

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

IN THE MATTER OF THE APPLICATION OF)	DECISION AND ORDER
EAST RIVER ELECTRIC POWER)	APPROVING STIPULATION
COOPERATIVE, INC. FOR A PERMIT TO)	AND GRANTING PERMIT TO
CONSTRUCT APPROXIMATELY 13 MILES OF)	CONSTRUCT
115 KV TRANSMISSION LINE)	TRANSMISSION FACILITIES
)	
)	
)	EL08-010

On April 2, 2008, East River Electric Power Cooperative, Inc. (East River) filed an Application for a Facility Permit to construct a 115 kV overhead electric transmission line which will allow Lake Region Electric Association to serve a pump station of the TransCanada Keystone Pipeline. The line will originate at Western Area Power Administration's Groton Substation located in the SW 1/4 of Section 18, Township 122 North, Range 60 West, Brown County, South Dakota, and run approximately 13 miles, terminating at a new East River substation adjacent to the pump station located in Section 17, Township 121 North, Range 59 West, Day County, South Dakota.

On April 3, 2008, the Commission electronically transmitted notice of the filing to interested individuals and entities. Applications for Party Status were due by June 2, 2008. No Applications for Party Status were received. A public input hearing was held as scheduled on May 12, 2008, in Groton, South Dakota. On August 8, 2008, the Commission received a Stipulation entered into by East River and Commission Staff. The Stipulation set forth Findings of Fact, Conclusions of Law, and Terms and Conditions.

At its August 12, 2008, 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 East River'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 East River and Commission Staff on August 8, 2008, 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 East River 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 21st day of August, 2008.

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, electronically.

By: *Seldine Kolbo*

Date: *8/21/08*

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Cause
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner