

Affidavit of Publication

RECEIVED

STATE OF SOUTH DAKOTA,

OCT 06 2009

County of ~~Deuel~~ Brookings SS. SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Christopher J. Schumacher, being first duly sworn, on oath says that he is the publisher of the Tri-City Star, a weekly newspaper published in Toronto, said County of ~~Deuel~~ Brookings and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-one successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

Public Utilities

Legal - map, a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this affidavit, was published in said newspaper at least once in each week for two successive weeks, on the day of each week on which said newspaper was regularly published to wit:

Sept 17, 2009; _____, 20 _____

Sept 24, 2009; _____, 20 _____

_____, 20 ____; _____, 20 _____

_____, 20 ____; _____, 20 _____

_____, 20 ____; _____, 20 _____

that the full amount of the fees for the publication of the annexed notice is \$ \$228

C. Schumacher

Subscribed and sworn to before me this 17

day of September, 2009.

Margorie Hoff
NOTARY PUBLIC
Notary Public
County of Brookings, South Dakota



My Commission Expires August 18, 2015

**NOTICE OF PUBLIC HEARING
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION
DOCKETS EL09-015 and HP09-002**

WHAT: Applications by Basin Electric Power Cooperative, Inc. for permits to construct (i) Deer Creek Station, a 300-megawatt, natural gas-fueled, combined-cycle electric generation facility and associated water pipeline and electric transmission facilities, and (ii) a natural gas pipeline to support the Deer Creek Station generation facility

WHEN: Wednesday, September 30, 2009 at 6:00 P.M.
WHERE: McKnight Community Center, 300 W. Main St., White, SD

In accordance with SDCL 49-418-15 and 49-418-16, the South Dakota Public Utilities Commission (Commission) will hold a public input hearing at the above time and place on applications filed by Basin Electric Power Cooperative, Inc. (Basin) for permits to construct an electric generation plant and a natural gas pipeline. On July 28, 2009, Basin filed an application with the Commission for an energy facility permit under SDCL Chapter 49-41 B to construct the Deer Creek Station energy conversion facility (Docket EL09-015), a proposed 300-megawatt combined cycle natural gas generation facility and associated water supply system and electric transmission facilities. Basin simultaneously filed an application for a permit to construct, own and operate a natural gas pipeline to support the Deer Creek facility (Docket HP09-002). The proposed 13.2 mile pipeline route will traverse about 18 sections of land located in Brookings and Deuel counties. The proposed pipeline would have a diameter of 10.75 inches and would operate at pressures ranging from 475 - 1,435 pounds per square inch gauge (psig). Construction is proposed to begin in July 2010, with generation start-up scheduled for June 2012.

At the hearing, interested persons may appear and present their questions, views and comments regarding the applications. Pursuant to SDCL 49-41 B-15(5), the applications are on file in the Brookings and Deuel County Auditors' Offices. The applications are also on file in the Commission's office in the Capitol Building in Pierre, and the applications and all other documents in the cases may also be accessed on the Commission's web site at www.puc.sd.gov under: Commission Actions, Commission Dockets and then for Deer Creek Station under Electric Dockets, 2009 Electric Dockets, EL09-015 and for the pipeline under Hydrocarbon Pipeline Dockets, 2009 Hydrocarbon Pipeline Dockets, HP09-002.

The parties to each of these proceedings are currently Basin and the Commission. Pursuant to SDCL 49-418-17, any person residing in the area of the project, each municipality, county, and governmental agency in the project area, 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 project area, or any interested person, may be granted formal party status in either or both of these proceedings by filing written application to the Commission as provided in ARSD 20:10:22:40 on or before October 13, 2009. Application for Party Status forms will be available at the public input hearing in White.

For approval of the requested permits, Basin must show that the proposed energy conversion and/or pipeline facilities 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 permits 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 decisions in either or both of these cases to the appropriate Circuit Court by serving and filing a notice or notices of appeal of the decision or decisions in accordance with SDCL 1-26-31, within thirty (30) days after the date of service of the applicable notice of entry of decision in these cases.

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.