

RM06-002

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SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Capital Journal

AFFIDAVIT OF PUBLICATION

State of South Dakota, County of Hughes

Teresa McQuiston of said county, being, first duly sworn, on oath, says: That he/she is the publisher or an employee of the publisher of the Capital Journal, a daily newspaper published in the City of Pierre in said County of Hughes and State of South Dakota; that he/she has full and personal knowledge of the facts herein stated, that said newspaper is a legal newspaper as defined in SDCL 17-2-2.1 through 17-2-2.4 inclusive, that said newspaper has been published within the said County of Hughes and State of South Dakota, for at least one year next prior to the first publication of the attached public notice, and that the legal/display advertisement headed Public Utilities Commission Notice of Public Hearing to Adopt Rules a printed copy of which, taken from the paper in which the same was published, and which is here-to attached and made a part of this affidavit, was published in said newspaper for one successive week(s) to wit:

<u>July 12</u>	<u>2006</u>	_____	<u>20</u>
_____	<u>20</u>	_____	<u>20</u>
_____	<u>20</u>	_____	<u>20</u>
_____	<u>20</u>	_____	<u>20</u>
_____	<u>20</u>	_____	<u>20</u>

That the full amount of the fee charged for the publication of the attached public notice inures to the sole benefit of the publisher or publishers; 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: \$ 125.60.

Signed: teresa C McQuiston

subscribed and sworn to before me this 8 day of August 2006

Magi Baker

Notary Public in and for the County of Hughes, South Dakota.
My Commission expires 2-19, 2009.

**PUBLIC UTILITIES COMMISSION
NOTICE OF PUBLIC HEARING TO ADOPT RULES**

A public hearing will be held at DDN-Pierre, Room B12, State Capitol, 500 East Capitol, Pierre, South Dakota, and DDN-Sioux Falls, Room 189, 2205 Career Place, Sioux Falls, South Dakota, on August 8, 2006, at 8:30 a.m., to consider the adoption and amendment of proposed rules numbered:

20:10:11:13, 20:10:11:16 and 20:10:11:17

One of the effects of the proposed rule changes is to make changes to the construction requirements for temporary public grain storage units. Another effect is to allow for seasonal emergency storage. Seasonal emergency storage will allow a public grain warehouse to store grain outside between July 1 and January 31. Another effect is to allow for non-seasonal emergency storage. Non-seasonal emergency storage will allow a public grain warehouse to store grain outside between February 1 and June 30. Commission approval will be needed for non-seasonal emergency storage. For temporary, seasonal, and non-seasonal storage, a warehouse operator will be required to keep a separate record of the grain.

The main reason for the proposed changes is to allow public grain warehouses to store grain outside if the warehouse's other storage facilities are filled to capacity. This will enable warehouse operators to handle grain from large harvests in order to accommodate their grain producer customers. The reason for the changes to the construction requirements for temporary storage units is to update the construction requirements.

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 August 18, 2006, 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, S.D. 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>