

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

<b>IN THE MATTER OF THE PETITION OF OTTER</b>	)	<b>ORDER APPROVING TARIFF</b>
<b>TAIL POWER COMPANY FOR APPROVAL OF</b>	)	<b>REVISIONS</b>
<b>A RENEWAL OF A RELEASED ENERGY</b>	)	
<b>TARIFF</b>	)	<b>EL04-010</b>

On April 1, 2004, Otter Tail Power Company, Fergus Falls, Minnesota (OTP), filed with the Public Utilities Commission (Commission) proposed revisions to its South Dakota Electric Rate Schedule, specifically the Released Energy Tariff.

Section No. 3, Volume I, Third Revised Sheet No. 91, Canceling Second Revised Sheet No. 91, Rate Designation M-10S, Released Energy Tariff, Pages 1, 2 and 3 of 3.

The Released Energy Tariff allows OTP to make energy purchases from its South Dakota customers who voluntarily agree to interrupt their firm load. OTP will then market the energy and share the associated revenue with the customer. OTP is requesting that the tariff be approved for two-years without any changes from the previous tariff. OTP requests approval effective on or before June 7, 2004.

On April 8, 2004, the Commission electronically transmitted notice of the filing and the intervention deadline of April 23, 2004, to interested individuals and entities. No petitions to intervene or comments were filed. At its regularly scheduled meeting of May 11, 2004, the Commission considered approval of the application. Commission Staff recommended approval as filed with the continuation of the restrictions and reporting requirements found in EL00-018 except for #5 under Reporting Requirements.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-34A. The Commission voted to approve the tariff revisions. The Commission finds the revisions are just and reasonable. As the Commission's final decision in this matter, it is therefore

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~~ORDERED, that OTP's revised tariff, as described above, is approved as filed with the continuation of the restrictions and reporting requirements found in EL00-018 except for #5 under Reporting Requirements, and it shall be effective for service rendered on and after June 7, 2004. It is~~

FURTHER ORDERED, that this approved tariff as described above shall expire on June 6, 2006. In the future, should OTP wish to continue this program after this expiration date, OTP will have to come before the Commission in another proceeding.

Dated at Pierre, South Dakota, this 13<sup>th</sup> day of May, 2004.

**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: *Delaine Koels*

Date: *5/18/04*

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Robert K. Sahr*

ROBERT K. SAHR, Chairman

*Gary Hanson*

GARY HANSON, Commissioner

*James A. Burg*

JAMES A. BURG, Commissioner