



March 12, 2003

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Huron, SD 57350-1500
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Ms. Pam Bonrud, Executive Director
SD Public Utilities Commission
State Capitol Building
Pierre, SD 57501

RECEIVED

MAR 13 2003

**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Re: Territory Exception

Dear Ms. Bonrud:

The purpose of this letter is to request approval from the Public Utilities Commission in the release of a customer (Mr. Bruce Kidman) to NorthWestern Energy (NorthWestern) from Codington-Clark Electric Cooperative(Codington- Clark).

Mr. Kidman's buildings are located 3 miles West of the Town of Hazel in the SW1/4 of Section 16, Township 115 North, Range 55 West, Hamlin County, SD. NorthWestern has an existing overhead power line approximately 1500 feet South of Mr. Kidman's buildings along the South side of said Section 16. Codington-Clark's closest power line is approximately 2 miles to the North and East of Mr. Kidman's buildings.

Enclosed you will find a location map and copy of a letter dated March 3, 2003 showing Codington-Clark's intent to release the above mentioned buildings for service to NorthWestern.

Thank you, if you have any questions please give me a call at 605/353-7528.

Sincerely,

A handwritten signature in cursive script that reads "Ron Gogolin".

Ron L. Gogolin
Coordinator - Land and Easement

enclosure

cc: Mike Sydow
Jay Morris



**Codington-Clark
Electric Cooperative, Inc.**

P.O. Box 880
Watertown, South Dakota 57201-0880
Telephone: (605) 886-5848

COPY

March 3, 2002

Mr. Mike Sydow
Northwestern Energy
600 Market Street West
Huron, South Dakota 57350-1510

Subject: Release of Kidman Service Site in Brantford Township, Hamlin County

Dear Mr. Sydow:

This letter is to inform you that Codington-Clark Electric Cooperative's board of directors is willing to relinquish to Northwestern Energy the service rights for a very specific, currently unoccupied, former farmstead building site located in the Southwest Quarter, Section 16, Township 115 North, Range 55 West, Hamlin County, South Dakota, ownership of which belongs to Bruce H. Kidman and others.

Codington-Clark expects Northwestern to initiate the necessary action with the South Dakota Public Utilities Commission for said territory release and to cover any expenses related to the transaction.

Please keep us informed as the activity related to this action unfolds.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene C. Ward".

Gene C. Ward
General Manager

Enclosure (1)

cc: Jerry D. Wicks, President
Thomas F. Burns, Attorney

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of March 13, 2003 through March 19, 2003

If you need a complete copy of a filing faxed, overnight expressed, or mailed to you, please contact
Delaine Kolbo within five business days of this report. Phone: 605-773-3705

CONSUMER COMPLAINTS

CT03-007 In the Matter of the Complaint filed by Chris Wolf on behalf of Brown Construction, North Sioux City, South Dakota, against McLeodUSA Telecommunications Services, Inc. Regarding a Contract Dispute.

After signing a 60 month contract with McLeodUSA (now known as PrairieWave), complainant changed its local and long distance phone service to another carrier. As a result, the complainant was assessed an early termination penalty of \$4,826.13. Complainant's representative alleges that the 60 month service contract was represented by the respondent as a rate term agreement and therefore seeks to have the early termination penalty and any associated collection charges waived.

Staff Analyst: Jim Mehlhaff
Staff Attorney: Kelly Frazier
Date Docketed: 03/17/03
Intervention deadline: N/A

ELECTRIC

EL03-011 In the Matter of the Request for an Electric Service Rights Exception between NorthWestern Energy and Codington-Clark Electric Cooperative, Inc.

On March 13, 2003, NorthWestern Energy and Codington-Clark Electric Cooperative filed a joint request for approval from the Public Utilities Commission for release of a customer from Codington-Clark to NorthWestern. The customer is located 3 miles West of the Town of Hazel in the SW 1/4 of Section 16, Township 115 North, Range 55 West, Hamlin County, SD. NorthWestern has an existing overhead power line approximately 1500 feet South of the customer along the South side of said Section 16. Codington-Clark's closest power line is approximately 2 miles to the North and East of the customer.

Staff Analyst: Michele M. Farris
Staff Attorney: Kelly Frazier
Date Docketed: 03/13/03
Intervention Deadline: 04/04/03

TELECOMMUNICATIONS

TC03-057 In the Matter of the Application of Qwest Corporation to Reclassify Local Exchange Services as Fully Competitive.

On March 14, 2003, pursuant to SDCL 49-31-3.2 and ARSD 20:10:24:11 Qwest Corporation filed with the Public Utilities Commission a request to reclassify local exchange and other related services as fully competitive in all Qwest exchanges in South Dakota.

Staff Analyst: Harlan Best

Staff Attorney: Karen E. Cremer

Date Docketed: 03/14/03

Intervention Deadline: 04/04/03

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

IN THE MATTER OF THE REQUEST FOR AN)	ORDER GRANTING
ELECTRIC SERVICE RIGHTS EXCEPTION)	APPROVAL OF AN
BETWEEN NORTHWESTERN ENERGY AND)	EXCEPTION TO THE
CODINGTON-CLARK ELECTRIC)	ASSIGNED ELECTRIC
COOPERATIVE, INC.)	SERVICE TERRITORY
)	EL03-011

On March 13, 2003, NorthWestern Energy and Codington-Clark Electric Cooperative, Inc. filed a joint request for approval from the Public Utilities Commission for release of a customer from Codington-Clark to NorthWestern at a very specific, currently unoccupied, former farmstead building site located in the SW 1/4 of Section 16, T115N, R55W, Hamlin County, South Dakota, ownership of which belongs to Bruce H. Kidman and others. The customer is located 3 miles West of the Town of Hazel in the SW 1/4 of Section 16, Township 115 North, Range 55 West, Hamlin County, South Dakota. NorthWestern has an existing overhead power line approximately 1500 feet South of the customer along the South side of said Section 16. Codington-Clark's closest power line is approximately 2 miles to the North and East of the customer.

At its regularly scheduled meeting of April 1, 2003, the Commission considered the matter. Commission Staff recommended approval of the joint request.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically 49-34A-42 and 49-34A-55. Further, the Commission finds that an exception to the assigned service territory is in the public interest and the request shall be granted. It is therefore

ORDERED, that the request seeking approval of an exception to the assignment of service territory is hereby granted, effective April 5, 2003.

Dated at Pierre, South Dakota, this 8th day of April, 2003.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u>Melaine Kolbs</u>
Date: <u>4/9/03</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Gary Hanson
GARY HANSON, Commissioner