

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

<b>IN THE MATTER OF THE APPLICATION</b>	)	<b>ORDER GRANTING JOINT</b>
<b>OF BLACK HILLS POWER INC., DBA</b>	)	<b>MOTION FOR APPROVAL OF</b>
<b>BLACK HILLS ENERGY FOR APPROVAL</b>	)	<b>SETTLEMENT STIPULATION;</b>
<b>OF ITS TAX CUT AND JOBS ACT</b>	)	<b>ORDER APPROVING</b>
<b>PROPOSAL</b>	)	<b>SETTLEMENT STIPULATION</b>
	)	
	)	
	)	<b>EL18-029</b>

On December 21, 2017, the South Dakota Public Utilities Commission (Commission) received a filing from Commission staff (Staff) requesting a docket (Docket GE17-003) be opened to investigate the Tax Cuts and Jobs Act (TCJA) on South Dakota utilities. Staff also filed a Motion Requesting Order Requiring Comments and Securing Tax Effects for Customers as of January 1, 2018 (Motion). In the Motion, Staff requested the Commission investigate the effect the TCJA will have on South Dakota utilities and requested the Commission issue an order requiring utilities to submit comments on the effect the TCJA will have on each utility. Additionally, Staff requested the Commission issue an order that any adjustment to rates due to the TCJA be effective on January 1, 2018. On December 28, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of January 12, 2018, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On December 29, 2017, the Commission issued an Order Requiring Comments; Order Requiring Rates in Effect January 1, 2018, are Subject to Refund; Order Granting Intervention. On January 29, 2018, NorthWestern Energy submitted initial comments and on February 1, 2018, Black Hills Energy, Montana-Dakota Utilities Co., MidAmerican Energy, Xcel Energy, and Otter Tail Power Co. filed initial comments.

On June 29, 2018, Black Hills Energy filed an Application and supporting exhibits setting forth its proposal related to the TCJA. The Application requested Commission approval of a one-time refund to ratepayers in October 2018 associated with TCJA customer benefits and proposed base rate revisions to be effective January 1, 2019, including a reduction to base rates due to future TCJA tax expense reductions and revisions to base rate customer charges.

On July 5, 2018, the Commission electronically transmitted notice of the filing and the intervention deadline of July 20, 2018, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed. On August 28, 2018, Staff and Black Hills Energy filed a Joint Motion for Approval of Settlement Stipulation and a Settlement Stipulation. On August 29, 2018, Staff filed its Memorandum Supporting Settlement Stipulation.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-34A, specifically, 49-34A-4, 49-34A-6, 49-34A-8, and 49-34A-26.

At its regularly scheduled meeting on September 4, 2018, the Commission considered this matter. Having thoroughly reviewed the filings in the docket and after making further inquiry of the parties, the Commission found that the terms and conditions proposed in the Settlement Stipulation were just, reasonable, and in the public interest and that good and sufficient cause was demonstrated to approve the Settlement Stipulation. The Commission voted unanimously to grant the Joint Motion for Approval of Settlement Stipulation and approve the Settlement Stipulation. It is therefore

ORDERED, that the Joint Motion for Approval of Settlement Stipulation is hereby granted, and the Settlement Stipulation is hereby approved. The Settlement Stipulation is incorporated by reference into this Order the same as if it had been set forth in its entirety herein.

Dated at Pierre, South Dakota, this 7<sup>th</sup> day of September 2018.

<b>CERTIFICATE OF SERVICE</b>
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. Cromer</u>
Date: <u>09/07/18</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Eegen  
KRISTIE EEGEN, Chairperson

Chris Nelson  
CHRIS NELSON, Commissioner