

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

<b>IN THE MATTER OF THE JOINT REQUEST )</b>	<b>ORDER GRANTING</b>
<b>FOR AN ELECTRIC SERVICE TERRITORY )</b>	<b>APPROVAL OF ELECTRIC</b>
<b>BOUNDARY CHANGE BETWEEN BUTTE )</b>	<b>SERVICE TERRITORY</b>
<b>ELECTRIC COOPERATIVE, INC. AND )</b>	<b>BOUNDARY CHANGE</b>
<b>BLACK HILLS POWER, INC. )</b>	<b>EL05-014</b>

On April 8, 2005, the Public Utilities Commission (Commission) received a joint filing by Butte Electric Cooperative, Inc. (Butte) and Black Hills Power, Inc. (BHP) for approval of an electric service territory boundary change. Butte and Black Hills have agreed to exchange territorial areas. The exchanges include a proposed lift station at Exit 17 in Lawrence County, exchange of territory in the Sandstone Hills/Countryside Subdivision, exchange of territory due to Highway 85 line relocation and construction, and property owned by Kevin McKee. Both utilities support the request and state the exchange of territory would provide for an electric system that avoids unnecessary duplication of facilities and helps minimize operational challenges. The electric service boundary change is as follows:

Butte shall transfer to BHP:

The West side of Highway 85 in the Redwater Hill Area, Section 3, Township 7 North, Range 2, East Black Hills Meridian, Butte County, South Dakota.

Lot 26 of Sandstone Hills, Section 11

A portion of Lot 31, Block 14 of Sandstone Hills, Section 13

A portion of Lot 17, Block 15 of Sandstone Hills, Section 13

A portion of Lot 1, Block 16 of Sandstone Hills, Section 13

A portion of Lot 1, Lot 2 and a portion of Lot 3, Block 16 of Sandstone Hills, Section 13,

all in Township 6 North, Range 2, East Black Hills Meridian, Lawrence County, South Dakota.

That portion of the NW1/4SW1/4 of Section 14, located South of Interstate 90 and North of Highway 14, Township 6 North, Range 3, East Black Hills Meridian, Lawrence County, South Dakota.

BHP shall transfer to Butte:

That portion of Section 3 located on the East side of Highway 85, Township 7 North, Range 2, East Black Hills Meridian, Butte County, South Dakota.

A portion of Tract 1 (Church Lot) of Sandstone Hills, Section 13

A portion of Lot 32 or 32A (depending on which plat), Block 17 of Sandstone Hills, Section 13

A portion of Lot 1, Block 9 of Countryside Subdivision, Section 13

Lots 1 and 2, Block 14 and Lots 3 to 7, Block 15 of Countryside Subdivision, Section 13

The SW1/4NW1/4 and the NE1/4NE1/4 of Section 13,

all in Township 6 North, Range 2, East Black Hills Meridian, Lawrence County, South Dakota.

A portion of Clair No. 6, all of Denton No. 2, Sterling, Sterling No. 1 and 2 of M.S. 1135, Section 17, Township 4 North, Range 4, East Black Hills Meridian, Lawrence County, South Dakota.

On September 27, 2005, at its regularly scheduled meeting, the Commission considered the request for approval of the boundary change. Commission Staff stated that all affected landowners had been advised of the proposed territory changes and did not object to them, and Staff recommended approval of the joint request.

The Commission finds that it has jurisdiction over the matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, and 49-34A-55. Further, the Commission finds that the boundary change will avoid unnecessary duplication of facilities and help minimize operational challenges. The Commission concludes that the change in the service territory boundary is in the public interest and it shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of an electric service territory boundary change between Butte and BHP is hereby granted.

Dated at Pierre, South Dakota, this 4<sup>th</sup> October, 2005.

<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 Kolbo</u>
Date: <u>10/4/05</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson  
GARY HANSON, Chairman

Robert K. Sahr  
ROBERT K. SAHR, Vice Chairman

Dustin M. Johnson  
DUSTIN M. JOHNSON, Commissioner