

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

IN THE MATTER OF THE JOINT REQUEST FOR SERVICE RIGHTS EXCEPTION BETWEEN BLACK HILLS POWER, INC. DBA BLACK HILLS ENERGY AND BLACK HILLS ELECTRIC COOPERATIVE, INC.)	ORDER GRANTING APPROVAL OF ELECTRIC SERVICE TERRITORY EXCEPTION AGREEMENT
)	EL17-005

On February 6, 2017, the South Dakota Public Utilities Commission (Commission) received a joint request for approval of a Service Territory Exception Agreement (Agreement) between Black Hills Power, Inc. dba Black Hills Energy (BHE) and Black Hills Electric Cooperative, Inc. (BHEC) to allow BHEC to provide electric service to a residence in BHE territory. The location of the residence will be located in the Kozel Subdivision Lot 2, located in the NE1/4 of the NW1/4, Section 15, T2N, R6E, B.H.M., in Pennington County, South Dakota. Under the Agreement, BHE shall retain the right of service to any new commercial or residential facility or service that may be developed on any portion of the above-described parcel.

On February 9, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of February 24, 2017, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. On February 7, 8, 15, and 21, 2017, the parties responded to Commission staff's data requests.

The Commission has jurisdiction over this matter pursuant to SDCL 49-34A, specifically 49-34A-42 through 49-34A-44 and 49-34A-55.

At its regularly scheduled meeting on February 28, 2017, the Commission considered this matter. Commission staff recommended granting approval of the Agreement. Finding that the Agreement will avoid unnecessary duplication of facilities, provide adequate electric service to the customer affected, promote the efficient and economical use and development of BHEC's and BHE's electric systems, and that the exception to the parties' assigned service territories is in the public interest, the Commission voted unanimously to approve the Agreement. It is therefore

ORDERED, that the request seeking approval of the Service Territory Exception Agreement between Black Hills Power, Inc. dba Black Hills Energy and Black Hill Electric Cooperative, Inc. is hereby granted.

Dated at Pierre, South Dakota, this 7th day of March, 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>Karen E. Bremer</u>
Date: <u>3/7/2017</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner