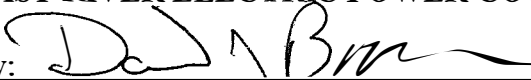
Ms. Jennie Fuerst
Staff Attorney
South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501
jennie.fuerst@state.sd.us
(605) 773-3201

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

EAST RIVER ELECTRIC POWER COOPERATIVE, INC.

By: 

Daniel J. Brown
East River General Counsel
211 South Harth Ave., PO Box 227
Madison, SD 57042
(605) 256-4536
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