

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

**IN THE MATTER OF THE PETITION OF EAST)
RIVER ELECTRIC POWER COOPERATIVE,)
INC. FOR A DECLARATORY RULING ON 115)
KV TRANSMISSION LINE DESIGN)**

**ORDER GRANTING
REQUEST FOR EXTENSION**

EL08-020

On July 7, 2008, East River Electric Power Cooperative, Inc. (East River) filed a request for a declaratory ruling as to whether East River is required to have a siting permit per SDCL 49-41B from the South Dakota Public Utilities Commission (Commission) for a proposed 115 kV Transmission Line. Specifically, East River requests a ruling on whether a 115 kV transmission line generally running parallel to the road right-of-way and designed to site the poles in two locations, i.e., on the private side and on the public side alongside the road right-of-way line, with the poles located to generally touch the road right-of-way, meets the standard of following section lines, property lines, roads, highways or railroads contained in SDCL 49-41B-2.1(2). East River recently filed applications for two such lines: EL08-010 and EL08-016.

On August 25, 2008, the Commission received a Request for Extension from East River. On August 28, 2008, the Commission received Staff's Response to East River's Petition for Declaratory Ruling.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B.

At its ad hoc meeting of August 28, 2008, the Commission considered the Request for Extension. The Commission voted unanimously to grant the Request for Extension. It is therefore

ORDERED, that the Request for Extension is hereby granted.

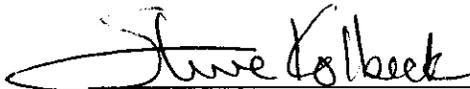
Dated at Pierre, South Dakota, this 15th day of September, 2008.

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: <u>Alaine Kolbo</u>
Date: <u>9/16/08</u>
(OFFICIAL SEAL)

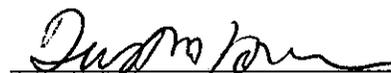
BY ORDER OF THE COMMISSION:



GARY HANSON, Chairman



STEVE KOLBECK, Commissioner



DUSTIN M. JOHNSON, Commissioner