



A Subsidiary of MDU Resources Group, Inc.

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September 3, 2025

Mr. Steve Kahl, Executive Secretary
North Dakota Public Service Commission
600 E Boulevard Ave, Dept 408
Bismarck, ND 58505-0480

**RE: Application for Approval of Joint Service Area Agreement
Glen Ullin Town Border Station MDU and WBI Site Locations
Case Nos. PU-24-384 and PU-24-385**

Dear Mr. Kahl:

Montana-Dakota Utilities Co. (Montana-Dakota) respectfully submits an application for approval of a joint Service Area Agreement. Enclosed are the original and seven copies of the Joint Application for approval of the Service Area Agreement between Mor-Gran-Sou Electric Cooperative Inc. (MGS) and Montana-Dakota Utilities Co. (Montana-Dakota) pursuant to North Dakota Century Code (NDCC) § 49-03-06. The Service Area Agreement establishes a service area and designates the service location to be served by Montana-Dakota at the Glen Ullin Town Border Station MDU and the Glen Ullin Town Border Station WBI reflecting no material changes at the site locations. This agreement resolves the protests and requests for hearing filed by MGS in the above referenced cases that are currently before the North Dakota Public Service Commission (Commission).

Montana-Dakota requests the Commission issue the permanent Certificate of Public Convenience & Necessities authorizing Montana-Dakota to extend service to the site locations as set forth in the Agreement in the above referenced cases.

Please contact me at (701) 222-7855 or travis.jacobson@mdu.com with any questions regarding this filing.

Sincerely,

/s/Travis R. Jacobson

Travis R. Jacobson
Vice President of Regulatory Affairs

Enclosures

cc: Allison Waldon
Jason Bentz (MGS)
Andrew L. Fergel (Attorney for MGS)

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

In the Matter of the Joint Application for)	
Approval between Mor-Gran-Sou Electric)	
Cooperative, Inc. and Montana-Dakota)	Case No. PU-24-384
Utilities Co. for a Service Area Agreement)	Case No. PU-24-385
of the Town Border Station MDU and Town)	
Border Station WBI at Glen Ullin, North)	
Dakota)	

Joint Application for Approval of Service Area Agreement

Mor-Gran-Sou Electric Cooperative, Inc., (MGS), an electric cooperative organized under North Dakota Century Code (NDCC) Chapter 10-13, and Montana-Dakota Utilities Co., (Montana-Dakota), an electric public utility, submit this joint application for approval of a Service Area Agreement pursuant to NDCC § 49-03-06. The Service Area Agreement that accompanies this Application was entered into by Montana-Dakota and MGS as electric providers in compliance with the provisions of NDCC § 49-03-06 to establish the service area and designated service location to be served by Montana-Dakota at the Glen Ullin Town Border Station MDU and the Glen Ullin Town Border Station WBI. If there are material changes at the service location, MGS will be given the opportunity to provide electric service to the service location where the material change would be made. Material change is defined as replacement of single-phase use to three-phase use or replacement of 200 Amp Service to greater than 200 Amp Service.

The Service Area Agreement complies with NDCC § 49-03-06 and is in the public interest because it will: (1) avoid misunderstanding and disagreement over areas to be served, (2) accomplish the legislative intent of NDCC § 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) provides Montana-Dakota limited participation in the provision of

electric distribution service in the area near the Glen Ullin Town Border Station MDU and the Glen Ullin Town Border Station WBI during the term of the Agreement.

Montana-Dakota and MGS requests the Commission, after Notice as provided in NDCC. § 49-03-06(4), approve the Service Area Agreement after finding the agreement in Compliance with NDCC § 49-03-06 and in the public interest.

Please refer all inquiries regarding this filing to:

For Montana-Dakota Utilities Co.:

Travis Jacobson
Vice President of Regulatory Affairs
Montana-Dakota Utilities Co.
400 N Fourth Street
Bismarck, ND 58501
Telephone: (701) 222-7855
travis.jacobson@mdu.com

Allison Waldon
Senior Counsel
MDU Resources Group, Inc.
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Bismarck, ND 58502-5650
Telephone: (701) 530-1089
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For Mor-Gran-Sou Electric Cooperative, Inc.


Jason Bentz
Co-General Manager/CEO
Mor-Gran-Sou Electric Cooperative, Inc.
202 6th Avenue West
Flasher, ND 58535
Telephone:(701)597-3301
jbentz@iea.coop

Andrew L. Fergel
Attorney for
Mor-Gran-Sou Electric Cooperative, Inc.
1600 E. Interstate Ave., Suite 2
Bismarck, ND 58503
afergel@iea.coop

Dated this 3rd day of September 2025.

Respectfully submitted,

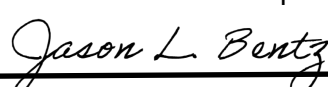
Montana-Dakota Utilities Co.

By: 

Travis R. Jacobson
Vice President of Regulatory Affairs

Dated this 2nd day of September 2025.

Mor-Gran-Sou Electric Cooperative, Inc.

By: 

Jason Bentz
Co-General Manager/CEO

Service Area Agreement

This Service Area Agreement ("Agreement") is made and entered into by and between:

Mor-Gran-Sou Electric Cooperative, Inc. ("MGS"), a cooperative organized and existing under the laws of the State of North Dakota, with its principal office located at 202 6th Avenue West, Flasher, North Dakota 58535, and

Montana-Dakota Utilities Co. ("MDU"), a Delaware corporation, with its principal office located at 400 North Fourth Street, Bismarck, North Dakota 58501.

Recitals

WHEREAS, MDU filed applications with the North Dakota Public Service Commission (Case No. PU-24-384) to extend electric service to the Glen Ullin Town Border Station MDU at a site located in the NW1/4 of NW1/4 of Section 20, Township 139N, Range 88W in Morton County, Glen Ullin, North Dakota (Application for Temporary Permit filed 12/17/2024 and Application for Permanent Authority filed 01/15/2025) (a "Service Location"); and

WHEREAS, the customer seeking electric service under the applications in PU-24-384 is MDU; and

WHEREAS, MDU filed applications with the North Dakota Public Service Commission (Case No. PU-24-385) to extend electric service to the Glen Ullin Town Border Station WBI at a site located in the NW1/4 of NW1/4 of Section 20, Township 139N, Range 88W in Morton County, Glen Ullin, North Dakota (Application for Temporary Permit filed 12/17/2024 and Application for Permanent Authority filed 01/15/2025) (a "Service Location"); and

WHEREAS, the customer seeking electric service under the applications in PU-24-385 is WBI Energy; and

WHEREAS, MGS filed a Protest and Request for Hearing with the North Dakota Public Service Commission in both PU-24-384 and PU-24-385 on February 12, 2025; and

WHEREAS, Section 49-03-06 N. D. Cent. Code authorizes agreements among electric providers to encourage harmony and operational efficiency in the provision of electric distribution service; to promote safety; to discourage unreasonable duplication of electric facilities; to assure adequate and reliable electric service; and to obtain anti-trust immunity for agreements such as this; and

WHEREAS, MDU and MGS are "electric providers" as defined under §49-03-01.5 N. D. Cent. Code; and

WHEREAS, MDU and MGS wish to resolve both cases amicably and avoid the expense and inconvenience of hearing.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, MDU and MGS agree as follows:

1. Withdrawal of Protests

MGS agrees to withdraw its protests filed with the North Dakota Public Service Commission in Case No. PU-24-384 and Case No. PU-24-385 upon execution of this Agreement.

2. MDU

In exchange for MGS withdrawing its protests in PU-24-384 and PU-24-385, MDU agrees that if there is a material change at a Service Location, MGS will be given the opportunity to provide electric service to the Service Location where the change will be made. For purposes of this provision, a material change shall be:

- replacement of single-phase use to three-phase use; or
- replacement of 200 Amp Service to greater than 200 Amp Service.

MDU shall provide MGS with written notice of any such material change. MGS shall have thirty (30) days after such notice in which to elect to provide the service, which election shall be exercised by written notice to MDU. In the event MGS does not respond within thirty (30) days, MDU shall be entitled to continue to provide service to the Service Location. MDU shall have the right to remove its facilities in the event MGS elects to provide service.

3. Filing the Agreement for Approval.

This Agreement shall be filed with the North Dakota Public Service Commission by MDU. Both parties will file written statements with and appear before the North Dakota Public Service Commission supporting unconditional approval of this Agreement. This Agreement is subject to approval of the North Dakota Public Service Commission. If this Agreement is disapproved by the North Dakota Public Service Commission this Agreement shall be void ab initio.

This Agreement is subject to the continuing jurisdiction of the North Dakota Public Service Commission to settle Service Location disputes arising under the Agreement.

4. Effective Date.

This Agreement shall become effective on the first day of the month following the date of Approval of this Agreement by the North Dakota Public Service Commission.

5. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of North Dakota.

6. Entire Agreement

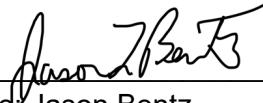
This Agreement constitutes the entire agreement between the MDU and MGS with respect to the subject matter hereof and supersedes all prior negotiations, understandings, and agreements between the MDU and MGS.

7. Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date written below with each signatory acknowledging that they have the authority to enter into this Agreement of behalf of their respective organization/company.

Mor-Gran-Sou Electric Cooperative, Inc.:

By: 
Name: Jason Bentz
Title: Co-General Manager/CEO

Date: 8/20/2025

Montana-Dakota Utilities Co.:

By: 
Name: Garret Senger
Title: Chief Utilities Officer

Date: 8/20/2025