

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

IN THE MATTER OF THE FILING FOR)	ORDER GRANTING
APPROVAL OF AN EXCEPTION TO SERVICE)	APPROVAL OF AN
ON ASSIGNED AREAS BETWEEN)	EXCEPTION TO THE
NORTHWESTERN ENERGY AND)	ASSIGNED ELECTRIC
SOUTHEASTERN ELECTRIC COOPERATIVE,)	SERVICE TERRITORY
INC.)	EL03-016

On April 29, 2003, the Public Utilities Commission (Commission) received a joint filing by NorthWestern Energy (NWE) and Southeastern Electric Cooperative, Inc. (Southeastern) for approval of an electric service rights exception for Brian Herrboldt. Mr. Herrboldt's property is located in the NW 1/4 of Section 17 and the NE 1/4 of Section 18, Township 97 North, Range 57 West, Hutchinson County, South Dakota. Southeastern consents to NorthWestern Energy extending facilities into the above described service area to provide electric service for proposed irrigation services intended to irrigate the NW 1/4 of Section 17 and the NE 1/4 of Section 18. The parties have agreed the release is specifically limited to proposed irrigation services and is for the life of the irrigating services.

At its regularly scheduled meeting of May 12, 2003, the Commission considered the matter. Commission Staff recommended approval of the joint request.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically 49-34A-42 and 49-34A-55. Further, the Commission finds that the approval of the joint request for an exception to the assignment of service territory will avoid unnecessary duplication of facilities, provide adequate electric service to all customers affected, and promote the efficient use and development of the electric systems of NWE and Southeastern. The Commission therefore concludes that the approval of the joint request for an exception to the assignment of service territory is in the public interest and it shall be granted. Further, the Commission finds that an exception to the assigned service territory is in the public interest and the joint request shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the joint request seeking approval of an exception to the assignment of service territory is hereby granted.

Dated at Pierre, South Dakota, this 16th day of May, 2003.

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>Melaine Kalbo</u>
Date: <u>5/19/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner