

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

**IN THE MATTER OF THE FILING FOR AN)
EXTENSION OF AN ELECTRIC SERVICE)
AGREEMENT FOR THE SUPPLY OF BULK)
INTERRUPTIBLE POWER BETWEEN OTTER)
TAIL POWER COMPANY AND VALLEY QUEEN)
CHEESE FACTORY, INC.)**

**ORDER APPROVING
EXTENSION OF CONTRACT
WITH DEVIATIONS**

EL09-007

On June 1, 2009, the Public Utilities Commission (Commission) received a filing by Otter Tail Power Company (Otter Tail) for approval of an extension of an Electric Service Agreement (Contract with Deviations) with Valley Queen Cheese Factory, Inc. (Valley Queen), on less than 30 days notice, which was entered into pursuant to its Bulk Interruptible Service tariff. The prior Electric Service Agreement expired on May 31, 2009, and Otter Tail and Valley Queen are currently discussing contract renewal and other alternatives. Both Otter Tail and Valley Queen are requesting to extend the contract which expired May 31, 2009, until June 30, 2009, to allow time to reach a new agreement on the provision of service.

On June 9, 2009, at its regularly scheduled meeting, the Commission considered the request for approval of extension of 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 Otter Tail's request for approval of extension of Contract with Deviations is just and reasonable and shall be approved on less than 30 days notice, noting that this treatment that is being allowed to occur is non-precedent setting and is being allowed on an individual case by case basis. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of extension of Contract with Deviations until June 30, 2009, on less than 30 days notice is in the public interest and is hereby granted.

Dated at Pierre, South Dakota, this 24th day of June, 2009.

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, electronically.
By: <u>Reidine Kalbo</u>
Date: <u>6/26/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Gary Hanson
GARY HANSON, Commissioner

Steve Kolbeck
STEVE KOLBECK, Commissioner