

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**McLean Electric Coop./Mountrail Williams Electric
McLean & Mountrail Counties Area
Service Area Agreement**

Case No. PU-12-196

ORDER APPROVING ELECTRIC SERVICE AREA AGREEMENT

June 27, 2012

On May 9, 2012 McLean Electric Cooperative, Inc. (McLean Electric) filed an application for approval of a Service Area Agreement with Mountrail-Williams Electric Cooperative (Mountrail-Williams) to establish service areas and designate service locations to be served by McLean Electric and Mountrail-Williams in McLean and Mountrail Counties of North Dakota.

On May 16, 2012 the Commission issued a Notice of Filing, Notice of Informal Hearing and Notice of Opportunity for Hearing, which provided until June 26, 2012 for receiving written comments or hearing requests. No response has been received. The notice identified the issues to be considered in this proceeding as whether the Service Area Agreement complies with section 49-03-06 of the North Dakota Century Code (N.D.C.C.) and whether approval of the Service Area Agreement is compatible with the public interest.

On June 19, 2012 the parties filed an addendum to the agreement to clarify that the Commission will have continuing jurisdiction to settle all service location disputes that may arise under the agreement, as required under NDCC 49-03-06.

On June 20, 2012 the Commission discussed the issues with Commission staff and the applicants at an informal hearing. The applicants contend that the agreement will encourage harmony and operational efficiencies, promote safety, discourage unreasonable duplication of facilities, assure adequate and reliable electric service, and provide antitrust immunity.

Having considered this matter the Commission finds the Electric Service Area Agreement complies with N.D.C.C. section 49-03-06 and approval is compatible with the public interest. Therefore, the Commission issues the following:

Order

The Commission Orders the electric service area agreement negotiated between McLean Electric Cooperative, Inc. and Mountrail-Williams Electric Cooperative is APPROVED.

PUBLIC SERVICE COMMISSION



**Kevin Cramer
Commissioner**



**Brian P. Kalk
Chairman**

Vacant