

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

IN THE MATTER OF THE PETITION FOR )	ORDER DISMISSING FILING
ELECTRICAL SERVICE BY DAKOTA VINYL )	AND CLOSING DOCKET
EXTRUSIONS, INC. TO HAVE )	
NORTHWESTERN CORPORATION D/B/A )	EL06-014
NORTHWESTERN ENERGY ASSIGNED AS ITS )	
ELECTRIC PROVIDER IN THE SERVICE AREA )	
OF CODINGTON-CLARK ELECTRIC )	
COOPERATIVE, INC. )	

On May 15, 2006, the Public Utilities Commission (Commission) received a petition from Dakota Vinyl Extrusions, Inc. (Dakota Vinyl) for approval of NorthWestern Corporation d/b/a Northwestern Energy (NWE) to provide its electrical service. The petition requests that the Commission assign NWE as the supplier of electrical service to the Dakota Vinyl facility. Dakota Vinyl is constructing and will operate a manufacturing plant which will extrude vinyl into consumer products at a site located in the NW¼ of Section 8, Township 116 North, Range 57 West, just east of Clark, South Dakota, in Clark County. Dakota Vinyl is a new customer seeking electrical service to a new location which has developed since March 21, 1975, and such location is outside the territory of NWE and the municipal boundaries of the City of Clark as such boundaries existed on March 21, 1975, all pursuant to SDCL 49-34A-56. The new location is within the boundaries of the territory served by Codington-Clark Electric Cooperative, Inc. (Codington-Clark). Dakota Vinyl's facility will have electric service requirements with a contracted minimum demand in excess of two thousand kilowatts.

On May 18, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of June 2, 2006, to interested individuals and entities. On May 31, 2006, the Commission received Petitions to Intervene from Codington-Clark and South Dakota Rural Electric Association (SDREA). At a regularly scheduled meeting of June 13, 2006, the Commission granted intervention to Codington-Clark and SDREA. On September 6, 2006, the Commission received a letter from Dakota Vinyl stating that it had decided against building in Clark, South Dakota.

The Commission has jurisdiction in this matter pursuant to SDCL 49-34A-42, 49-34A-56 and 49-34A-58.

At a regularly scheduled meeting of September 12, 2006, the Commission considered this matter. Counsel for NWE confirmed that the petition should be dismissed, and Staff stated that Dakota Vinyl's counsel had confirmed that Dakota Vinyl wanted the petition dismissed. The Commission voted to dismiss the filing and close the docket (Chairman Sahr abstained). It is therefore

ORDERED, that the petition is dismissed and the docket closed.

Dated at Pierre, South Dakota, this 26<sup>th</sup> day of September, 2006.

**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: *Melaine Kalbo*

Date: 9/26/06

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

ROBERT K. SAHR, Chairman, abstaining

*Dustin M. Johnson*  
DUSTIN M. JOHNSON, Commissioner

*Gary Hanson*  
GARY HANSON, Commissioner