

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

IN THE MATTER OF THE JOINT REQUEST OF OTTER TAIL POWER COMPANY AND SIOUX VALLEY SOUTHWESTERN ELECTRIC COOPERATIVE FOR THE TRANSFER OF RIGHTS AND PROPERTY PURSUANT TO SDCL 49-34A-55	) ) ) ) ) ) )	ORDER APPROVING TRANSFER OF RIGHTS AND PROPERTY  EL99-003
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On February 19, 1999, the Public Utilities Commission (Commission) received a Joint Petition for the transfer of rights and property from Sioux Valley Southwestern Electric Cooperative (SVSW), Colman, South Dakota and Otter Tail Power Company (OTP). The Joint Petition requests approval of an agreement whereby OTP will convey and transfer to SVSW its electric distribution properties, service, territory, and other rights, property, and assets used to provide electric service to Mr. Clinton Berndt's residence located near White, South Dakota, and described as follows:

The North 204 feet of the South 1651 feet of the East 398 feet of the East one-half of the Southeast Quarter of Section 13, Township 11 North, Range 49 West of the Fifth PM, County of Brookings, State of South Dakota.

On March 9, 1999, at its regularly scheduled meeting, the Commission considered the parties' request for approval of the Joint Petition. The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, and 49-34A-55. Further, the Commission finds that the proposed transfer of property between OTP and SVSW will avoid the unnecessary duplication of facilities, provide adequate electric service to the customer, and promote the efficient and economical use and development of the electric systems of OTP and SVSW. Finally the Commission finds that the approval of the Joint Petition is in the public interest and the request shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED that the request seeking approval of the Joint Petition is hereby granted.

Dated at Pierre, South Dakota, this 15<sup>th</sup> day of March, 1999.

<b>CERTIFICATE OF SERVICE</b>	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u><i>Delaine Kalbo</i></u>
Date:	<u>3/15/99</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

*James A. Burg*  
 JAMES A. BURG, Chairman

*Pam Nelson*  
 PAM NELSON, Commissioner

*Laska Schoenfelder*  
 LASKA SCHOENFELDER, Commissioner