

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

IN THE MATTER OF THE FILING FOR )	ORDER GRANTING
APPROVAL OF A LIMITED WAIVER OF )	APPROVAL OF SERVICE
SERVICE TERRITORY AGREEMENT )	RIGHTS EXCEPTION
BETWEEN CHARLES MIX ELECTRIC )	
ASSOCIATION, INC. AND THE TOWN OF )	EL02-001
PICKSTOWN )	

On January 14, 2002, the Public Utilities Commission (Commission) received a joint request from Charles Mix Electric Association, Inc. (Charles Mix) and the Town of Pickstown (Pickstown) seeking approval of an agreement for a service rights exception. The parties seek Commission approval for an exception to the existing electric service territorial agreement. According to the application, Pickstown has determined that electrical service is required at the meter pit, located on Outlot 16. Said location within the territory is served by Pickstown, however, Pickstown has no facilities in that area and has determined that it is cost prohibitive for Pickstown to serve the load. Charles Mix and Pickstown agree that it is in their best interests as well as the best interest of the public that Charles Mix provide electrical service to the meter pit. The agreement shall continue indefinitely until such time as Pickstown shall elect to revoke the waiver. There are no existing customers affected. The description of the affected property is the North 100 Feet of the East 100 Feet of Outlot 16, in the Town of Pickstown, County of Charles Mix, State of South Dakota.

Charles Mix and Pickstown have entered into an agreement entitled "Limited Waiver of Service Territory Agreement" dated January 9, 2002, and have filed the same along with a map delineating the affected territory.

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 service rights exception 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 a service rights exception is hereby granted.

Dated at Pierre, South Dakota, this 6th day of March, 2002.

<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>Melaine Kalbo</u>
Date: <u>3/6/02</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