

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Montana-Dakota Utilities / Dakota Valley Electric
Ellendale, North Dakota
Service Area Agreement**

Case No. PU-23-272

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Erica J. Getz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **28th day of March 2024** she deposited in the United States Mail at Bismarck, North Dakota, **three** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order on Electric Service Area Agreement**

The envelopes were addressed as follows:

Travis Jacobson
Director of Regulatory Affairs
Montana-Dakota Utilities Co.
400 North 4th Street
Bismarck, ND 58501
Cert. No. 9589 0710 5270 1582 7535 41


Paul Sanderson
Attorney
MDU Resources Group, Inc.
PO Box 5650
Bismarck, ND 58506-5650
Cert. No. 9589 0710 5270 1582 7535 58

Arden Fuher
President
Dakota Valley Electric Cooperative, Inc.
7296 Highway 281
Edgeley ND 58433
Cert. No. 9589 0710 5270 1582 7535 65

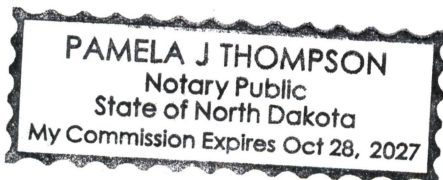
Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **28th day of March 2024**.





Notary Public



SEAL

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Montana-Dakota Utilities / Dakota Valley Electric
Ellendale, North Dakota
Service Area Agreement**

Case No. PU-23-272

ORDER ON ELECTRIC SERVICE AREA AGREEMENT

March 27, 2024

Preliminary Statement

On July 20, 2023, Montana-Dakota Utilities Co. (MDU) and Dakota Valley Electric Cooperative, Inc. (DVEC) filed a joint application for approval of a Service Area Agreement (SAA) to designate service locations to be served by MDU and DVEC surrounding the Applied Digital Data Center location near the city of Ellendale, North Dakota.

On August 16, 2023, the Commission issued a Notice of Opportunity for Hearing, which provided until September 29, 2023, for receiving written comments or hearing requests. No response was received. The notice identified the issues to be considered in this proceeding are:

1. Whether the SAA complies with North Dakota Century Code (NDCC) Section 49-03-06.
2. Whether approval of the SAA is compatible with the public interest.

On November 29, 2023, DVEC filed comments in supporting unconditional approval of the SAA.

On February 21, 2024, the Commission discussed this matter with MDU and Commission staff during an Informal Hearing.

Discussion

The applicants contend that the agreement will:

1. Create the certainty necessary for both applicants to plan and operate efficiently within the service territory granted to them.
2. Avoid unreasonable duplication of electric facilities.

3. Avoid territorial disputes between MDU and DVEC with respect to the area encompassing the SAA.

Having considered this matter the Commission finds that the SAA complies with NDCC Section 49-03-06, and that the approval of the SAA is compatible with the public interest. Therefore, the Commission issues the following:

Order

The Commission Orders the Electric Service Area Agreement filed jointly by Montana-Dakota Utilities Co. and Dakota Valley Electric Cooperative, Inc. is APPROVED.

PUBLIC SERVICE COMMISSION



Sheri Haugen-Hoffart
Commissioner



Randy Christmann
Chair



Julie Fedorchak
Commissioner