

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Montana-Dakota Utilities Co/KEM Electric Coop Inc.
Lake Isabel Area – Dawson, North Dakota
Service Area Agreement**

Case No. PU-24-324

**Montana-Dakota Utilities Co/KEM Electric Coop Inc.
Lake Isabel Area – Dawson, North Dakota
Public Convenience & Necessity**

Case No. PU-24-325

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **5th day of December 2024**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order**

And Original Of:

- **Certificate of Public Convenience & Necessity Certificate Number 6004**

The envelope was 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 0129 6620 01

Geralyn R. Schmaltz further deposes and says that on the **5th day of December 2024**, she deposited in the United States Mail, Bismarck, North Dakota, **four** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same

Affidavit of Service

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Public Service Commission

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Affidavit of Service by Certified Mail - Order
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The envelopes were addressed as follows:

Victor Wald
President
KEM Electric Cooperative Inc.
107 South Broadway Street
Linton, ND 58552

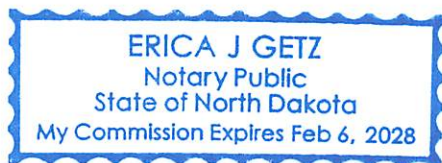
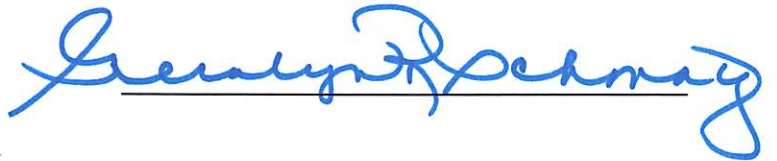
Allison Waldon
Attorney
MDU Resources Group, Inc.
PO Box 5650
Bismarck, ND 58502-5650

Thomas Bair
Attorney
Bair Law Firm
PO Box 100
Mandan, ND 58544-0100

ND Association of REC's
PO Box 727
Mandan, ND 58554-0727

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

Subscribed and sworn to before me
this **5th day of December 2024**.



Notary Public

SEAL

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

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ORDER

December 4, 2024

Preliminary Statement

On August 28, 2024, Montana-Dakota Utilities Co. (MDU) and KEM Electric Cooperative, Inc. (KEM) filed a joint application for approval of a Service Area Agreement (SAA) to designate service locations to be served by MDU and KEM in the Lake Isabel area located near Dawson, North Dakota. MDU further requests the issuance of a Certificate of Public Convenience and Necessity (CPCN) authorizing it to extend service to locations within the KEM service area set forth in the agreement.

On September 27, 2024, the Commission issued a Notice of Opportunity for Consolidated Hearing, which provided until November 11, 2024, for receiving written comments or hearing requests. No response was received. The notice identified the issues to be considered in the proceeding:

1. Whether the SAA complies with North Dakota Century Code § 49-03-06.
2. Whether approval of the SAA and resulting CPCN issuance is compatible with the public interest.

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 KEM 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 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 between Montana-Dakota Utilities Co. and the KEM Electric Cooperative, Inc. is approved.
2. Montana-Dakota Utilities Co. is issued Certificate of Public Convenience and Necessity No. 6004 authorizing the provision of electric service to customers as agreed upon in the Lake Isabel Area near Dawson, North Dakota.

PUBLIC SERVICE COMMISSION

		
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Sheri Haugen-Hoffart Commissioner	Randy Christmann Chair	Julie Fedorchak Commissioner

**PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA**

**Certificate of Public Convenience and Necessity
Certificate Number 6004**

This is to certify that public convenience and necessity require, and permission is granted for Montana-Dakota Utilities Co. to serve customers in the Lake Isabel Area near the city of Dawson, North Dakota as established in the electric service area agreement approved by the Commission in Case No. PU-24-325.

This certificate is issued in accordance with the Order of this Commission dated December 4, 2024, in Case No. PU-24-325, and is subject to the conditions and limitations noted in the Order.

This certificate is conditioned upon Montana-Dakota Utilities Co. 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, December 4, 2024.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner