

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

IN THE MATTER OF THE JOINT REQUEST )  
FOR ELECTRIC SERVICE TERRITORY )  
EXCEPTION BETWEEN SIOUX VALLEY- )  
SOUTHWESTERN ELECTRIC COOPERATIVE, )  
INC. AND XCEL ENERGY )

ORDER GRANTING  
APPROVAL OF SERVICE  
RIGHTS EXCEPTION

EL01-017

On July 2, 2001, the Public Utilities Commission (Commission) received a joint request from Sioux Valley-Southwestern Electric Cooperative, Inc. (SVSW) and Xcel Energy (Xcel) seeking approval of an agreement for a service rights exception. The purpose of the filing was to seek Commission approval for an exception to the existing electric service territorial agreement. According to the application, "Xcel Energy and Sioux Valley-Southwestern Electric jointly request an exception to the existing electric service territorial agreement to permit Xcel Energy to provide electric service to Flack Signs and also to Lamar Outdoor Advertising for billboard locations of I-90 west of Sioux Falls. The billboards will be located in the SE¼ of NW¼ south of I-90, Section 25, Township 102 North, Range 50 West."

SVSW and Xcel have entered into an agreement entitled "Joint Request for Electric Service Territory Exception" dated April 3, 2001, and have filed same along with a map delineating the affected territories as well as signatures of consent signed by the affected customers concurring with the service rights exception. The agreement stated that the "consent on the part of SVSW is limited to the said services to Flack Signs and Lamar Outdoor Advertising and will automatically terminate upon removal or abandonment of such services."

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 service rights exception is in the public interest and the request shall be granted. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a service rights exception is hereby granted.

Dated at Pierre, South Dakota, this 27<sup>th</sup> day of July, 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>Melaine Kelbo</u>
Date:	<u>8/3/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg  
JAMES A. BURG, Chairman

Pam Nelson  
PAM NELSON, Commissioner