

From: PUC

Sent: Tuesday, September 06, 2016 4:05 PM

To: [REDACTED]

Subject: EL16-022

Mr. Hubner:

This is in response to your email with the subject and attachment, “Gag Order.” The attachment appears to be a portion of an easement agreement. The PUC does not have legal authority over easements. Questions or concerns regarding easement matters or language should be discussed between a landowner and their attorney. By law, PUC staff attorneys cannot provide legal counsel to individuals.

Please reference the Siting Guide online: <http://www.puc.sd.gov/commission/Publication/sitinghandout.pdf>

Here is a key excerpt:

The PUC is not involved in the easement acquisition process that occurs between applicants and landowners. Likewise, the PUC does not have a role in the eminent domain process, which is handled in the circuit court system. Landowners with concerns about these issues should seek advice from their personal attorney.

Your message, attachment and this response will be posted in the Prevailing Winds docket, EL16-022, under Comments and Responses.

Chairman Chris Nelson
South Dakota Public Utilities Commission
www.puc.sd.gov