

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

**IN THE MATTER OF THE ADOPTION OF) ORDER APPROVING
RULES REGARDING PURPA) INTERCONNECTION FORMS
INTERCONNECTION) RM08-002**

On September 11, 2008, the Public Utilities Commission (Commission) received proposed interconnection rules from Commission Staff (Staff). The Commission accepted comments on the proposed rules through October 9, 2008. The Commission received comments from Environmental Law & Policy Center (ELPC), Xcel Energy (Xcel), MidAmerican Energy Company (MidAmerican), Montana-Dakota Utilities Co. (MDU), NorthWestern Energy (NWE), Otter Tail Power Company (OTP), Black Hills Power, Inc. (BHP) and Bobbi Schurz (Schurz). On May 6, 2009, a hearing was held to consider the adoption of the proposed rules. After the hearing on May 6, 2009, the Commission received comments from Staff, NWE, MDU, OTP, Xcel and ELPC. At its ad hoc meeting of May 28, 2009, the Commission voted unanimously to approve the rules. The rules became effective on June 29, 2009.

On July 2, 2009, Staff mailed the proposed interconnection forms to interested parties and asked that they submit their comments by July 21, 2009. The Commission received comments from NWE, OTP, BHP and ELPC.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-34A and ARSD Chapter 20:10:36.

At its regularly scheduled meeting of July 29, 2009, the Commission considered the interconnection forms. The Commission voted unanimously to:

- (i) Approve Form 1, with the following changes: (a) on page 1, in the title of the first paragraph, add “/Interconnection Customer” after the word “Applicant”; (b) on page 3, the last line under “For Synchronous Machines,” change “(X’d)” to “(X”d)”; and (c) on page 4, under “Other Facility Information,” after “If yes, has Applicant completed FERC’s ‘Notice of Self Certification,’” add “Verification Number Received from FERC: _____”;
- (ii) Approve Form 2, with the following changes: (a) on page 2, paragraph 5, delete the words “In cases where no upgrades are required,” capitalize the T on “the,” and add the following to the end of the sentence: “under the process prescribed in the Commission’s rules, ARSD 20:10:36”; (b) on page 2, paragraph 6, add the following to the end of the paragraph: “ARSD Chapter 20:10:36”; (c) on page 3, section 2, in the fourth paragraph, delete the words “ring bus”; (d) on page 3, section 2, above the fifth paragraph, add “Number of generators: _____”; (e) on page 3, twelfth paragraph, add “s” to the word “length”; and (f) on page 4, first paragraph, delete “distribution lines,” and replace with “interconnection facilities.”
- (iii) Approve Form 3, with the following changes: (a) on page 2, add the following to the end of paragraph 6: “under the process prescribed in the Commission’s rules, ARSD chapter 20:10:36”; and (b) adopt all of the recommended changes made by BHP.
- (iv) Approve Form 4 with no changes.

- (v) Approve Form 5, adopting all of the recommended changes made by OTP, BHP and ELPC.
- (vi) Approve Form 6, with the following changes: (a) that at the option of the utility or applicant, they may decide whether they want attachments to be included as recommended by OTP; (b) on page 3, paragraph 2.2, Right of Access, at the end of the paragraph, add "at no cost"; (c) adopt all of the recommended changes made by ELPC with reference to Article 4 and Article 7; (d) on page 6, paragraph 5.4, Consequential Damages, at the beginning of the paragraph, add "With the exception of third party claims," and change "N" in Neither to "n"; (e) on page 7, Article 6, Insurance, at the end of the paragraph, add the specific rule; (f) on page 11, paragraph 9.2, Designated Operating Representative, in the last line of the first paragraph, delete "9.2" and insert "9"; (g) add language to the agreement stating the O & M Schedule must be attached to the agreement and add wording that indicates that the interconnector must adhere to that schedule.

It is therefore

ORDERED, that the above referenced changes are hereby approved.

Dated at Pierre, South Dakota, this 18th day of August, 2009.

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><i>Christina J. Gulblin</i></u>
Date: <u>8/18/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Jay Hanson
GARY HANSON, Commissioner