

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

**IN THE MATTER OF THE APPLICATION OF
BLACK HILLS POWER, INC., FOR
AUTHORITY TO INCREASE ITS ELECTRIC
RATES**

) **ORDER APPROVING JOINT**
) **MOTION FOR APPROVAL OF**
) **SETTLEMENT STIPULATION**
)
) **EL09-018**

On September 30, 2009, Black Hills Power, Inc. (BHP), filed with the Public Utilities Commission (Commission) for approval to increase rates for electric service to customers in its South Dakota service territory. BHP stated that it proposed to increase rates by approximately \$32 million annually or approximately 26.6% based on BHP's test year ending June 30, 2009. The company stated a typical residential electric customer using 600 kWh per month would see a net increase of \$17.99 per month. The proposed rates may potentially affect approximately 64,100 customers in BHP's service territory.

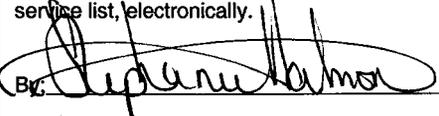
The Commission has jurisdiction in this matter pursuant to SDCL Chapters 49-34A, specifically 49-34A-4, 49-34A-6, 49-34A-8, 49-34A-10, 49-34A-11, 49-34A-12, 49-34A-14, 49-34A-17, 49-34A-19 and 49-34A-21.

On May 14, 2010, the Commission received a Joint Motion for Approval of Settlement Stipulation and Settlement Stipulation between BHP and Commission Staff. On May 19, 2010, the Commission received a Brief in Opposition to Joint Motion for Approval of Settlement Stipulation from the Residential Consumers Coalition. On May 25, 2010, Chairman Johnson filed a letter requesting an Ad Hoc Commission meeting on May 27, 2010, to consider procedural matters. On May 25, 2010, BHP filed a Brief in Reply to Opposition to Joint Motion for Approval of Settlement Stipulation, filed on behalf of the three residential intervenors in this docket and the South Dakota Peace and Justice Center. On May 26, 2010, Staff filed a letter as a response to the Residential Consumers Coalition's Brief in Opposition to Joint Motion for Approval of Settlement Stipulation and BHP's Brief in Reply to Opposition to Joint Motion for Approval of Settlement Stipulation. On May 28, 2010, the Commission received a Joint Motion for Approval of Settlement Stipulation and Confidential Settlement Agreement between Black Hills Power and Black Hills Industrial Intervenors.

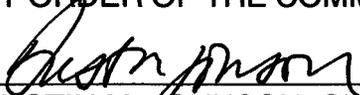
At its ad hoc meeting of June 10, 2010, the Commission considered the Joint Motion for Approval of Settlement Stipulation between Black Hills Power and Black Hills Industrial Intervenors. The Commission voted unanimously to approve the Joint Motion for Approval of Settlement Stipulation between Black Hills Power and Black Hills Industrial Intervenors. It is therefore

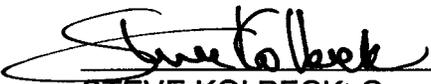
ORDERED, that the Joint Motion for Approval of Settlement Stipulation between Black Hills Power and Black Hills Industrial Intervenors is granted.

Dated at Pierre, South Dakota, this 16th day of June, 2010.

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: 
Date: <u>6/16/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:


DUSTIN M. JOHNSON, Chairman


STEVE KOLBECK, Commissioner


GARY HANSON, Commissioner