

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

IN THE MATTER OF THE PETITION FOR)
ELECTRICAL SERVICE BY DAKOTA ACCESS,)
LLC TO HAVE NORTHWESTERN ENERGY)
ASSIGNED AS ITS ELECTRIC PROVIDER IN)
THE SERVICE AREA OF NORTHERN ELECTRIC)
COOPERATIVE, INC.)

**ORDER GRANTING
INTERVENTION**

EL15-023

On June 16, 2015, the South Dakota Public Utilities Commission (Commission) received a Petition for Electrical Service (Petition) from Dakota Access, LLC (Dakota Access) to have NorthWestern Corporation dba NorthWestern Energy (NorthWestern Energy) assigned as its electric provider in the service territory of Northern Electric Cooperative, Inc. (Northern Electric) pursuant to SDCL 49-34A-56. Dakota Access states it would be a new customer, seeking electrical service to a new location, which developed after March 21, 1975, and such location is within the territory of Northern Electric. Dakota Access states it will have an Electric Service Agreement with NorthWestern Energy that will have a contracted minimum demand in excess of two thousand kilowatts.

On June 18, 2015, the Commission electronically transmitted notice of the petition and the intervention deadline of July 6, 2015, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On June 23, 2015, Northern Electric filed a Petition to Intervene. In its order dated July 9, 2015 the Commission granted intervention to Northern Electric. On August 21, 2015, Dakota Access responded to Staff's data requests. On October 28, 2015, Dakota Access filed a letter regarding the Electric Distribution Service Agreement with NorthWestern. On December 14, 2015, NorthWestern filed a Petition to Intervene.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-34A, specifically 49-34A-56, and ARSD 20:10:01:15.02 through 20:10:01:15.05.

At its regularly scheduled meeting on December 22, 2015, the Commission considered this matter. Dakota Access stated that it did not object to granting the Petition to Intervene. Finding that the Petition to Intervene demonstrated good cause to grant intervention, the Commission voted unanimously to grant intervention to NorthWestern. It is therefore

ORDERED, that NorthWestern's Petition to Intervene is hereby granted.

Dated at Pierre, South Dakota, this 23rd day of December, 2015.

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. Cremer</u>
Date: <u>12/23/2015</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Pieggen
KRISTIE PIEGGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner