

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

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

		
<u>Sheri Haugen-Hoffart</u>	<u>Randy Christmann</u>	<u>Julie Fedorchak</u>
Commissioner	Chair	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