

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