

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA}

§

COUNTY OF BROWN}

Mary Beske being duly sworn, on his/her oath says: That the AMERICAN NEWS is a daily newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned; That affiant is an employee and principal clerk of said publisher and has personal knowledge of all facts stated in this affidavit; That the advertisement headed:

Legal Digest
Public Hearing

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each Day for 1 successive Day

The first publication being made on the 5 day of May, 2008.

The second publication being made on the _____ day of _____, 2008.

The third publication being made on the _____ day of _____, 2008.

The fourth publication being made on the _____ day of _____, 2008.

The fifth publication being made on the _____ day of _____, 2008.

The sixth publication being made on the _____ day of _____, 2008;

That said newspaper is a legal newspaper published five days or more each week; with a bona fide circulation of more than two hundred copies daily; published in the English language within the said county of Brown for more than one year prior to the first publication of said notice; and printed in whole in an office maintained at the place of publication of said newspaper; That the whole amount of the fee paid for the publication of the annexed notice is \$ 308.16, which insures solely to the benefit of said publisher; That no agreement or understanding for a division thereof had been made with any other person; and That no part thereof has been agreed to be paid to any person whomsoever.

Mary Beske

Subscribed and sworn to before me this 5 day of May, 2008.

Daily Circulation 18,000

Chris Salf

Notary Public, Brown County, SD.

SEAL

My commission expires March 20, 2013

NOTICE OF PUBLIC HEARING SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

WHAT: East River Electric Power Cooperative, Inc. Transmission Line Project, Brown and Day Counties, South Dakota

WHEN: Monday, May 12, 2008 at 6:00 PM CDT

WHERE: CoCo's Restaurant, Junctions of Highways 12 and 37, Groton, South Dakota

Pursuant to SDCL 49-41B-15 and 49-41B-16, the South Dakota Public Utilities Commission (Commission) will hold a public input hearing at the above time and place on an application filed by East River Electric Power Cooperative, Inc. (East River) for a Facility Permit to construct a 115kV overhead electric transmission line which will allow Lake Region Electric Association to serve a pump station of the TransCanada Keystone Pipeline. The line will originate at Western Area Power Administration's Groton Substation located in the SW 1/4 of Section 18, Township 122 North, Range 60 West, Brown County, South Dakota, and run approximately 13 miles, terminating at a new East River substation adjacent to the pump station located in Section 17, Township 121 North, Range 59 West, Day County, South Dakota.

At the hearing, East River will present a brief description of the project, following which interested persons may appear and present their questions, views and comments regarding the application. Pursuant to SDCL 49-41B-15(5), the application is on file in the Brown County Auditor's office and Day County Auditor's office and in the Commission's office in Pierre and the application and all other documents in the case may also be accessed on the Commission's website at www.puc.sd.gov under Commission Actions, Commission Dockets, Electric Dockets, 2008 Electric Dockets, EL08-010.

The parties to this proceeding are currently East River and the Commission. Pursuant to SDCL 49-41B-17, any person residing in the area of the project, each municipality, county and governmental agency in the project area, any nonprofit 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 interest, to represent commercial and industrial groups, or to promote the orderly development of the project area, or any interest person, may be granted formal party status in this proceeding by making written application to the Commission as provided in ARSD 20:10:22:40 on or before June 2, 2008. Application forms for party status will be available at the public input hearing on May 12, 2008 or may be obtained from the Commission.

Following the public input hearing the Commission may schedule one or more subsequent 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 1-26, 49-1 and 49-41B and ARSD 20:10:01 and 20:10:22. Absent a contested issue, the Commission will schedule the matter for decision at the Regular or special meeting of the Commission.

For approval, East River must show that the proposed transmission line 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 of having been given to the views of governing bodies of affected local units of government. Based on 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 are appropriate. The parties will have the right to appeal the final decision in this case to the appropriate Circuit Court by serving and filing a notice of appeal of the decision in accordance with SDCL 1-26-31, within thirty (30) days after the date of service of the notice of decision in this case.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Commission at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you. The Commission's contact information is: ph (800) 332-1782; fax (866) 757-6031; www.puc.sd.gov; 500 E. Capitol Ave., Pierre, SD 57501.