

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

IN THE MATTER OF THE FILING BY BASIN)	ORDER DESIGNATING
ELECTRIC POWER COOPERATIVE, INC.)	AFFECTED AREA AND
REGARDING ITS NOTIFICATION OF INTENT)	LOCAL REVIEW
TO APPLY FOR A PERMIT FOR AN ENERGY)	COMMITTEE
CONVERSION FACILITY)	EL06-025

On September 22, 2006, the Public Utilities Commission (Commission) received a notification of intent to submit an application for a permit for an energy conversion facility from Basin Electric Power Cooperative, Inc. (Basin Electric). Basin Electric is a consumer-owned, regional cooperative headquartered in Bismarck, North Dakota. Basin Electric proposes to construct an additional 100 MW (nominal) General Electric LMS100 simple-cycle gas turbine in Brown County, approximately five miles south of the city of Groton. The proposed site is located five miles south of the town of Groton, three miles north of the community of Ferney and 18 miles southeast of the city of Aberdeen, all of which is in Brown County. The turbine will be fired by natural gas supplied by the existing natural gas pipeline presently on site. This proposed project location will not require installation of any new pipeline. The proposed site has an existing Western Area Power Administration (Western) 115-kV substation, a Basin Electric 345-kV substation, and a 100 MW GE LMS100 gas turbine. An existing 345-kV transmission line owned by Basin Electric and a 115-kV line owned and operated by Western currently pass within 1/2 mile of the site. This site will be operated remotely with daytime support personnel for operating and maintenance activities. The construction phase of the project will take place over a period of 12-15 months. A maximum of approximately 30-40 construction personnel will be on site at any given time. Basin Electric estimates the cost for this project at sixty-eight million dollars.

Under SDCL 49-41B-6, the Commission is required to designate the affected area relative to this filing and also to designate a local review committee within thirty days after the filing of the notification of intent. According to SDCL 49-41B-2(8), the term "siting area" is defined as "that area within ten miles in any direction of a proposed energy conversion facility or which is determined by the commission to be affected by a proposed energy conversion facility." In ARSD 20:10:22:01(1), "affected area" is defined as "that area which may be affected environmentally, socially, aesthetically, or economically by the location of a facility at a proposed site."

Under SDCL 49-41B-6, the Commission shall also designate the local review committee which shall be composed of the following:

- (1) The chairman of the county commissioners of each affected county;
- (2) The president of the board of education of each affected school district;
- (3) The mayor of each affected municipality; and
- (4) A representative of the applicant utility designated by the utilities.

Any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by his/her successor, who shall promptly notify the Commission of such succession.

At its October 19, 2006, Commission meeting, the Commission discussed the designation of the affected area and the local review committee. The Commission has jurisdiction over this matter pursuant to SDCL 49-41B, specifically SDCL 49-41B-6 and ARSD 20:10:22:01 and 20:10:22:02. After its discussion, the Commission determined that the affected area for Basin Electric's proposed simple cycle gas turbine energy conversion facility is an area within six miles of the site of the proposed facility located entirely within Brown County and the Groton School District. In accordance with SDCL 49-41B-6, the Commission designated the local review committee which shall be comprised of the following individuals, ex officio:

- (1) The Chairman of the Brown County Commission;
- (2) The President of the School Board of Groton School District 06-3;
- (3) The Mayor of the city of Groton;
- (4) A person appointed by Basin Electric Power Cooperative, Inc.

It is therefore

ORDERED, that the affected area for the purposes of this filing shall consist of an area within six miles of the site of the proposed facility located entirely within Brown County and the Groton School District; and it is

FURTHER ORDERED, that the local review committee shall be comprised of the above referenced individuals, serving ex officio, and that any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by his/her successor, who shall promptly notify the Commission of such succession.

Dated at Pierre, South Dakota, this 31st day of October, 2006.

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 Kelbo</u>
Date: <u>10/31/06</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner

Gary Hanson
GARY HANSON, Commissioner