BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF BLACK HILLS POWER, INC. DBA BLACK HILLS ENERGY FOR APPROVAL OF ITS PHASE-IN RATE PLAN TARIFF REVISIONS	))))))))))))))	**EL26-024** **PETITION TO INTERVENE OF DAKOTA PANEL; FISCHER FURNITURE, INC.; FOREST PRODUCTS DISTRIBUTORS, INC.; GCC DACOTAH, INC.; MONUMENT HEALTH RAPID CITY HOSPITAL, INC.; PETE LIEN & SONS, INC.; SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY; SPEARFISH FOREST PRODUCTS, INC.; AND WHARF RESOURCES (USA), INC.**

Dakota Panel, Fischer Furniture, Inc., Forest Products Distributors, Inc., GCC Dacotah, Inc., Monument Health Rapid City Hospital, Inc., Pete Lien & Sons, Inc., the South Dakota Science and Technology Authority, Spearfish Forest Products, Inc., and Wharf Resources (USA), Inc., collectively referred to as the South Dakota Large Customer Group ("SDLCG"), an unincorporated association of large energy consumers, and pursuant to ARSD 20:10:01:15.02, petitions the South Dakota Public Utilities Commission ("Commission") for leave to intervene as a party in this matter.

1. SDLCG's members are large retail electricity customers that operate facilities within the service territory of Black Hills Power, Inc. dba Black Hills Energy's ("BHP"). SDLCG's members, therefore, rely on reasonably priced and reliable BHP electric service to efficiently and successfully operate their businesses in South Dakota. Thus, as a general matter, all aspects of BHP's electric cost of service, and rate design substantially and directly affect SDLCG's members.

2. On August 5, 2026, BHP filed an application to amend its Phase in Plan Rate ("PIPR") tariff to recover costs related to the Lange II Project dual-fuel generation facility. BHP's requested PIPR tariff would recover a South Dakota annual revenue requirement totaling approximately $39.5 million, and adopts the allocation methodologies, depreciation rates, and Weighted Average Cost of Capital ("WACC") proposed in BHP's pending general rate case. SDLCG's intervention here is warranted for three reasons.

3. First, SDLCG's members consume large quantities of electricity and are among BHP's largest customers. Thus, BHP's PIPR tariff would greatly increase SDCLG members' cost of doing business. SDLCG, therefore, has both a substantial and "peculiar" interest in the outcome of this proceeding compared to "the public or to the taxpayers in general."[1] Second, other intervenors would not adequately address SDLCG's interests. Indeed, no other electricity consumers have intervened in this proceeding. Third, SDLCG is actively participating in BHP's pending general rate case,[2] where the Commission will set revenue allocation methodologies, depreciation rates, and the WACC which will impact the PIPR tariff. Thus, SDLCG's intervention will neither unduly disrupt this proceeding, broaden the issues in this proceeding, nor prejudice other parties, and is consistent with the public interest.

4. SDLCG is currently reviewing BHP's request and will further refine its position as the proceeding progresses.[3] However, at a high level, the SDLCG's position in this proceeding is that the Commission should only approve a rate increase if it is found to be just and reasonable.

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[1] *See* ARSD 20:10:01:15.03, 20:10:01:15.05.
[2] Docket No. EL26-003, Order Granting Intervention (May 13, 2026).
[3] *See* ARSD 20:10:01:15.03.

5. SDLCG requests that it be served by electronic transmission with notice of matters relating to this proceeding and copies of all orders, pre-filed testimony, attachments, exhibits, pleadings, discovery, and other communications.

6. Service should be provided as follows:

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Wherefore, SDLCG asks the Commission to grant SDLCG party status to protect its members' interest as affected customers and to ensure that it receives timely and appropriate information necessary for it to make decisions about its position in this proceeding.

Dated August 21, 2026.

WOODS, FULLER, SHULTZ & SMITH P.C.

By: */s/ James E. Moore*

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