

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

IN THE MATTER OF THE FILING BY BLACK) HILLS POWER, INC. FOR APPROVAL OF A) CONTRACT WITH DEVIATIONS WITH) PREMIER BANKCARD, INC.)	ORDER APPROVING CONTRACT WITH DEVIATIONS EL01-032
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On December 21, 2001, the Public Utilities Commission (Commission) received a filing by Black Hills Power, Inc. (BHP) for approval of a Contract with Deviations with Premier Bankcard, Inc. (Premier). According to the parties, the agreement is a negotiated agreement whereby BHP will provide electrical service to Premier's new Call Center complex in Spearfish, South Dakota. Premier meets the eligibility criteria set forth in the Business Development Service (BDS) tariff. The contract also includes provisions that meet or exceed BDS tariff standards. BHP filed the following tariff sheets for Commission approval:

- Section No. 1, Tenth Revised Sheet No. 3, replacing Ninth Revised Sheet No. 3
- Section No. 4, Third Revised Sheet No. 5, replacing Second Revised Sheet No. 5
- Section No. 4, Second Revised Sheet No. 6, replacing First Revised Sheet No. 6

On January 24, 2002, 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's request for approval of a Contract with Deviations is just and reasonable and shall be approved. 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 30, 2002.

Dated at Pierre, South Dakota, this 31st day of January, 2002.

CERTIFICATE OF SERVICE
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>Alaine Kalbo</i></u>
Date: <u>2/1/02</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner