

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF AURORA

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ss.

Standard Publishing, Inc.

of said County and State, being first duly sworn, on his oath says:

AURORA COUNTY STANDARD is a weekly newspaper of general circulation, printed and published in White lake, in Aurora County and State of South Dakota by Candice and Gus Walti and has been such a newspaper during the times hereinafter mentioned; that the said newspaper is a legal newspaper, that it has a bonafide circulation of more than 200 copies weekly, that it has been published within said county of Aurora in the English language for more than fifty-two successive weeks next prior to the publication of the notice hereinafter mentioned, and has been printed during said period and at the present time, in whole or in part in an office maintained at the said place of publication; and that I the undersigned, am

Publisher

of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit; that the advertisement headed Hearing - White Lake

a printed copy of which is hereto attached, was printed and published in the said newspaper for two weeks; That said notice was published in the issues of said paper on the dates as follows, to-wit:

- The first publication being made on 1-27, 20 10;
- the second publication on 2-24, 20 10;
- the third publication on \_\_\_\_\_, 20 \_\_\_\_\_;
- the fourth publication on \_\_\_\_\_, 20 \_\_\_\_\_;
- the fifth publication on \_\_\_\_\_, 20 \_\_\_\_\_;
- the sixth publication on \_\_\_\_\_, 20 \_\_\_\_\_;
- and the last publication on \_\_\_\_\_, 20 \_\_\_\_\_;

that \$ 455.00, the full amount of the fee charged for publication of the annexed notice, insures solely to the benefit of the publishers of the said newspaper; that no arrangement or understanding for a division thereof has been made with any person, and that no part thereof has been agreed to be paid to any persons whomsoever.

Candice M. Walti

Subscribed and sworn to before me this \_\_\_\_\_

day of \_\_\_\_\_, 20 \_\_\_\_\_

Notary Public, \_\_\_\_\_ County

RECEIVED

FEB 10 2010

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

# Legislative Update

By Lance Carson  
District 20  
SD House of Representatives

The Appropriations Committee started week two by hearing the budget of the Department of Fish, Game and Parks. This budget has very few general fund dollars in it and most of those general fund dollars are in the state park systems. The Fish and Game Department receives their money from hunting and fishing licenses. These monies fund the majority of the wildlife portion of the department.

One of the interesting portions of this budget hearing came out of the park report with the State trying to start another state park along the South Dakota-Iowa border. The park will be in excess of 1800 acres with the majority being in South Dakota. This could be a big boost to tourism in this area.

Camping in our state parks was at an all time high, going over 250,000 this year. This is up about 12,000 from the previous year. The feeling among the park staff is that people are getting back to nature instead of spending money on theme parks. These people were enjoying hikes, biking and numerous outdoor activities.

On Wednesday we heard from Human Services. They gave the entire legislature an overview of the Medicaid program in the state of South Dakota. This past month approximately 110,000 people received some services from Medicaid. That is nearly one out of every seven people who live in the State. One out of every three people in the State under the age of 19 has health care under Medicaid or through CHIP. Fifty per cent of all children born in South Dakota will be on Medicaid or CHIP for the first year of their lives.

On Thursday and Friday we listened to the Board of Regents and the State University systems, along with the School for the Deaf and the School for the Visually Impaired. There has not been a lot of change in their requests at this time. With the impending bad weather, the representatives of the west river schools left for home. On Friday morning we heard their testimony through video boards. I was pleasantly surprised that everything happened in "real" time with no time delays. The State has come a long way with their technology.

Because of the weather, we will not have an informational meeting on Monday. It will be made up some time in the weeks to come.

This week we will hear from the Department of Education and the Department of Transportation. This coming Thursday we will have our first bill

hearing.

There was very little activity on the floor this week. Most of the bills presented were on the consent calendar so there was no debate on

those. On Thursday there will be a joint memorial service for former legislators who passed away in 2009.

The third week starts on Monday, January 25. As bills will now be coming out of committees and the activity will pick up.

## NOTICE OF PUBLIC HEARING SOUTH DAKOTA PUBLIC UTILITIES COMMISSION DOCKET EL09-028

**WHAT:** Application by PrairieWinds SD1, Inc., a subsidiary of Basin Electric Power Cooperative, Inc. for a Wind Energy Facility Permit for the PrairieWinds SD1 Wind Farm and Associated Facilities

**WHEN/WHERE:** Monday, March 1, 2010, at 6:30 P.M.

**American Legion, Main Street, White Lake, SD**

In accordance with SDCL 49-41B-15 and 49-41B-16, the South Dakota Public Utilities Commission (Commission) will hold a public hearing at the above time and place on the application filed on December 30, 2009, by PrairieWinds SD1, Inc. (PrairieWinds), a wholly owned subsidiary of Basin Electric Power Cooperative, for a facility permit for the construction of the PrairieWinds SD1 Project (Project). PrairieWinds proposes to construct and operate a 151.5 megawatt (MW) wind energy facility approximately one half mile south of Crow Lake (not an incorporated community) and approximately 10-15 miles north of the City of White Lake. The Project is proposed to include approximately 101 1.5 MW wind turbines and associated access roads, underground collector lines, a collector substation, an O&M building, and approximately 13 miles of 230 kilovolt (kV) transmission line.

At the hearing, interested persons may present their questions, views and comments regarding the application. Pursuant to SDCL 49-41B-15(5), the application is on file in the Aurora, Brule and Jerauld County Auditors' Offices. The application is also on file in the Commission's office in the Capitol Building in Pierre, and the application and all other documents in the case may also 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, 2009 Electric Dockets, EL09-028.

The parties to this proceeding are currently PrairieWinds 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 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 this proceeding by making written application to the Commission on or before March 10, 2009 as provided in ARSD 20:10:22:40. Application for Party Status forms will be available at the public hearing in White Lake and on the Commission's web site or may be obtained by contacting the Commission.

For approval of the requested permit, PrairieWinds must show that the proposed wind energy facility 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 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 entry 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](http://www.puc.sd.gov); 500 E. Capitol Ave., Pierre, SD 57501.

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