

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE FILING BY NORTHERN)
STATES POWER COMPANY REGARDING A SERVICE)
RIGHTS AGREEMENT)

ORDER GRANTING)
APPROVAL OF SERVICE RIGH)
EL96-005)

On May 6, 1996, the Public Utilities Commission (Commission) received a filing from Northern States Power Company of 500 West Russell, Sioux Falls, SD (NSP) seeking approval of an agreement for service rights exception. The purpose of the filing was to seek Commission approval for an exchange of service areas. In its application NSP states that "[c]urrent service areas of the applicants were assigned by the Commission in its Order (F-3107) dated September 7, 1976, which Order incorporated by reference a contract between the applicants in regard to assigned service areas dated August 23, 1976." Generally, the current agreement between the City of Sioux Falls Electric Utility and NSP proposes that NSP be allowed to provide electric service to all property known as "Hidden Meadows Manufactured Home Park" Phases I, II, and III as well as future development property lying east of the "Hidden Meadows" property. In exchange, the City of Sioux Falls Electric Utility would take over and maintain 378 street lights within the corporate limits of Sioux Falls, South Dakota.

NSP and the City of Sioux Falls Electric Utility have entered into an agreement entitled "Joint Request For Electric Service Territory Exception," dated May 28, 1996, and have filed same along with maps delineating the affected territories.

The area to be served by NSP is described as:

That portion of Tract 1 lying East of Lot E in Tract 1, except the North 240 feet of the East 300 feet; and all of the Burlington Northern Addition, except the North 240 feet; and Tract 1 in the Sioux Falls Rendering Addition, except the North 240 feet; and Lot E of said Tract 1, all in the Southwest quarter (SW1/4) of Section 10, Township 101 North, Range 49, West of the 6th P.M., Minnehaha County, South Dakota.

The street lights to be served by the City of Sioux Falls Utility are:

1. Three hundred thirty-three (333) one hundred watt high pressure sodium street lights; and
2. Twelve (12) one hundred fifty watt high pressure sodium street lights; and
3. Thirty three (33) two hundred fifty watt high pressure sodium street lights.

All of these are located at various locations within the corporate limits of the City of Sioux Falls and are located at positions indicated on diagrams on file with the Commission.

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 transfer 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 service territory transfer is hereby granted.

Dated at Pierre, South Dakota, this 17th day of July, 1996.

CERTIFICATE OF SERVICE

BY ORDER OF THE COMMISSION:

The undersigned hereby
certifies that this document
has been served today upon

KENNETH STOFFERAHN, Chairman

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.

JAMES A. BURG, Commissioner

LASKA SCHOENFELDER, Commissioner

By: _____

Date: _____

(OFFICIAL SEAL)
