

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING
BASIN ELECTRIC POWER COOPERATIVE)	INTERVENTION; ORDER
FOR A CONSTRUCTION PERMIT FOR 23)	ASSESSING FILING FEE
MILES OF 230 KV ELECTRIC TRANSMISSION)	
LINE AND ASSOCIATED FACILITIES)	EL01-025

On October 11, 2001, Basin Electric Power Cooperative (Basin Electric) submitted to the Public Utilities Commission (Commission) an application for a permit to construct transmission facilities as defined at SDCL 49-41B-2.1(2). According to the application, these facilities consist of an asynchronous tie that would connect the eastern and western transmission grids near Rapid City, South Dakota. The rating of the tie would be in the range of 100 to 300 million volt-amperes, depending on the capabilities of the associated transmission system. The project is known as the Rapid City Tie Project and includes: approximately 23 miles of 230 kilovolt transmission line; a line terminal at the western edge of the project referred to as the South Rapid City Substation; an asynchronous tie converter station four miles southeast of the South Rapid City Substation; and a line terminal bay at the existing New Underwood Substation, at the eastern edge of the project. The project is located completely in Pennington County, South Dakota.

On October 18, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of December 10, 2001, to interested individuals and entities. On October 18, 2001, the Commission received a Petition for Leave to Intervene from Black Hills Power, Inc. (BHP).

SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent of the first one hundred million dollars of estimated construction costs of the facility however, the minimum total fee chargeable may not be less than eight thousand dollars. The fee shall be deposited in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-1, 49-41B-2, 49-41B-2.1, 49-41B-4, 49-41B-11, 49-41B-12, 49-41B-13, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-21, 49-41B-22, 49-41B-25, 49-41B-26, 49-41B-33, 49-41B-38, and ARSD Chapter 20:10:22.

At a regularly scheduled meeting of November 8, 2001, the Commission found that the Petition to Intervene demonstrated good cause to grant intervention. Also, the Commission, pursuant to SDCL 49-41B-12, unanimously voted to assess Basin Electric a filing fee not to exceed \$175,000 with an initial deposit of \$8,000 as requested by the Executive Director. It is therefore

ORDERED, that the Petition to Intervene of BHP is hereby granted; and it is further

ORDERED, that Basin Electric shall deposit in the SDPUC regulatory assessment fee fund an initial filing fee of \$8,000.00 as requested by the Executive Director.

Dated at Pierre, South Dakota, this 14th day of November, 2001.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Delaine Kalbo</u>
Date:	<u>11/14/01</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner