

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

IN THE MATTER OF THE APPLICATION OF)	DECISION AND ORDER
BASIN ELECTRIC POWER COOPERATIVE)	APPROVING STIPULATION
FOR A CONSTRUCTION PERMIT FOR 23)	AND GRANTING PERMIT TO
MILES OF 230 KV ELECTRIC TRANSMISSION)	CONSTRUCT
LINE AND ASSOCIATED FACILITIES)	TRANSMISSION 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 to interested individuals and entities. Applications for party status were due by December 10, 2001. On October 18, 2001, the Commission received a Petition for Leave to Intervene from Black Hills Power, Inc. (BHP). On December 3, 2001, the Commission received applications for party status from David S. Lamb and Andrea Andersen. By order dated November 14, 2001, the Commission granted intervention to BHP. By order dated December 20, 2001, the Commission granted party status to David S. Lamb and Andrea Andersen. A public input hearing was held as scheduled on November 28, 2001, in Rapid City. On December 12 and 14, 2001, Basin Electric submitted a chart of sound level comparisons; a copy of the audible noise specification set forth in Basin Electric's Requests for Proposal concerning the asynchronous tie converter station; and a copy of the Noise-Zone Classification from the Federal Interagency Committee on Urban Noise (1980).

On January 25, 2002, the Commission received a Motion for Extension of Time for Final Determination from Basin Electric. Basin Electric requested the time be extended to May 7, 2002. SDCL 49-41B-25 requires the Commission to act on an application within six months. At its February 5, 2002, meeting, the Commission considered the motion. Commission Staff recommended approval of the extension of time, but to leave the date open-ended. Basin Electric did not object. The Commission unanimously voted to grant an extension of time to Basin Electric with the date left open-ended. On May 29, 2002, the Commission received a Notice of Withdrawal as Parties from Andrea Anderson and David

S. Lamb. The Notice stated that Andrea Anderson and David S. Lamb were voluntarily withdrawing as parties in this docket.

On June 20, 2002, the Commission received a Stipulation entered into by Basin Electric, BHP, and Commission Staff. The Stipulation set forth Findings of Fact, Conclusions of Law, and Terms and Conditions.

At its July 9, 2002, meeting, the Commission considered this matter. 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. The Commission voted to approve the Stipulation and accept the Findings of Fact, Conclusions of Law, and Terms and Conditions. By approving the Stipulation, the Commission grants Basin Electric's application for a permit to construct transmission facilities, subject to the Findings of Fact, Conclusions of Law, and Terms and Conditions listed in the Stipulation.

It is therefore

ORDERED, that the Stipulation entered into by Basin Electric, BHP, and Commission Staff on June 18, 2002, shall be approved and shall be incorporated by reference into this Decision and Order the same as if it had been set forth in its entirety herein; and it is

FURTHER ORDERED, that Basin Electric is granted a permit to construct the transmission facilities, subject to the Findings of Fact, Conclusions of Law, and Terms and Conditions listed in the Stipulation.

Dated at Pierre, South Dakota, this 24th day of July, 2002.

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>Alvaro Kelbo</u>
Date:	<u>7/24/02</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Robert K. Sahr
ROBERT K. SAHR, Commissioner