

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

**IN THE MATTER OF THE COMPLAINT BY JUHL) ORDER FOR AND NOTICE OF
ENERGY, INC. AGAINST NORTHWESTERN) MOTION HEARING ON LESS
CORPORATION DBA NORTHWESTERN ENERGY) THAN 10 DAYS' NOTICE
FOR ESTABLISHING A PURCHASE POWER)
AGREEMENT)**

EL16-021

On June 23, 2016, Juhl Energy, Inc. (Juhl) filed a Complaint with the South Dakota Public Utilities Commission (Commission) seeking resolution of a dispute with NorthWestern Corporation dba NorthWestern Energy (NorthWestern) regarding the proper avoided cost for a long-term electric power purchase agreement.

On June 30, 2016, the Commission electronically transmitted notice of the Complaint and the intervention deadline of July 25, 2016, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On July 19, 2016, NorthWestern filed its Answer to the Complaint. No petitions to intervene were filed. On August 4, 2016, the parties filed a Joint Request for a Procedural Schedule. At its regularly scheduled meeting on August 16, 2016, the Commission established a Procedural Schedule.

On February 1, 2016, the Commission received a Notice of Appearance and Motion to Amend Complaint (Motion) that was filed by Consolidated Edison Development, Inc. In its Motion to Amend Complaint, Consolidated Edison Development, Inc. request that the Commission enter an order to reflect it acquired Juhl Energy, Inc.'s interest in the three wind energy projects that are the subject of the above captioned avoided cost litigation.

Pursuant to ARSD 20:10:01:22.02, the Commission may order a hearing on less than ten days' notice if the Commission determines good cause exists therefor. The Commission finds that good cause exists to hear the Motion on less than ten days' notice.

It is therefore

ORDERED, that a hearing on the Motion to Amend Complaint will be held by the Commission at its regularly scheduled meeting on February 10, 2017, beginning at 9:30 A.M. CDT in Rm. 413, Capitol Building, Pierre, SD.

Dated at Pierre, South Dakota, this 2nd day of February, 2017.

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 or by mail.
By: <u>Adam Detrick</u>
Date: <u>Feb. 2, 2017</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner