

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

**IN THE MATTER OF THE JOINT REQUEST FOR)
AN ELECTRIC SERVICE TERRITORY)
BOUNDARY CHANGE BETWEEN NORTHERN)
STATES POWER COMPANY DBA XCEL)
ENERGY AND SIOUX VALLEY-SOUTHWESTERN)
ELECTRIC COOPERATIVE, INC. DBA SIOUX)
VALLEY ENERGY)**

**ORDER APPROVING
RESCISSION AND
APPROVING WITHDRAWAL
OF PETITION TO INTERVENE**

EL17-020

On May 1, 2017, the South Dakota Public Utilities Commission (Commission) received a joint request from Northern States Power Company dba Xcel Energy (Xcel) and Sioux Valley-Southwestern Electric Cooperative, Inc. dba Sioux Valley Energy (Sioux Valley) seeking to modify existing service territory boundaries in Sioux Falls, South Dakota.

On May 4, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of May 19, 2017, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On May 19, 2017, Ronning Enterprises, Inc. filed a Petition to Intervene. On May 31, 2017, Xcel Energy filed a letter requesting delay on action on the petition as Xcel and Sioux Valley had abandoned efforts to exchange territory where Ronning may be impacted by the Parties' Agreement. On June 2, 2017, and June 15, 2017, Ronning Enterprises, Inc. filed a letter requesting a delay on action of the petition. At the June 6, 2017, Commission meeting, Chairperson Fiegen deferred action to the next Commission meeting. At the June 16, 2017, Commission meeting Commissioner Nelson deferred action indefinitely with the understanding that a new agreement will be filed. On June 27, 2017, Xcel Energy filed a letter regarding the rescission of the original service territory exchange agreement filed May 1, 2017. On June 27, 2017, Ronning Enterprises, Inc. filed a letter requesting to withdraw its Petition to Intervene, effective upon the Commission's approval of the rescission.

The Commission has jurisdiction of this matter pursuant to SDCL Chapters 1-26 and 49-34A, specifically 49-34A-42, 49-34A-43, and 49-34A-55 and ARSD 20:10:01:15.02 through 20:10:01:15.05.

At its regularly scheduled meeting on July 5, 2017, the Commission considered the letter regarding rescission of the agreement and the letter regarding withdrawal of the petition to intervene. Xcel and Sioux Valley did not object to the withdrawal of the petition to intervene or the rescission. The Commission voted unanimously to approve the rescission of the original service territory exchange agreement and to approve Ronning Enterprises, Inc.'s request to withdraw its petition to intervene. It is therefore

ORDERED, that the rescission of the original service territory exchange agreement is approved. It is further

ORDERED, that Ronning Enterprises, Inc.'s request to withdraw its Petition to Intervene is hereby granted.

Dated at Pierre, South Dakota, this 11th day of June, 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: *Adrian H. Hreck*

Date: 7/11/17

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner