

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF )	NOTICE OF APPLICATION;
MONTANA-DAKOTA UTILITIES CO. AND )	ORDER FOR AND NOTICE OF
OTTER TAIL POWER COMPANY FOR A )	PUBLIC INPUT HEARINGS;
PERMIT TO CONSTRUCT THE BIG STONE )	NOTICE OF OPPORTUNITY TO
SOUTH TO ELLENDALE 345 KV )	APPLY FOR PARTY STATUS
TRANSMISSION LINE )	
)	<b>EL13-028</b>

On August 23, 2013, jointly Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., a Delaware corporation, and Otter Tail Power Company, a Minnesota corporation, (jointly, the Applicants) filed with the South Dakota Public Utilities Commission (Commission) an Application for a Facility Permit for the Big Stone South to Ellendale 345 kV Transmission Line project (Application) and a Motion to Schedule Prehearing Conference (Motion). The Application requests Commission approval of a permit to construct a 345-kilovolt (kV) transmission line of approximately 150 to 160 miles in South Dakota (Project). The line will cross the South Dakota and North Dakota border in Brown County, South Dakota, and extend south and east through Brown, Day, and Grant counties to the Big Stone South Substation in Grant County, South Dakota, near Big Stone City. Modifications to the Project may occur depending on the final route permitted, land rights, and final engineering design. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B and ARSD Chapter 20:10:22.

Pursuant to SDCL 49-41B-15 and 49-41B-16, the Commission will hold public input hearings on the Application on Thursday, October 17, 2013:

**(1) at noon (12:00 p.m. CDT) in the Centennial Rooms of the Student Center on the campus of Northern State University, 1200 South Jay Street, Aberdeen, S.D. (parking available without permit in the lot along Washington Street between 12<sup>th</sup> and 14<sup>th</sup> Avenues - driving directions and map at <http://www.northern.edu/about/pages/directions.aspx> and <http://www.northern.edu/about/PublishingImages/wirelessmap.pdf>)**

**(2) at 7:00 p.m. CDT in the Community Room of the Milbank Visitor Center, 1001 East Fourth Avenue, Milbank, S.D.**

The purpose of these public input hearings will be to hear public comment regarding the transmission line permit Application and the Project. At the hearings, Applicants will present a brief description of the Project, following which interested persons may appear and present their views, comments and questions regarding the Application. A copy of the Application is on file with the Brown, Day, and Grant County Auditors pursuant to SDCL 49-41B-15(5) and at the Commission's office in Pierre. The Application and all other documents in the case, including detailed maps of the Project, may be accessed on the Commission's web site at [www.puc.sd.gov](http://www.puc.sd.gov) under Commission Actions, Commission Dockets, Electric Dockets, 2013 Electric Dockets, EL13-028.

Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, the parties to this proceeding are currently the Applicants and the Commission. Any person residing in the area of the Project; each municipality, county, and governmental agency in the area where the Project is proposed to be sited; any non-profit organization formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the Project is to be sited; or any interested person, may be granted party status in this proceeding by making written application to the Commission. Applications for party status will be available at the public input hearings or may be obtained from

the Commission's web site or by contacting the Commission. Applications for party status must be received by the Commission on or before October 22, 2013.

Following the public input hearings, the Commission may schedule a formal evidentiary hearings conforming to SDCL Chapter 1-26 to consider any issues raised by any intervening party, Commission Staff, or the Commission itself. At such formal hearing, all parties will have the opportunity to appear, present evidence, and cross-examine the other parties' witnesses and exercise all other rights afforded by SDCL Chapters 1-26, 49-1, and 49-41B and ARSD Chapters 20:10:01 and 20:10:22, including rights of appeal to the courts. Absent a contested issue, the Commission will schedule the matter for decision at a regular or special meeting of the Commission.

For approval, the Applicants must show that the proposed transmission Project will comply with all applicable laws and rules, will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety or welfare of the inhabitants, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether the permit should be granted, denied, or granted upon such terms, conditions or modifications of the construction, operation or maintenance as the Commission finds appropriate. It is therefore

ORDERED, that the Commission will hold public input hearings on the Project at noon (12:00 p.m. CDT) in the Centennial Rooms of the Student Center on the campus of Northern State University, 1200 South Jay Street, Aberdeen, S.D. and at 7:00 p.m. CDT in the Community Room of the Milbank Visitor Center, 1001 East Fourth Avenue, Milbank, S.D. It is further

ORDERED, that pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, applications for party status must be filed on or before October 22, 2013, and that pursuant to SDCL 49-41B-17.1, a party who wishes to receive personal service of all material filed in this matter shall make a specific request to the Commission for personal service, which may be included in the application for party status.

Pursuant to the Americans with Disabilities Act, these hearings will be held in physically accessible locations. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 26<sup>th</sup> day of August, 2013.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Joy Lashley</u>
Date:	<u>8.26.13</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson  
GARY HANSON, Chairman

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner