

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

IN THE MATTER OF THE FILING BY BLACK ) HILLS CORPORATION D/B/A BLACK HILLS ) POWER AND LIGHT COMPANY FOR ) APPROVAL OF A CONTRACT WITH ) DEVIATIONS WITH HOMESTAKE MINING ) COMPANY OF CALIFORNIA )	ORDER APPROVING CONTRACT WITH DEVIATIONS  EL00-008
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On March 14, 2000, the Public Utilities Commission (Commission) received a filing by Black Hills Corporation d/b/a Black Hills Power and Light Company (BHP&L) for approval of a Contract with Deviations with Homestake Mining Company of California, d/b/a Homestake (Homestake). The contract replaces an electric service agreement between the parties dated June 18, 1993, as amended on June 1, 1995, and October 1, 1998. The new contract was filed as a confidential document. The effective date is January 1, 2000. BHP&L filed the following tariff sheets for Commission approval:

Section No. 1, Seventh Revised Sheet No. 3, replacing Sixth Revised Sheet No. 3  
Section No. 4, First Revised Sheet No. 5, replacing Original Sheet No. 5

On May 17, 2000, at its regularly scheduled meeting, the Commission considered the request for approval of the Contract with Deviations. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-10, and 49-34A-11. Further, the Commission finds that BHP&L's request for approval of a Contract with Deviations is just and reasonable and shall be approved. (Commissioner Nelson dissenting on the effective date of January 1, 2000). As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a Contract with Deviations is in the public interest and is hereby granted. It is further

ORDERED, that the above-referenced tariff sheets are effective for service rendered on and after January 1, 2000. It is further

ORDERED, that BHP&L shall file a class cost of service study showing a comparison of the Industrial Contract Service class before and after the implementation of this tariff change in any future general rate proceeding filed by BHP&L before the Commission and shall allow this Commission to choose the study to be used for cost of service.

Dated at Pierre, South Dakota, this 23<sup>rd</sup> day of May, 2000.

<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>Delaine Kalbo</u>
Date: <u>5/25/00</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner, dissenting  
on the effective date of January 1, 2000

Laska Schoenfelder  
LASKA SCHOENFELDER, Commissioner