

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

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In the Matter of the Petition for Electrical  
Service by Dakota Plains Ag Center, LLC  
to have Northwestern Energy Assigned as its  
Electric Provider in the Service Area of  
Bon Homme Yankton Electric

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**Docket No. EL16-014**

**PETITION TO INTERVENE BY  
BON HOMME YANKTON ELECTRIC ASSOCIATION, INC.**

Bon Homme Yankton Electric Association, Inc., (“Cooperative”), in accordance with SDCL 1-26-17.1 and Administrative Rules of South Dakota (ARSD) 20:10:01:15:02 and 20:10:01:15:03, files this Petition to Intervene as a party in the above-referenced matter.

In support of this Petition, Cooperative states that it is an interested party in this matter as follows:

1. The grain terminal proposed by Petitioner Dakota Plains Ag Center, LLC (“Dakota Plains”) will be built on real estate in Yankton County that is within the exclusive assigned service territory of Cooperative.

2. Based upon information provided to Cooperative by Dakota Plains, it does not appear that the proposed facility will have a contracted minimum demand in excess of the statutory threshold of two thousand kilowatts. *See* SDCL 49-34A-56.

3. The pecuniary interest of Cooperative and its members will be directly and immediately impacted by the Commission’s decision concerning Dakota Plains’ petition for electric service from Northwestern Energy.

4. Cooperative can and is willing to furnish temporary electrical service to meet Dakota Plains’ energy needs.

5. Cooperative disagrees with the allegations contained in Dakota Plains’ Petition, including the allegation that the proposed facility has a “contracted minimum demand of two thousand kilowatts or more” as required by SDCL 49-34A-56.

6. Cooperative’s interest in this matter is unique and will not be adequately represented by any other party. Cooperative’s participation in this matter will not unduly delay these proceedings.

7. For the foregoing reasons, Cooperative objects to the petition filed by Dakota Plains. Cooperative has not agreed to allow NorthWestern Energy to provide service to this customer in

Cooperative's assigned service area. Cooperative seeks the opportunity to present evidence that Cooperative is the appropriate provider of electrical service to the customer.

Consequently, Cooperative respectfully requests that it be permitted to intervene with full party status in this proceeding.

Dated this 8<sup>th</sup> day of April, 2016.



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#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing *Petition to Intervene* was served via electronic filing with the South Dakota Public Utilities Commission and via email on the following individuals:

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Dated this 8<sup>th</sup> day of April, 2016.



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