

Affidavit of Publication

State of South Dakota

Exhibit "A"

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County of Brookings

Teri Buys of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed

RECEIVED
OCT 11 2005
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

that the

Legal Display Legal "Notice of Hearing"

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit

said newspaper for _____ 1 times, to-wit:

September 30, 2005

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

One hundred eighty-three dollars and twent cents \$183.20

Teri Buys

Subscribed and sworn to before me this 1st day of October 2005

Christina Nelson

Notary Public in and for the County of Brookings, South Dakota.
My Commission expires April 27, 2006

**Public Utilities Commission
Notice of Public Hearing to Adopt Rules**

A public hearing will be held in Room 412, fourth floor, State Capitol, Pierre, South Dakota, on November 1, 2005, at 9:30 a.m., to consider the adoption and amendment of proposed rules numbered:

20:10:22:01, 20:10:22:04, 20:10:22:05, 20:10:22:12, 20:10:22:13, 20:10:22:14, 20:10:22:15, 20:10:22:16, 20:10:22:17, 20:10:22:18, 20:10:22:30, 20:10:22:33.01, 20:10:22:33.02, 20:10:22:35 and 20:10:22:40

The effect of the proposed rule changes will be to set forth the requirements for filing an application for a permit to construct wind energy facilities and amend some requirements applying to the siting of energy conversion and transmission facilities.

One of the reasons for the proposed rule changes is to change the Commission's siting rules to be consistent with recent statutory changes regarding the siting of wind energy facilities. In order to construct wind energy facilities, a person must file an application with the Commission for approval of the construction of the facility. The siting rules generally inform an applicant of the information that is required to be filed with the Commission. The proposed changes will add wind energy facilities to the siting rules and list the specific requirements for a wind energy facility application. In addition, one of the proposed rules, 20:10:22:33.01, sets forth the requirements for the removal of wind energy facilities and possible bonding or other financial requirements to ensure removal. Another proposed rule change, 20:10:22:04, decreases the required number of paper copies of an application and requires the application to be filed electronically. Another proposed rule change, 20:10:22:05, requires applications to list all permits needed from any state or federal entity.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Public Utilities Commission, State Capitol, 500 East Capitol, Pierre, South Dakota 57501-5070. Material sent by mail must reach the Public Utilities Commission by November 14, 2005, to be considered.

After the hearing, the Commission will consider all written and oral comments it receives on the proposed rules. The Commission may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify the Public Utilities Commission at least 48 hours before the public hearing if you have special needs for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3201.

Copies of the proposed rules may be obtained without charge from the

South Dakota Public Utilities Commission
State Capitol
500 East Capitol
Pierre, SD 57501-5070

The proposed rules may be found on the Public Utilities Commission's home page at the following address: <http://www.state.sd.us/puc>