

Black Hills Corporation – Political Action Committee  
PO Box 1400  
Rapid City, SD 57709  
ID # C00125732

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March 18, 2009

Daniel T. Buckley  
Senior Campaign Finance Analyst-Reports Analysis Division  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

Dear Mr. Buckley,

The purpose of this letter is to respond to your comments as set forth in your letter dated February 18, 2009.

In response to Item 1, regarding overpayment to Marilyn Musgrave, we have requested a refund of \$2,500 from Ms. Musgrave's campaign committee. Attached, please find the request for refund from Ms. Musgrave's campaign committee. We will report the receipt of this refund in the period in which it is received on Schedule A supporting Line 16.

In response to Item 2, regarding payments to campaigns after the election, we will handle as follows:

We made a contribution to of \$2,500 to C. Saxby Chambliss and reported this as a "General" election contribution, when it should have been reported as a "Run-Off" election contribution. We will amend our 2008 *30-Day Post-General* return to reflect the correct election.

We also made a contribution of \$1,000 to Martin Heinrich, and contributions of \$2,500 to Elizabeth Helen Markey and Mark E. Udall, respectively after the "General" election and did not designate the contributions as "debt retirement". We have requested refunds for these amounts from each campaign committee. Attached, please find the request for refunds for each campaign committee. We will report the receipt of these refunds in the period in which they are received on Schedule A supporting Line 16.

If you have any questions, please call me at (605) 721-2346 or Tom Goodrich at (605) 716-3926.

Sincerely,



Jeff Berzina  
Treasurer

27265005062

Black Hills Corporation – Political Action Committee

PO Box 1400  
Rapid City, SD 57709  
ID # C00125732

March 18, 2009

Marilyn Musgrave  
257 Johnstown Center Dr. #211  
Johnstown, CO 80534

Dear Ms. Musgrave,

We received a notice from the Federal Election Commission that we had exceeded the limits set forth in Act. 2 U.S.C. 441a(a) prohibiting a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

We made three contributions of \$2,500 each to your campaign on October 3, 2007, August 8, 2008 and October 16, 2008, respectively, thus exceeding the limit of \$5,000.

As a result of this overpayment, we are required to request a refund of the amount that exceeds the \$5,000 limit. Please send a payment of \$2,500 made out to Black Hills Corporation Political Action Committee or (BHC PAC) and mail to the following address:

Black Hills Corporation Political Action Committee  
Attention: Tom Goodrich  
PO Box 1400  
Rapid City, SD 57709-1400

If you have any questions, please contact Barb Zar at (605) 721-2366 or Tom Goodrich at (605) 716-3926.

Sincerely,

  
Jeff Berzina  
Treasurer

28030053523

Black Hills Corporation – Political Action Committee

PO Box 1400  
Rapid City, SD 57709  
ID # C00125732

March 18, 2009

Martin Heinrich  
2118 Central Avenue SE #71  
Albuquerque, NM 87106

Dear Mr. Heinrich,

We received a notice from the Federal Election Commission that we had made a payment to your campaign after the 2008 General Election and did not designate the payment to be applied to debt retirement.

Pursuant to 11 CFR 110.2(b) we had a 60 day time period after your treasurer received our payment to take corrective action and redesignate this payment to debt retirement. As a result of this oversight, we are required to request a refund.

We made one contribution of \$1,000 to your campaign on November 10, 2008, and thus request a refund of this payment. Please send a payment of \$1,000 made out to Black Hills Corporation Political Action Committee or (BHC PAC) and mail to the following address:

Black Hills Corporation Political Action Committee  
Attention: Tom Goodrich  
PO Box 1400  
Rapid City, SD 57709-1400

If you have any questions, please contact Barb Zar at (605) 721-2366 or Tom Goodrich at (605) 716-3926.

Sincerely,

  
Jeff Berzina  
Treasurer

29030053524

**Black Hills Corporation – Political Action Committee**

PO Box 1400  
Rapid City, SD 57709  
ID # C00125732

March 18, 2009

Elizabeth Helen Markey  
430 W. Mountain Ave  
Fort Collins, CO 80521

Dear Ms. Markey,

We received a notice from the Federal Election Commission that we had made a payment to your campaign after the 2008 General Election and did not designate the payment to be applied to debt retirement.

Pursuant to 11 CFR 110.2(b) we had a 60 day time period after your treasurer received our payment to take corrective action and redesignate this payment to debt retirement. As a result of this oversight, we are required to request a refund.

We made one contribution of \$2,500 to your campaign on November 10, 2008, and thus request a refund of this payment. Please send a payment of \$2,500 made out to Black Hills Corporation Political Action Committee or (BHC PAC) and mail to the following address:

Black Hills Corporation Political Action Committee  
Attention: Tom Goodrich  
PO Box 1400  
Rapid City, SD 57709-1400

If you have any questions, please contact Barb Zar at (605) 721-2366 or Tom Goodrich at (605) 716-3926.

Sincerely,

  
Jeff Berzina  
Treasurer

29030053525

Black Hills Corporation – Political Action Committee  
PO Box 1400  
Rapid City, SD 57709  
ID # C00125732

March 18, 2009

Mark E. Udall  
PO Box 40158  
Denver, CO 80204

Dear Mr. Udall,

We received a notice from the Federal Election Commission that we had made a payment to your campaign after the 2008 General Election and did not designate the payment to be applied to debt retirement.

Pursuant to 11 CFR 110.2(b) we had a 60 day time period after your treasurer received our payment to take corrective action and redesignate this payment to debt retirement. As a result of this oversight, we are required to request a refund.

We made one contribution of \$2,500 to your campaign on November 10, 2008, and thus request a refund of this payment. Please send a payment of \$2,500 made out to Black Hills Corporation Political Action Committee or (BHC PAC) and mail to the following address:

Black Hills Corporation Political Action Committee  
Attention: Tom Goodrich  
PO Box 1400  
Rapid City, SD 57709-1400

If you have any questions, please contact Barb Zar at (605) 721-2366 or Tom Goodrich at (605) 716-3926.

Sincerely,

  
Jeff Berzina  
Treasurer

29030053526

**Federal Election Commission**  
**ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**  
 The FEC added this page to the end of this filing to indicate how it was received.

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Other (Specify): Date of Receipt or Postmarked

*Jm B*  
 PREPARER *3/20/09*  
DATE PREPARED

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