

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA }

§

COUNTY OF BROWN

Max Bush 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 # 1765568

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

for 1 successive days
The first publication being made on the 16 day of May, 2014
The second publication being made on the \_\_\_ day of \_\_\_, 2014
The third publication being made on the \_\_\_ day of \_\_\_, 2014
The fourth publication being made on the \_\_\_ day of \_\_\_, 2014
The fifth publication being made on the \_\_\_ day of \_\_\_, 2014
The sixth publication being made on the \_\_\_ day of \_\_\_, 2014

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 \$ 549.00, 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.

Max Bush
Subscribed and sworn to before me this 16 day of May, 2014
Daily Circulation 13,500

Notary Public, Brown County, SD.

My commission expires March 20, 2019

RECEIVED

MAY 20 2014

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

NOTICE OF PUBLIC HEARING
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

WHAT: Montana-Dakota Utilities Co. and Otter Tail Power Company Big Stone South to Ellendale electric transmission line project Brown, Day, and Grant Counties, South Dakota
WHEN: Tuesday, May 20, 2014, at 6:30 p.m. CDT
WHERE: Meeting Room D & H, Ramada Aberdeen Hotel and Conference Center, 2727 Sixth Ave. SE, Aberdeen, S.D. 57401

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 for an Energy Facility Permit filed on August 23, 2013, by Montana-Dakota Utilities Co. and Otter Tail Power Company (jointly, the Applicants) for the Big Stone South to Ellendale 345 KV Transmission Line project (Application). 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 South Dakota Facility may occur depending on the final route permitted land rights, and final engineering design. On August 23, 2013, Applicants also filed a Motion to Schedule Prehearing Conference. The Commission held two public input hearings on the Application in Aberdeen and Milbank on October 17, 2013. On January 13, 2014, the Commission issued a Procedural Scheduling Order setting the matter for formal evidentiary hearing on June 10-12, 2014, in Room 413 of the State Capitol Building in Pierre beginning at 1:00 p.m. CDT with days two and three beginning at 8:00 a.m. CDT. On January 27, 2014, Applicants filed a First Amendment to Application (Amendment).

Due to Applicants having made some route changes in certain areas of the Project which will result in some additional landowners coming within the half-mile Project corridor Applicants will be required to serve notice on such landowners, and the Commission deems it proper to hold an additional public input hearing. At the public input hearing, Applicants will present a brief description of the Project, following which interested persons may appear and present their questions, views and comments regarding the Amended Application and the Project. Pursuant to SDCL 49-41B-15(5), the Application is on file in the Brown, Day, and Grant County Auditors' offices and in the Commission's office in Pierre, and the Application and all other documents in the case, including detailed Project maps, may also be accessed on the Commission's web site at www.puc.sd.gov under Commission Actions, Commission Dockets, Electric Dockets, 2013 Electric Dockets, EL13-028.

The parties to this proceeding are currently Applicants, Gerald Pesall, 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 as provided in ARSD 20:10:22:40 on or before April 16, 2014. Application forms for party status may be obtained from the Commission or the Commission's web site.

The Commission will hold a formal evidentiary hearing as set forth above 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.

For approval, Applicants must show that the 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 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, these hearings are being held in physically accessible locations. 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) 757-8031; www.puc.sd.gov; 500 E. Capitol Ave., Pierre, SD 57501.