

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

IN THE MATTER OF THE FILING BY OTTER )	ORDER APPROVING
TAIL POWER COMPANY FOR APPROVAL OF )	CONTRACT WITH
A CONTRACT WITH DEVIATIONS WITH THE )	DEVIATIONS
CITY OF LABOLT )	EL02-026

On December 18, 2002, the Public Utilities Commission (Commission) received a filing by Otter Tail Power Company (Otter Tail) for approval of a Contract with Deviations with the City of LaBolt (LaBolt). The contract replaces a contract between the parties which terminates on February 7, 2003. The new contract has a ten year term beginning on February 7, 2003. Otter Tail filed the following tariff sheet for Commission approval:

Section No. 4, Fifth Revised Sheet No. 2, Canceling Fourth Revised Sheet No. 2

At its January 16, 2003, meeting, the Commission considered the request for approval of the Contract with Deviations. Commission Staff recommended approval.

The Commission finds that it has jurisdiction over this matter pursuant to SDCL 49-34A, specifically, 49-34A-6, 49-34A-8, 49-34A-10, and 49-34A-11. Further, the Commission finds that Otter Tail's request for approval of a Contract with Deviations is just and reasonable and shall be approved. As the Commission's final decision in this matter, it is therefore

ORDERED, that the request seeking approval of a Contract with Deviations is in the public interest and is hereby granted. It is further

ORDERED, that the above referenced tariff sheet is effective for service rendered on and after February 7, 2003.

Dated at Pierre, South Dakota, this 28<sup>th</sup> day of January, 2003.

<b>CERTIFICATE OF SERVICE</b>	
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>Delaine Kolbo</i></u>
Date:	<u>1/28/03</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

*Robert K. Sahr*  
ROBERT K. SAHR, Chairman

*Gary Hanson*  
GARY HANSON, Commissioner

*James A. Burg*  
JAMES A. BURG, Commissioner