

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**MDU/Roughrider Electric Cooperative
City of Dickinson
Service Area Agreement**

Case No. PU-13-142

**Montana-Dakota Utilities Co. a Division of MDU
Resources Group, Inc.
City of Dickinson – Service Area Agreement
Public Convenience & Necessity**

Case No. PU-13-141

ORDER APPROVING ELECTRIC SERVICE AREA AGREEMENT

June 19, 2013

On March 29, 2013, Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. (MDU) and Roughrider Electric Cooperative, Inc. (Roughrider) filed a joint application for approval of a Service Area Agreement to establish service areas and designate service locations to be served by MDU and Roughrider within and around the City of Dickinson, North Dakota. MDU further requests issuance of a certificate of public convenience and necessity authorizing it to extend service to locations within the MDU service area set forth in the agreement.

On April 10, 2013 the Commission issued a Notice of Filing, Notice of Informal Hearing and Notice of Opportunity for Hearing, which provided until May 29, 2013 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, and whether the approval of the Service Area Agreement and resulting certificate issuance are compatible with the public interest.

On May 22, 2013 the Commission discussed the issues with Commission staff and the applicants at an informal hearing. The applicants contend that the agreement will:

1. Avoid misunderstanding and disagreement over areas to be served by each party,
2. Accomplish the legislative intent of N.D.C.C. section 49-03-06 to encourage harmony and operational efficiency among electric providers, promote safety, discourage unreasonable duplication of electric facilities, assure adequate and reliable electric service and provide antitrust immunity to the electric providers, and
3. Provide both parties with equitable participation in the provision of electric distribution service in areas within and around the City of Dickinson during the term of the agreement.

Having considered this matter the Commission finds that the Service Area Agreement complies with N.D.C.C. section 49-03-06 and that approval of the Service Area Agreement and resulting certificate issuance are compatible with the public interest. Therefore, the Commission issues the following:

Order

The Commission Orders:

1. The electric service area agreement filed jointly by Montana-Dakota Utilities Co. and Roughrider Electric Cooperative, Inc. is APPROVED.
2. Montana Dakota Utilities Co. is issued Certificate of Public Convenience and Necessity No. 5811 authorizing the provision of electric service to customers within the agreed upon service area around the city of Dickinson.

PUBLIC SERVICE COMMISSION



Randy Christmann
Commissioner



Brian P. Kalk
Chairman



Julie Fedorchak
Commissioner

PUBLIC SERVICE COMMISSION STATE OF NORTH DAKOTA

Certificate of Public Convenience and Necessity Certificate Number 5811

This is to certify that public convenience and necessity require, and permission is granted for Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., to serve Customers in and around the city of Dickinson , North Dakota as established in an electric service area agreement negotiated with Roughrider Electric Cooperative, Inc. and approved by the Commission in Case No;. PU-13-142.

This certificate is issued in accordance with the Order of this Commission dated June 19, 2013 in Case Nos. PU-13-141 and PU-13-142 and is subject to the conditions and limitations noted in the Order.

This certificate is conditioned upon Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. securing the franchise or other authority of the proper municipal or other public authority for the exercise of these rights and privileges.

Bismarck, North Dakota, June 19, 2013.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner