

EL 01-010

May 18, 2001

RECEIVED

MAY 21 2001

Ms. Debra Elofson
SD Public Utilities Commission
State Capitol Building
500 East Capitol Avenue
Pierre, SD 57501-5070

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

Re: Request for Approval of an Electric Service Territory Agreement Jointly Submitted by
Black Hills Power and Black Hill Electric Cooperative

Dear Ms. Elofson:

Black Hills Power (BHP) and Black Hills Electric Cooperative (BHEC) are submitting a joint request to the South Dakota Public Utilities Commission to consider approval for relocation of an electric service territory line located in Sections 28 and 29, Township 1N, Range 7E, Black Hills Meridian, Pennington County, South Dakota. The reasons for the request are as follows:

- BGW Development Company is in the process of developing a major residential subdivision located primarily in the previously mentioned north half of Section 29.
- The master plan of the property indicates a total of 342 planned residential lots along with an 18-hole golf course. The master plan indicates that the property will be platted into neighborhood "clusters" - - groups of residential lots where the clusters are somewhat separated by areas of the golf course.
- The existing electric service territory line bisects the proposed subdivision. Approximately 208 lots are proposed to be located within BHP's service territory, and approximately 134 lots are proposed to be located within BHEC's service territory.
- The location of the existing electric service territory line would not promote the efficient and economical use and development of electric systems by either BHP or BHEC as build-out occurs within this subdivision. As can be seen on the attached maps, the existing electric service territory line coupled with the proposed master plan for the property would result in several situations where two electric service providers would be providing service to either two adjacent lots and/or lots on opposite sides of the street. The net result would be an electric system within the subdivision that has unnecessary duplication of facilities, is confusing to the property owners, and results in operational challenges.

Stuart Wevik, Director of Customer Service of BHP, and Dan Hutt, General Manager of BHEC have reviewed several alternatives and are jointly submitting a request for the Commission to consider relocation of the electric service territory line in the affected area. Key components of the proposal:

- No existing customers are impacted by the proposal.
- No existing electrical facilities are impacted by the proposal.

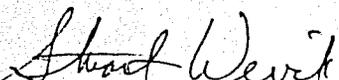
- BGW Development Company has been involved in our discussions and concurs with the recommendation as proposed. A letter of concurrence from them is attached.
- Some lots within the development have been platted and sold. Five of those platted and sold lots would be affected by the proposed territory line relocation. All affected lot owners have been contacted. Those lot owners support this proposal and their letters of consent are attached.
- The proposed relocation of the electric service territory line keeps the neighborhood clusters "intact" - - all customers within a specific geographic residential group would receive electrical service from a common provider.
- Under the proposal, the total number of potential customers served by each provider would remain nearly equivalent to what would have been served under existing territory boundaries.
- Both BHP and BHEC have existing facilities in place that could be easily expanded upon as development continues in accordance with the subdivision master plan. The resulting electric system within the subdivision would not have unnecessary duplication of electric facilities and would be safe and efficient to operate/maintain.
- Since unnecessary duplication of facilities is avoided, total installed costs of the electric system would be lower which would be to the benefit of the existing customers of both BHP and BHEC.

As previously mentioned, we have attached the following information for your review:

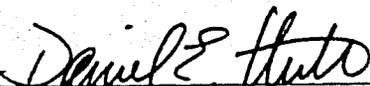
- the master plan for the subdivision which shows lot configuration, the existing electric service territory line, and the proposed electric service territory line.
- legal description of the proposed electric service territory line.
- a letter of concurrence from the developer.
- letters of consent from the owners of five platted and sold lots who would be affected by the proposed relocation of the electric service territory line.

If you require additional information or have questions, please do not hesitate to contact us. Thank you for your consideration of this request.

Sincerely,



 Stuart Wevik
 Director of Customer Service
 Black Hills Power



 Dan Hutt
 General Manager
 Black Hills Electric Cooperative

5/18/01
 Date

5/18/01
 Date

May 18, 2001

Mr. Stuart Wevik
Black Hills Power
PO Box 1400
Rapid City, SD 57709

Dear Mr. Wevik,

BGW Development Company is in the process of developing a large-scale residential subdivision known as Red Rock Estates, which is located as follows:

The unplatted balance of the North One-Half, and the unplatted balance of the Northwest Quarter of the Southeast Quarter, and the unplatted balance of the Northwest Quarter of the Southwest Quarter, and the unplatted balance of the Northeast Quarter of the Southwest Quarter, all located in Section 29, Township 1N, Range 7E of the Black Hills Meridian; and Outlot A of Tract A of Countryside Subdivision, as shown by the plat recorded in Book 23 of Plats on Page 131 in the Office of the Register of Deeds; and Tract 1 and Well Lot of the Red Ridge Ranch and including Picardi Ranch Road as shown by the plat recorded in Book 24 of Plats on Page 158 in the Office of Register of Deeds, all located in Pennington County, South Dakota.

As we have discussed, the existing electric service territory line bisects this subdivision.

BGW Development Company supports the filing by Black Hills Power and Black Hills Electric Cooperative to relocate the existing territory line as per their formal request to the South Dakota Public Utilities Commission. We believe that this relocation is an equitable resolution which will eliminate unnecessary redundancies in facilities, and will be to the benefit of all involved parties - - particularly the future homeowners in this subdivision.

BGW Development Company hereby gives consent for the transfer of any affected property owned by BGW Development within the Red Rock Estates Subdivision from the service territory of one electric service provider to the other service provider consistent with the attached map and legally defined territory line descriptions.



(signature)

5-18-01

(date)

Don Ward
BGW Development Company
3941 Forest Park Circle
Rapid City, SD 57702

cc: Dan Hutt
Black Hills Electric Cooperative

April 16, 2001

Stuart Wevik
Black Hills Power
PO Box 1400
Rapid City, SD 57709

Dear Mr. Wevik,

I hereby give consent for the transfer of the following property from the service territory of Black Hills Power to the service territory of Black Hills Electric Cooperative:

Legal Description

Lots 15 and 16, Block 2, Red Rock Estates Subdivision, Section 29, Township 1N, Range 7E, Black Hills Meridian, Pennington County, South Dakota.

Currently, the property is undeveloped and without electrical service.



(signature)

4-16-01

(date)

Ryan Kaski
PO Box 341
Piedmont, SD 57769

cc: Dan Hutt
Black Hills Electric Cooperative

March 12, 2001

Stuart Wevik
Black Hills Power
PO Box 1400
Rapid City, SD 57709

Dear Mr. Wevik,

I hereby give consent for the transfer of the following property from the service territory of Black Hills Power to the service territory of Black Hills Electric Cooperative:

Legal Description

Lot 18, Block 2, Red Rock Estates Subdivision, Section 29, Township 1N, Range 7E,
Black Hills Meridian, Pennington County, South Dakota.

Currently, the property is undeveloped and without electrical service.

Melane Jones
(signature)

3-15-01
(date)

Ross Jones Construction Co.
5539 Wildwood Drive
Rapid City, SD 57702

cc: Dan Hutt
Black Hills Electric Cooperative

March 19, 2001

Stuart Wevik
Black Hills Power
PO Box 1400
Rapid City, SD 57709

Dear Mr. Wevik,

I hereby give consent for the transfer of the following property from the service territory of Black Hills Power to the service territory of Black Hills Electric Cooperative:

Legal Description

Lot 19, Block 2, Red Rock Estates Subdivision, Section 29, Township 1N, Range 7E,
Black Hills Meridian, Pennington County, South Dakota.

Currently, the property is undeveloped and without electrical service.

Troy K. Ward
(signature)

3/19/01
(date)

Troy Ward
2700 W. Main Street
Rapid City, SD 57702

cc: Dan Hutt
Black Hills Electric Cooperative

April 16, 2001

Stuart Wevik
Black Hills Power
PO Box 1400
Rapid City, SD 57709

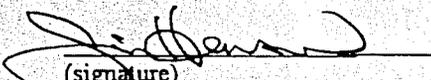
Dear Mr. Wevik,

I hereby give consent for the transfer of the following property from the service territory of Black Hills Power to the service territory of Black Hills Electric Cooperative:

Legal Description

Lot 17, Block 2, Red Rock Estates Subdivision, Section 29, Township 1N, Range 7E,
Black Hills Meridian, Pennington County, South Dakota.

Currently, the property is undeveloped and without electrical service.


(signature)

4/20/01
(date)

Jim Hansen
Premier Homes
8111 Coneflower Court
Rapid City, SD 57702

cc: Dan Hutt
Black Hills Electric Cooperative

May 8, 2001

Stuart Wevik
Black Hills Power
PO Box 1400
Rapid City, SD 57709

Dear Mr. Wevik,

I hereby give consent for the transfer of the following property from the service territory of Black Hills Power to the service territory of Black Hills Electric Cooperative:

Legal Description

Lots 17, Block 2, Red Rock Estates Subdivision, Section 29, Township 1N, Range 7E, Black Hills Meridian, Pennington County, South Dakota.

Currently, the property is undeveloped and without electrical service.



(signature)

5/8/01

(date)

Thomas Rau
1729 Mountain View Road
Rapid City, SD 57702

cc: Dan Hutt
Black Hills Electric Cooperative

Existing Territorial Boundary between Black Hills Electric and Black Hills Power

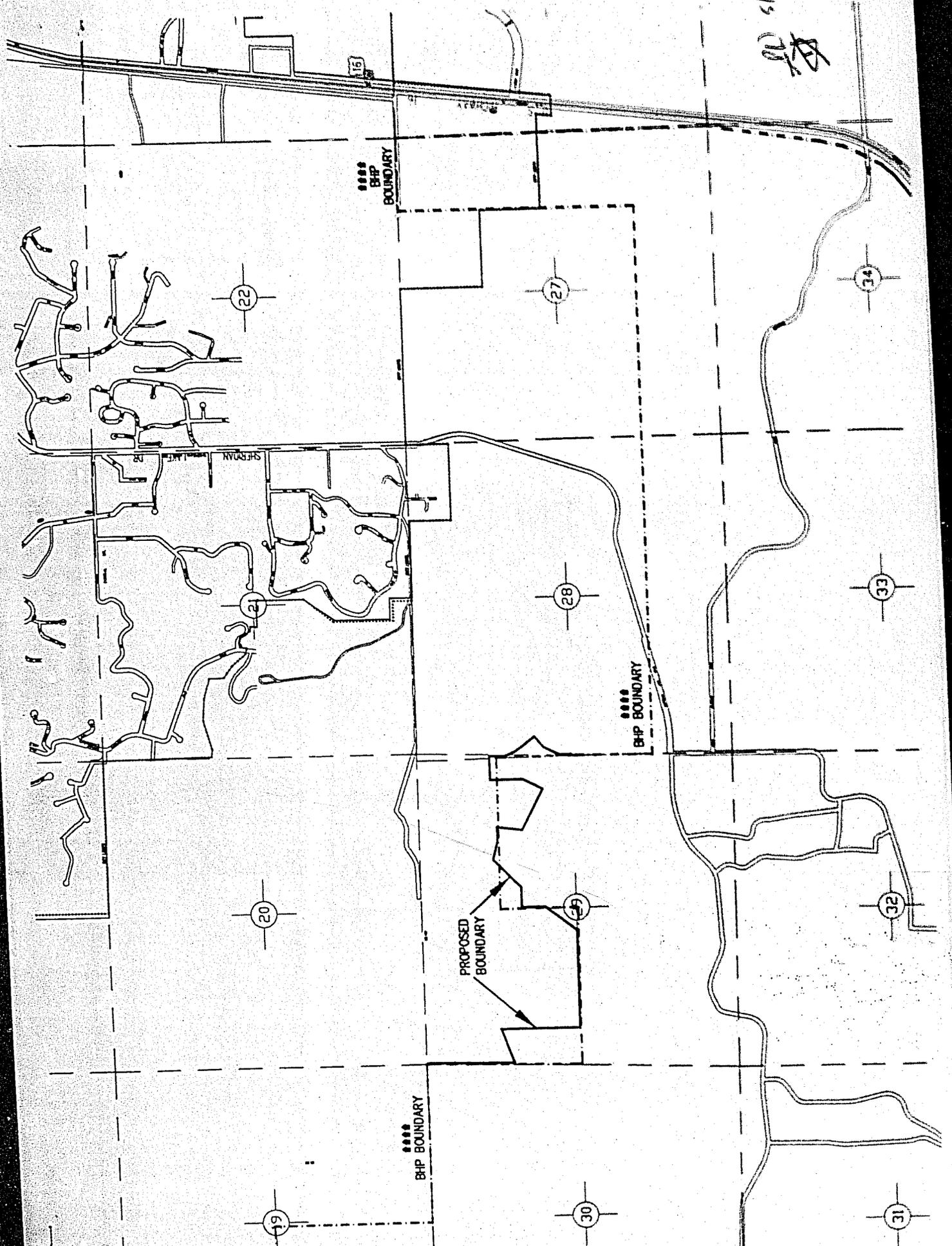
Beginning at the west $\frac{1}{4}$ corner of section 29, Township 1 North, Range 7 East, B.H.M.
Then $\frac{1}{2}$ mile east then $\frac{1}{4}$ mile north then $\frac{1}{2}$ mile east to the section line.

Proposed Territorial Boundary between Black Hills Electric and Black Hills Power

Beginning at the Northwest $\frac{1}{4}$ corner of section 29, Township 1 North, Range 7 East, B.H.M.
thence S $0^{\circ}18'26.0''$ E, 1514.0' along the section line,
thence N $69^{\circ}27'44.0''$ E, 624.0'
thence S $0^{\circ}0'0.0''$ E, 1362.0'
thence N $90^{\circ}0'0.0''$ E, 1634.0'
thence N $36^{\circ}49'13.0''$ E, 671.0'
thence N $0^{\circ}0'0.0''$ E, 402.0'
thence N $90^{\circ}0'0.0''$ E, 350.0'
thence N $45^{\circ}59'12.0''$ E, 681.0'
thence S $75^{\circ}09'05.0''$ E, 312.0'
thence N $90^{\circ}0'0.0''$ E, 251.0'
thence S $06^{\circ}59'30.0''$ W, 445.0'
thence S $62^{\circ}06'49.0''$ E, 792.0'
thence N $27^{\circ}38'46.0''$ E, 378.0'
thence N $0^{\circ}0'0.0''$ E, 570.0'
thence N $90^{\circ}0'0.0''$ E, 433.0'
thence S $0^{\circ}14'09.0''$ E, 279.0'
thence S $22^{\circ}19'19.0''$ E, 201.0'
thence S $36^{\circ}11'46.0''$ E, 405.0'
thence S $49^{\circ}54'52.0''$ W, 237.0'
thence S $25^{\circ}50'35.0''$ W, 299.0'
thence S $0^{\circ}14'09.0''$ E, 216.0' along the section line to the east $\frac{1}{4}$ corner of the same section 29.

AW 5/18/01
J

1/15/13
JL

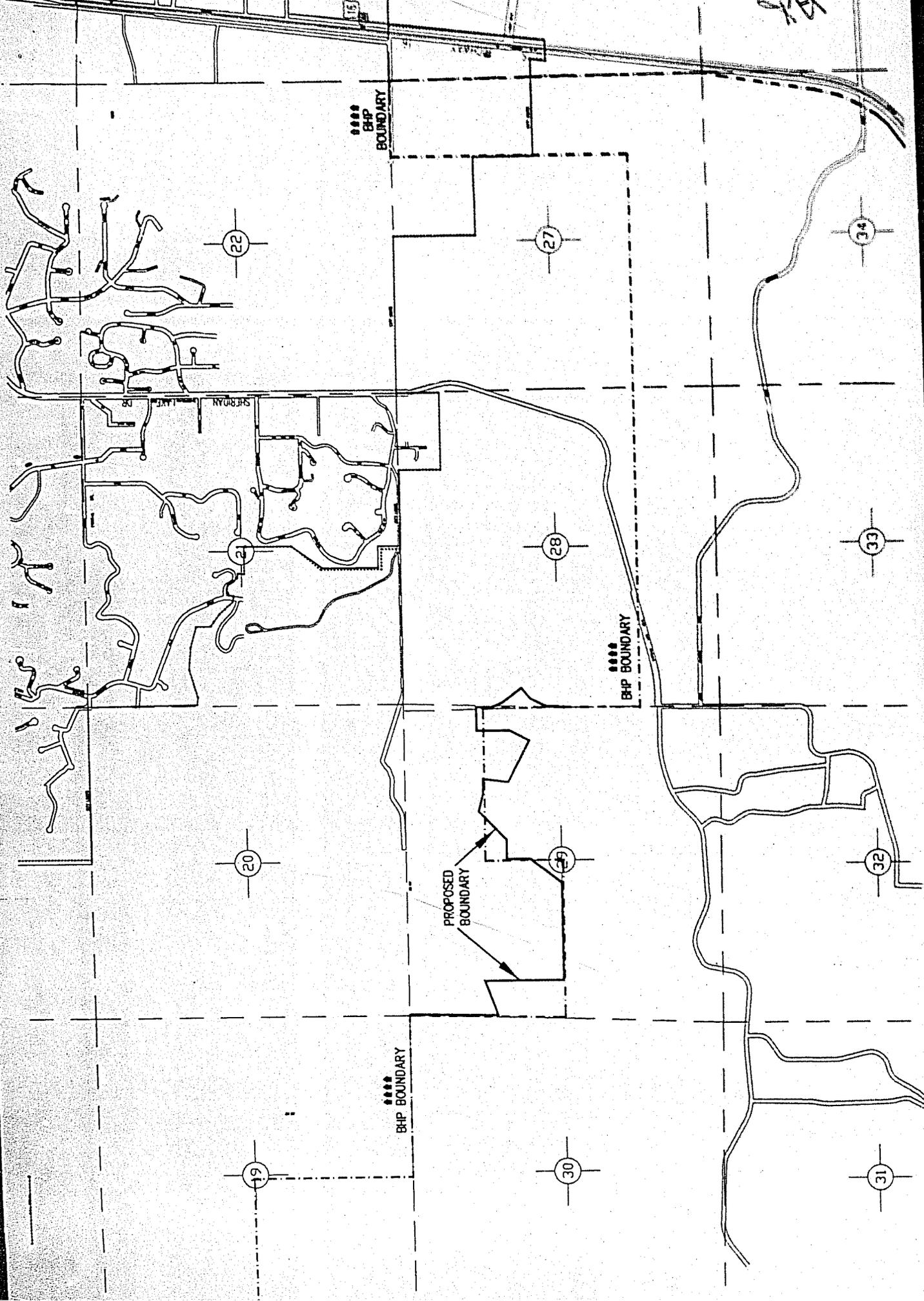


START

OF

RETAKE

134



■■■■
BHP
BOUNDARY

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SFRSOM
LAKT

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PROPOSED
BOUNDARY

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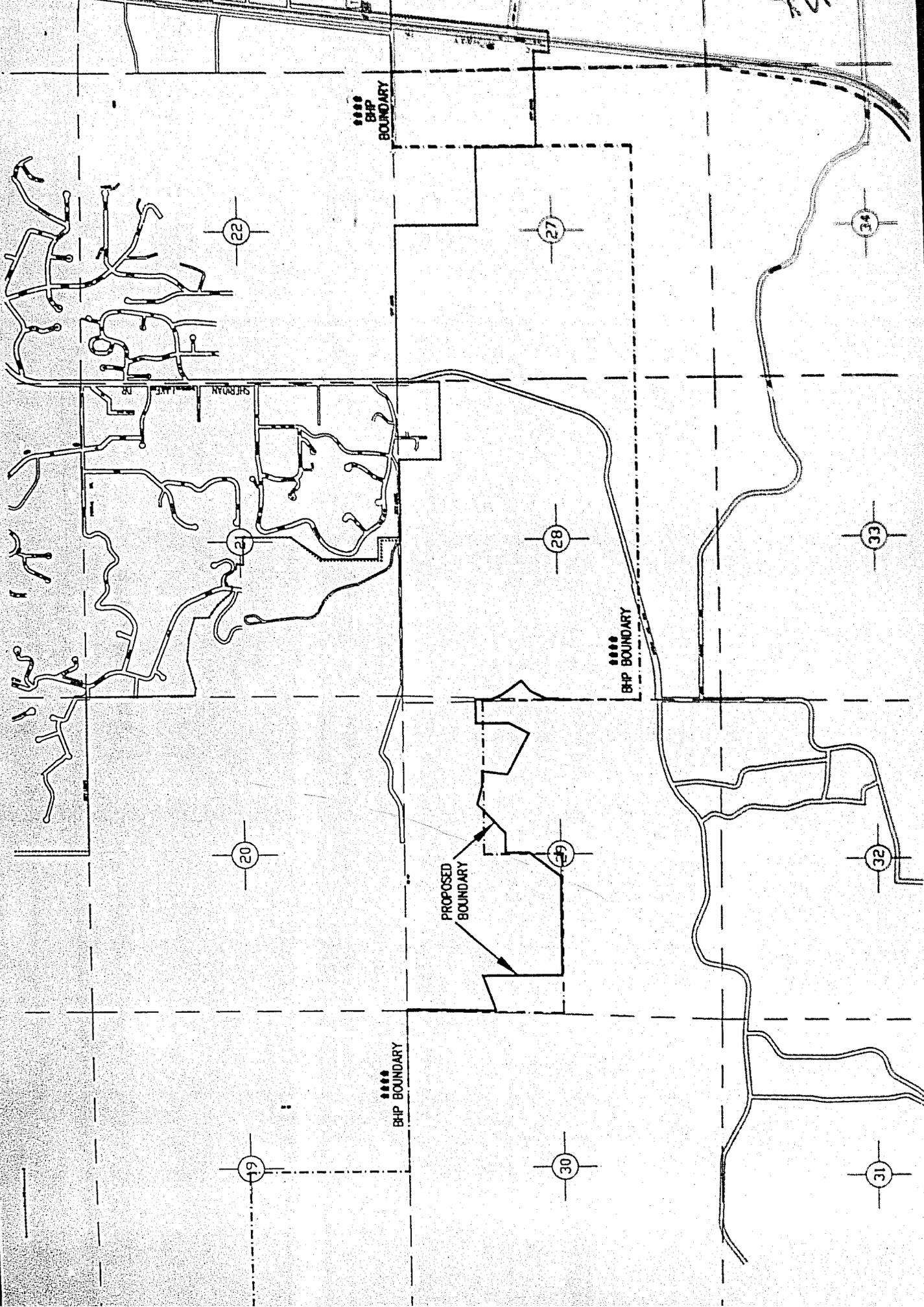
■■■■
BHP
BOUNDARY

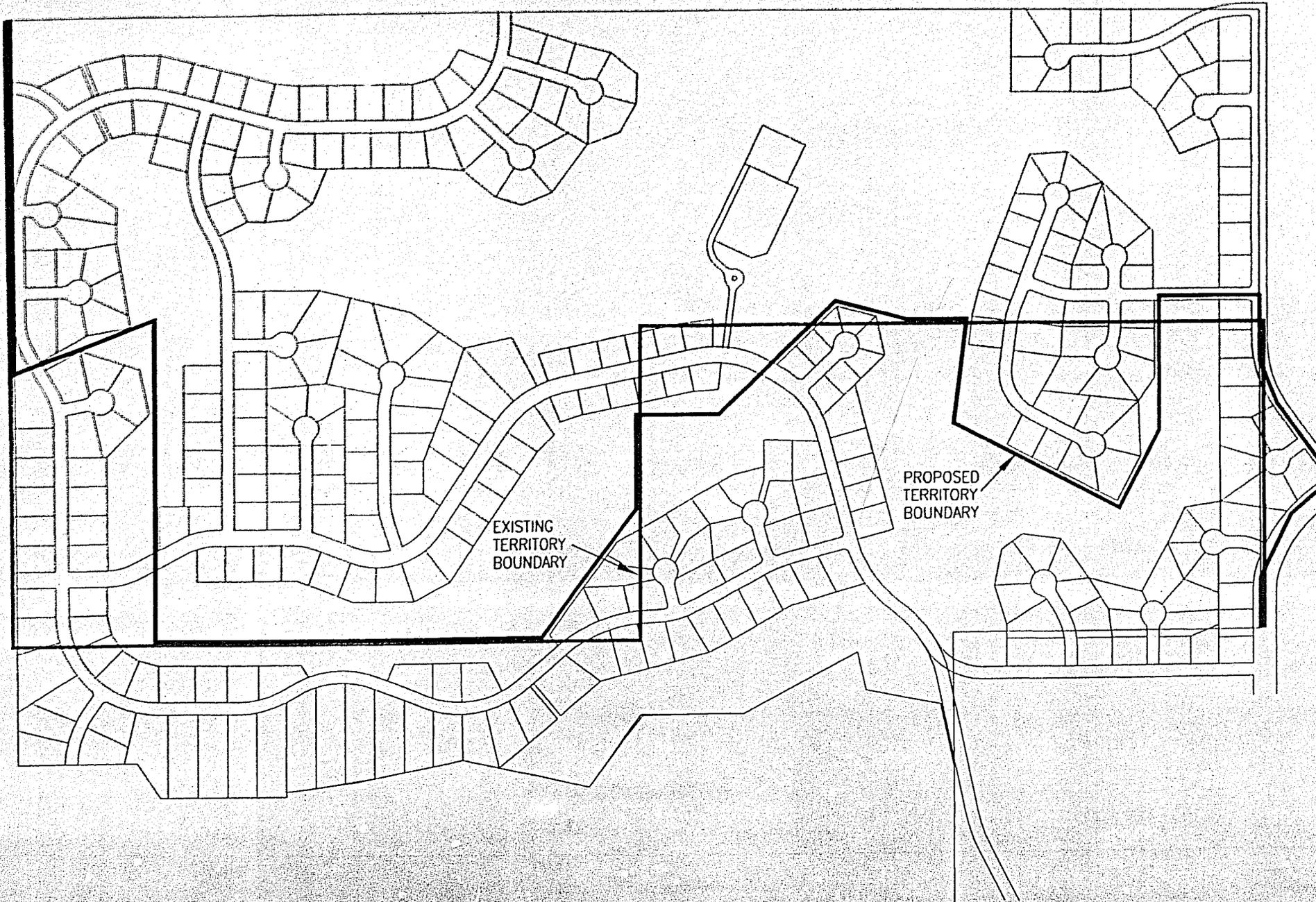
■■■■
BHP
BOUNDARY

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END

OF

RETAKE

South Dakota Public Utilities Commission
WEEKLY FILINGS
For the Period of May 17, 2001 through May 23, 2001

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 filing. Phone: 605-773-3705 Fax: 605-773-3809

CONSUMER COMPLAINTS

CT01-025 In the Matter of the Complaint filed by David Artz, Plankinton, South Dakota, against Sprint Communications Company L.P. Regarding Unauthorized Switching of Services.

Complainant alleges that his long distance service was switched without his authorization. Complainant requests that he be reimbursed any fees as a result of the unauthorized switch and that he be awarded \$1,000.00 as provided by South Dakota law.

Staff Analyst: Mary Healy
Staff Attorney: Karen Cremer
Date Docketed: 05/18/01
Intervention Deadline: N/A

CT01-026 In the Matter of the Complaint filed by Thomas M. Woster, Reliance, South Dakota, against Direct One Com.Long Distance Regarding Unauthorized Telecommunications Charges and Services.

Complainant alleges unauthorized charges for long distance phone services and deceptive marketing practices, since he was unaware that he signed up for phone services when he ordered a product. The complainant requests compensation allowed by SD law, which is \$1000.00 from the company, for his time and energy spent in correcting the problem.

Staff Analyst: Charlene Lund
Staff Attorney: Kelly Frazier
Date Docketed: 05/21/01
Intervention Deadline: N/A

ELECTRIC

EL01-010 In the Matter of the Joint Request for Electric Service Territory Exception between Black Hills Power and Black Hills Electric Cooperative.

Black Hills Power and Black Hills Electric Cooperative have submitted a joint request for approval for relocation of an electric service territory line located in Sections 28 and 29, Township 1N, Range 7E, Black Hills Meridian, Pennington County, South Dakota. A residential subdivision located primarily in the north half of Section 29 is in the process of development. The existing electric service territory line bisects the proposed subdivision. The companies are proposing the change to the territory boundary to avoid duplication of facilities.

Staff Analyst: Michele Farris
Staff Attorney: Karen Cremer
Date Docketed: 05/21/01
Intervention Deadline: 06/08/01

TELECOMMUNICATIONS

TC01-053 In the Matter of the Filing by Z-Tel Communications, Inc. for an Exemption from Developing Company-Specific Cost-Based Switched Access Rates.

Z-Tel Communications, Inc. has filed a request for an exemption from developing Company-specific cost-based

switched access rates. The Company indicates that it does not have the available resources to prepare the type of cost study which might be used to develop switched access rates and, moreover, the expense of such a cost study would far exceed any benefit which may be derived from it.

Staff Analyst: Heather Forney
Staff Attorney: Karen Cremer
Date Docketed: 05/23/01
Intervention Deadline: 05/08/01

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You may subscribe or unsubscribe to the PUC mailing lists at <http://www.state.sd.us/puc/>



ELOI-010

STUART WEVIK
DIRECTOR OF CUSTOMER SERVICE
swevik@blackhillspower.com

Telephone
605-721-2222
FAX: (605) 721-2573

June 1, 2001

Ms. Michele Farris
SD Public Utilities Commission
State Capitol Building
500 East Capitol Avenue
Pierre, SD 57501-5070

Re: **Revised Addendum** - - Request for Approval of an Electric Service Territory Agreement
Jointly Submitted by Black Hills Power and Black Hill Electric Cooperative

Dear Ms. Farris:

Per our May 31, 2001 phone conversation, I have attached a revised copy of an addendum included in the above-mentioned request. This addendum contains the legal descriptions of the existing and proposed territory boundary, and should replace the original descriptions included in the filing. Per your request, the only change made is under the "Existing Territory Boundary" section, which now includes language that describes the boundary all the way to the east quarter corner of Section 29.

I reviewed this information with Dan Hutt yesterday, and he concurs with this revision. If you require additional information or have questions, please call me at (605) 721-2222.

Sincerely,

Stuart Wevik
Director of Customer Service

Cc: Dan Hutt - - Black Hills Electric Cooperative

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JUN 04 2001

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

5/31/01
revised copy

Existing Territorial Boundary between Black Hills Electric and Black Hills Power

Beginning at the west ¼ corner of section 29, Township 1 North, Range 7 East, B.H.M.
Then ½ mile east then ¼ mile north then ½ mile east to the section line, then ¼ mile south to the east ¼ corner of the same section 29.

Proposed Territorial Boundary between Black Hills Electric and Black Hills Power

Beginning at the Northwest ¼ corner of section 29, Township 1 North, Range 7 East, B.H.M.
thence S 0°18'26.0" E, 1514.0' along the section line,
thence N 69°27'44.0" E, 624.0'
thence S 0°0'0.0" E, 1362.0'
thence N 90°0'0.0" E, 1634.0'
thence N 36°49'13.0" E, 671.0'
thence N 0°0'0.0" E, 402.0'
thence N 90°0'0.0" E, 350.0'
thence N 45°59'12.0" E, 681.0'
thence S 75°09'05.0" E, 312.0'
thence N 90°0'0.0" E, 251.0'
thence S 06°59'30.0" W, 445.0'
thence S 62°06'49.0" E, 792.0'
thence N 27°38'46.0" E, 378.0'
thence N 0°0'0.0" E, 570.0'
thence N 90°0'0.0" E, 433.0'
thence S 0°14'09.0" E, 279.0'
thence S 22°19'19.0" E, 201.0'
thence S 36°11'46.0" E, 405.0'
thence S 49°54'52.0" W, 237.0'
thence S 25°50'35.0" W, 299.0'
thence S 0°14'09.0" E, 216.0' along the section line to the east ¼ corner of the same section 29.

RECEIVED

JUN 04 2001

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE JOINT REQUEST)
FOR ELECTRIC SERVICE TERRITORY) ORDER GRANTING
EXCEPTION BETWEEN BLACK HILLS POWER) APPROVAL OF ELECTRIC
AND BLACK HILLS ELECTRIC COOPERATIVE) SERVICE TERRITORY
) BOUNDARY CHANGE
) EL01-010

On May 21, 2001, the Public Utilities Commission (Commission) received a joint filing by Black Hills Electric Cooperative (BHEC) and Black Hills Power (BHP) for approval of an electric service territory boundary change. The application states that the existing electric service territory line bisects a proposed subdivision. Approximately 208 lots are proposed to be located within BHP's service territory and approximately 134 lots are proposed to be located within BHEC's service territory. No existing customers are impacted by the proposal and no existing electrical facilities are impacted by the proposal. Owners of five of the plats that have been sold have signed letters of consent agreeing to the boundary change. Both companies believe this agreement will improve future reliability while eliminating duplication of facilities. The proposed territorial boundary is as follows:

Beginning at the Northwest 1/4 corner of Section 29, Township 1 North,
Range 7 East, B.H.M.
thence S 0°18'26.0" E, 1514.0' along the section line,
thence N 69°27'44.0" E, 624.0'
thence S 0°0'0.0" E, 1362.0'
thence N 90°0'0.0" E, 1634.0'
thence N 36°49'13.0" E, 671.0'
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thence S 36°11'46.0" E, 405.0'
thence S 49°54'52.0" W, 237.0'
thence S 25°50'35.0" W, 299.0'
thence S 0°14'09.0" E, 216.0' along the section line to the east 1/4 corner of
the same section 29

On June 19, 2001, at its regularly scheduled meeting, the Commission considered the request for approval of the electric service territory boundary change. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-4, 49-34A-42, and 49-34A-55. Further, the Commission finds that the electric service territory boundary change will avoid unnecessary duplication of facilities, provide adequate electric service to all customers affected, and promote the efficient use and development of the electric systems of BHP and BHEC. The Commission therefore concludes that the electric service territory boundary change is in the public interest and it shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of an electric service territory boundary change is hereby granted.

Dated at Pierre, South Dakota, this 22nd day of June, 2001.

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><i>Nelaine Kelbo</i></u>
Date:	<u>6/25/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner