

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA  
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In the Matter of the application of)  
BLACK HILLS POWER AND LIGHT COMPANY )  
for an order authorizing the issuance)  
of its notes and drafts up to the )  
principal amount of \$5,550,000. )

DOCKET NO. 6213

ORDER NO. 4127

On December 14, 1973, BLACK HILLS POWER AND LIGHT COMPANY, hereinafter referred to as applicant, filed with this Commission its verified application pursuant to Sections 70-117.1 to 70-117.6, RCM 1947, requesting an order for authority to (a) issue short-term notes and drafts in an aggregate amount of not to exceed \$5,550,000; and (b) utilize the proceeds for construction purposes, and to maintain an adequate working cash position.

It is alleged in the application that applicant is a corporation organized and existing under and by virtue of the laws of the State of South Dakota and is a public utility as defined by Section 70-103, RCM 1947; and that applicant is subject to the jurisdiction of and regulation by this Commission with respect to rates, accounting, the issuance of securities and other matters pertaining to its public utility operations in Montana.

Proceeds from the issuance of the short-term notes and drafts will be used to carry on applicant's construction program and to maintain an adequate working cash position.

It is further alleged in the application that applicant has a firm commitment from the First National Bank of the Black Hills for short-term borrowing up to \$1,200,000 at the prime rate of interest in effect at the time of the borrowing; a firm commitment from the National Bank of South Dakota for short-term borrowing

up to \$1,800,000 at the prime rate of interest in effect at the time of the borrowings; a firm commitment from Wyodak Resources Development Corp., a wholly-owned subsidiary of applicant, for short-term borrowings up to \$600,000 at the prime rate of interest in effect at the time of the borrowings; and a firm commitment from the First National Bank of the Black Hills on an overline basis from associate banks of Northwest Bancorporation for short-term borrowing up to \$2,950,000 at the prime rate of interest in effect at the time of the borrowings. Any notes issued will mature in less than one year. Applicant states that no underwriter's or finder's fee has been or will be paid in connection with the issuance of any such notes.

The application herein is supported by exhibits and data in accordance with the prescribed rules of the Commission governing authorization for the issuance of securities for electric or gas utilities operating as public utilities in the State of Montana.

Having fully considered the application and all the files and records pertaining thereto on file with the Commission and being fully advised in the premises, the Commission makes the following:

#### FINDINGS OF FACT

1. That applicant BLACK HILLS POWER AND LIGHT COMPANY is a corporation organized and existing under and by virtue of the laws of the State of South Dakota and authorized to transact business in Montana.
2. That applicant is operating as a public utility as defined in Section 70-103, RCM 1947, and as such is engaged in furnishing electric service in the State of Montana.
3. That the Commission has jurisdiction over the subject matter of said application under Sections 70-117.1 through 70-117.6,

RCM 1947.

4. That the securities transaction proposed by the applicant as hereinafter authorized will be for a lawful purpose and is consistent with the public interest; that same is necessary or appropriate for and consistent with the proper performance by the applicant of service as a public utility; and that the aggregate amount of the securities outstanding and proposed to be outstanding will not exceed the fair value of the properties and business of applicant.

5. That public notice of the filing of said application and a formal hearing thereon is not required, and that the application should be approved as hereinafter ordered.

#### CONCLUSION

The Commission concludes that the application of Black Hills Power and Light Company should be granted as hereinafter ordered.

#### ORDER

NOW, THEREFORE, at a session of the Public Service Commission of the State of Montana, held in its offices at 1227 11th Avenue, Helena, Montana, on January 2, 1974, there being present Chairman Louis Boedecker and Commissioners Ernest C. Steel and Robert E. McTaggart, there regularly came before the Commission for final action the matters and things in Docket No. 6213, and the Commission being fully advised in the premises;

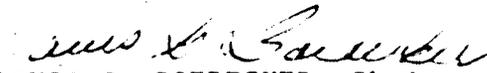
IT IS HEREBY ORDERED that the application of the Black Hills Power and Light Company for authority to issue promissory notes in an aggregate amount up to \$5,550,000, to bear interest at the rate per annum which shall be equivalent to the prime rate of interest of the First National Bank of the Black Hills or the National Bank

of South Dakota or the Wyodak Resources Development Corporation at the time of the borrowing be, and the same hereby is, approved.

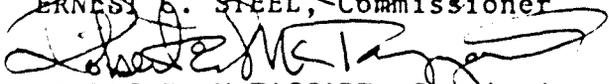
Neither the issuance of securities by Black Hills Power and Light Company pursuant to the provisions of this order, nor any act or deed done or performed in connection therewith, shall be construed to obligate the State of Montana to pay or guarantee in any manner whatsoever any security authorized, issued, assumed or guaranteed hereunder.

The foregoing order was unanimously adopted by the Public Service Commission of the State of Montana.

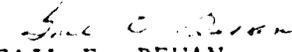
DONE IN OPEN SESSION at Helena, Montana, this 2nd day of January, 1974.

  
LOUIS G. BOEDECKER, Chairman

  
ERNEST A. STEEL, Commissioner

  
ROBERT E. McTAGGART, Commissioner

ATTEST:

  
GAIL E. BEHAN  
Secretary

(SEAL)