

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

**IN THE MATTER OF THE PETITION OF OTTER) ORDER ASSESSING FILING
TAIL POWER COMPANY TO ESTABLISH A) FEE
TRANSMISSION COST RECOVERY TARIFF)
)** **EL10-015**

On November 5, 2010, the Public Utilities Commission (Commission) received a petition from Otter Tail Power Company (Otter Tail) requesting approval to establish a Transmission Cost Recovery Tariff. The tariff mechanism provides for the automatic adjustment of charges to recover the jurisdictional costs of new or modified transmission facilities and federally regulated costs to increase regional transmission capacity or reliability. Otter Tail is proposing an effective date of March 1, 2011. On November 11, 2010, the Commission electronically transmitted notice of the filing and the intervention deadline of November 26, 2010, to interested individuals and entities.

SDCL 49-1A-8 authorizes the Commission to require a deposit of up to fifty thousand dollars (\$50,000) in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incurred from the time of the filing incident to analyzing and ruling upon this type of filing. The Commission has jurisdiction in this matter pursuant to SDCL Chapter 1-26, 49-1A, 49-34A, and ARSD 20:10:01:15:02 and 20:10:01:15:03.

At its regularly scheduled meeting of November 23, 2010, the Commission considered this matter. The Commission found that pursuant to SDCL 49-1A-8, Otter Tail shall be assessed a filing fee as requested by Commission Staff up to the statutory limit of \$50,000. It is therefore

ORDERED that Otter Tail shall deposit an initial filing fee in the SDPUC regulatory assessment fee fund in the amount specified by the Executive Director and shall deposit any additional amounts as requested by Executive Director, not to exceed the statutory limit.

Dated at Pierre, South Dakota, this 30th day of November, 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: <u>[Signature]</u>
Date: <u>11/30/10</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

[Signature]
DUSTIN M. JOHNSON, Chairman

[Signature]
STEVE KOLBECK, Commissioner

[Signature]
GARY HANSON, Commissioner