

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

**IN THE MATTER OF THE PETITION OF OTTER) EL 12-063
TAIL POWER COMPANY FOR ORDER)
ACCEPTING CERTIFICATION OF PERMIT USED) MOTION TO APPROVE
IN DOCKET EL06-002 TO CONSTRUCT BIG) FINAL ALIGNMENT
STONE TRANSMISSION LINE AND SUBSTATIONS)
IN GRANT AND DEUEL COUNTIES)**

Comes now the Applicant and moves the Commission for an Order Approving Final Alignment of the transmission line proposed and permitted in this Docket.

The transmission line permitted in this docket was subject to a condition in which all alterations or modifications to the previously approved alignment required Commission approval prior to construction. Applicant proposes four such changes as indicated below and on the attachments. Attachment one is the Map Sheets depicting the proposed final Alignment.

There are 4 areas where the final alignment differs from the previously approved alignment:

- Structures numbered 8, 9 and 10 are moved to avoid a wetland as shown on map sheet number 3. Structure 9 was moved approximately 300 feet to the east in order to place the structure outside of the large wetland found at this location. This alteration provides a more acceptable alignment for the landowners. An easement for the newly affected parcel has been signed and this alignment allows us to avoid condemnation proceedings involving an unwilling landowner.

- Structures 18 through 22 have been moved in order to avoid a cultural resource found at that location. This is depicted on map sheet 5 – 6. They were moved from the west side of 484th Ave. to the east side. Easements have been acquired for all of the parcels.

- Structures 27 through 37 were moved approximately 15 feet west toward the road in order to minimize the impact to crop lands. This is depicted on map pages 7 – 10. All necessary easements have been obtained.

- Structures 37 through 40 have been moved in order to accommodate land owner preference. Map page 13 depicts the requested change in the alignment. The land owner requested this move due to his installation of a new irrigation system after he bought this parcel and the parcel to the east. All necessary easements have been obtained.


The project has obtained all necessary permits from Deuel and Grant Counties. The Deuel County Special Exception Permit required to install transmission facilities in an agricultural district was approved by Deuel County on February 11, 2014. The Grant County Conditional Use Permit was approved on March 10, 2014. Those permits are attached as Attachments 2 and 3.

The route alignments proposed provide for the project to be built in a timely manner with easements from land owners which will minimize the use of eminent domain and provide for safe, orderly, economical and efficient construction and operation of the line.

WHEREUPON, the applicants request that the Commission approve the final alignment of the line with the modifications as shown in this filing.

Dated this 29 day of July, 2014.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 
BRET K O E N E C K E
503 South Pierre Street
P.O. Box 160
Pierre, South Dakota 57501-0160
Telephone: (605)224-8803

Telefax: (605)224-6289
E-mail: Brett@magt.com

CERTIFICATE OF SERVICE

Brett Koenecke, hereby certifies that on the 29 day of July, 2014, he electronically mailed, a true and correct copy of the foregoing in the above-captioned action to the following at her last known address, to-wit:

Ms. Patricia Van Gerpen
South Dakota Public Utilities Commission
patty.vangerpen@state.sd.us

Mr. Brian Rounds
South Dakota Public Utilities Commission
brian.rounds@state.sd.us

Ms. Karen E. Cremer
South Dakota Public Utilities Commission
karen.cremer@state.sd.us

Mr. Matthew Tysdal
South Dakota Public Utilities Commission
matthew.tysdal@state.sd.us

Ms. Kristen Edwards
South Dakota Public Utilities Commission
Kristen.edwards@state.sd.us

Mr. Jeff Engesser
City of Gary
citygary@itctel.com

Ms. Jennifer O. Smestad
Otter Tail Corporation
jsmestad@ottertail.com

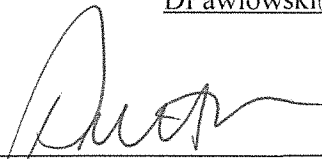
Ms. Karen M. Layher
Grant County Commission
karen.layher@state.sd.us

Ms. Pam Lynde
Deuel County Commission
plynde@itctel.com

Ms. Kari Valley
Northern States Power Company dba Xcel
Energy
kari.l.valley@xcelenergy.com

Ms. Vicki Buseth
Brookings County
vbuseth@brookingscountysd.gov

Mr. Dean Pawlowski
Otter Tail Power Company
DPawlowski@otpc.com



BRETT KOENECKE