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May 4, 2018

VIA ELECTRONIC FILING

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
350 Metro Square Building  
121 Seventh Place East  
St. Paul, MN 55101

Re: In the Matter of the Joint Request of the City of Buffalo and Wright-Hennepin Cooperative Electric Association to Update Electric Service Territory Records  
MPUC Docket:\_\_\_\_\_.

Dear Mr. Wolf:

I represent the City of Buffalo, which operates a municipal utility under Minnesota law (the "City") and which is authorized, on behalf of the City and Wright-Hennepin Cooperative Electric Association (the "Cooperative") (collectively, the "Parties") to make this filing.

Summary of the Joint Request

This filing constitutes the Parties' joint request under Minn. Stat. § 216B.39, subd. 3, that the MPUC modify the Parties' service territory boundaries. This joint request concerns the permanent transfer of one area located within the city limits of Buffalo and within the electric service territory assigned to the Cooperative (identified as the "Transfer Area"), as further described below.

Legal Authorities

By statute, "the commission may on its own or at the request of an electric utility make changes in the boundaries of the assigned service areas, but only after notice and

hearing . . . “ Minn. Stat. § 216B.39, subd. 3. In addition, “no electric utility shall render or extend electric service at retail within the assigned service area of another electric utility unless the electric utility consents thereto in writing . . . “ Minn. Stat. § 216B.40 (2014). In the present case, the Parties seek to adjust the service territory boundaries to permanently adjust the Transfer Area to the City’s assigned service territory. The Parties have agreed upon appropriate compensation. The Parties request that the Commission update its official records as to electric service territory boundaries.

#### Underlying Information

Attached as Exhibit A is a map and legal description that depicts the boundaries of the Transfer Area A, which involves approximately 35.71 acres and zero current customers.

In the event that a customer requests service before the Minnesota Public Utilities Commission has considered this joint petition, the Parties have agreed in writing that the City may provide interim service to the Transfer Area, subject to certain conditions. If any customer does develop during this proceeding, then the Parties will provide notice to any customer about this proceeding and file the notice with the Commission.

The Parties have agreed to cooperate and communicate with any potential customers to ensure a smooth transition and to minimize any disruption to customers.

#### Contact Information

If there are any questions concerning this filing, you may contact the following representatives:

##### City of Buffalo:

Merton Auger  
City Administrator  
212 Central Avenue  
Buffalo, MN 55313  
Phone: 763-682-1181  
[merton.auger@ci.buffalo.mn.us](mailto:merton.auger@ci.buffalo.mn.us)

##### Wright-Hennepin Cooperative Electric Association:

Tim Sullivan  
President & CEO  
Wright Hennepin Cooperative  
Electric Association  
6800 Electric Drive  
P.O. Box 330  
Rockford, MN 55373-0330  
Phone: 763-477-3000  
[tsullivan@whe.org](mailto:tsullivan@whe.org)

Counsel:

Kaela Brennan  
McGrann Shea Carnival  
Straughn & Lamb, Chtd.  
800 Nicollet Mall, Suite 2600  
Minneapolis, MN 55402  
Phone: 612-338-2525  
[kmb@mcgrannshea.com](mailto:kmb@mcgrannshea.com)

Counsel:

Daniel T. Carlisle  
Pemberton, Sorlie, Rufer & Kershner, PLLP  
110 N. Mill Street  
Fergus Falls, MN 56537  
Phone: 218-736-5493  
[d.carlisle@pemplaw.com](mailto:d.carlisle@pemplaw.com)

Request

The Parties therefore petition the Commission to accept and file these documents and provide due acknowledgment thereof. The Parties further request that the Commission provide evidence of its acknowledgment of these changes of service territory boundaries, and the updating of the official service territory records.

Proposed Service List

A copy of this letter and the accompanying documents has been mailed or emailed to the persons on the enclosed proposed service list.

Please contact the representatives above if you have any questions.

Sincerely,



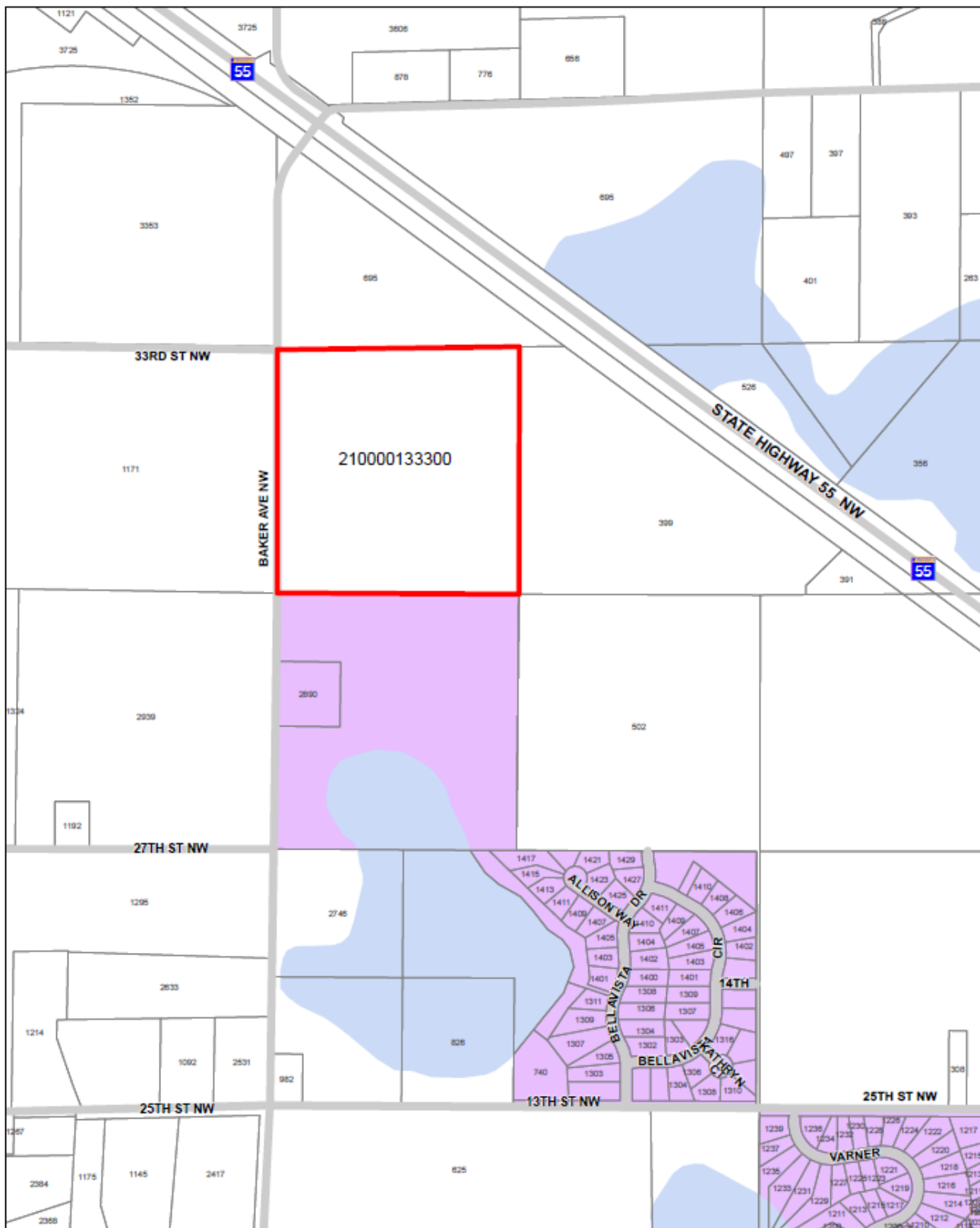
Kathleen M. Brennan

Enclosures

cc (w/encl.): Proposed Service List

**EXHIBIT A: MAP AND LEGAL DESCRIPTION**

Legal Description: The Southwest Quarter of the Southwest Quarter (described by the Government survey as Lot One) of Section 13, Township 120, Range 26.



**BELLAVISTA 2ND  
ADDITION**



- Subject Parcels
- Parcels
- City of Buffalo Electric Service Territory

GIS data is data generated by a computer database or system that is designed to electronically capture, organize, store, update, manipulate, analyze, and display all forms of geographically referenced information that is compiled, from private or public sources, either alone or in cooperation with other public or private entities, for use by a municipality. GIS data is accurate for its intended use by a municipality and may be inaccurate for other uses.

Oct 12, 2017

Prepared By: **CITY OF BUFFALO ENG DEPT**  
COORDINATE SYSTEM:  
 NAD 83 HARN ADJ  
 MN WRIGHT FEET  
 DATA SOURCE:  
 WRIGHT COUNTY, MN DNR  
 CITY OF BUFFALO ENGINEERING



## **PROPOSED SERVICE LIST**

Re: In the Matter of the Joint Request of the City of Buffalo and Wright-Hennepin  
Cooperative Electric Association to Update Electric Service Territory Records  
MPUC Docket: \_\_\_\_\_

### Via Electronic Filing

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
350 Metro Square Building  
121 Seventh Place East  
St. Paul, MN 55101

### Via Electronic Filing

Ms. Sharon Ferguson  
MN Department of Commerce  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198

### Via Electronic Filing

Julia Anderson  
Office of the Attorney General-DOC  
1800 BRM Tower  
445 Minnesota Street  
St. Paul, MN 55101-2134

### Via Electronic Filing

John Lindell  
Office of the Attorney General-RUD  
1400 BRM Tower  
445 Minnesota Street  
St. Paul, MN 55101-2130

### Via Electronic Mail

Tim Sullivan  
President & CEO  
Wright Hennepin Cooperative Electric  
Association  
6800 Electric Drive  
P.O. Box 330  
Rockford, MN 55373-0330

[tsullivan@whe.org](mailto:tsullivan@whe.org)

(Wright Hennepin Cooperative Electric  
Association)

### Via Electronic Mail

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Pemberton, Sorlie, Rufer & Kershner, PLLP  
110 N. Mill Street  
Fergus Falls, MN 56537  
[d.carlisle@pemblaw.com](mailto:d.carlisle@pemblaw.com)  
(Otter Tail Power Co)

### Via Electronic Mail

Merton Auger  
City Administrator  
212 Central Avenue  
Buffalo, MN 55313  
[merton.auger@ci.buffalo.mn.us](mailto:merton.auger@ci.buffalo.mn.us)  
(City of Buffalo)

### Courtesy Copies

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& Lamb, Chartered  
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[kmb@mcgrannshea.com](mailto:kmb@mcgrannshea.com)  
(City of Buffalo)