

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

**IN THE MATTER OF THE APPLICATION)
OF BLACK HILLS POWER INC. DBA)
BLACK HILLS ENERGY FOR A FACILITY)
PERMIT TO CONSTRUCT A 230 KV)
TRANSMISSION LINE AND ASSOCIATED)
FACILITIES IN PENNINGTON COUNTY)**

**ORDER ASSESSING
FILING FEE; AUTHORIZING
EXECUTIVE DIRECTOR TO ENTER
INTO CONSULTING CONTRACTS**

EL19-006

On February 5, 2019, the South Dakota Public Utilities Commission (Commission) received an Application for a Facility Permit for a wind energy facility (Application) from Black Hills Power, Inc. dba Black Hills Energy (BHE) for a permit to construct a 0.7 mile 230 kV transmission line and associated facilities (Project) in Pennington County, South Dakota. The Project would include a substation at the location of the former Ben French Power Plant on the northwest side of Rapid City, South Dakota. It will also include a 230 kV transmission line from the substation running southeast approximately 0.2 miles, then east approximately 0.5 miles. The transmission line will be constructed entirely within an existing BHE easement, and the substation will be constructed on property owned by BHE.

SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent for the first one hundred million dollars of estimated construction costs plus one-twentieth of one percent of all additional estimated construction costs of the Project, with a minimum total fee chargeable of not less than eight thousand dollars. The fee shall be deposited in a subfund in the Commission's Regulatory Assessment Fee Fund to defray Commission expenses incident to analyzing and ruling upon the Application.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-12, 49-41B-26, and ARSD Chapter 20:10:22.

At its regularly scheduled meeting on February 15, 2019, the Commission considered this matter. Commission staff requested that the Commission assess a filing fee not to exceed \$24,250 with an initial deposit of \$8,000, and to authorize the executive director to enter into consulting contracts needed for review of the Application. Applicant stated it did not object to the fee assessment. The Commission voted unanimously to assess BHE a filing fee in an amount not to exceed \$24,250, with a minimum filing fee of \$8,000 to account for actual expenses incurred in review of this filing commencing from the filing date. The Commission further voted unanimously to authorize the executive director to enter into necessary consulting contracts. It is therefore

ORDERED, that BHE shall be assessed a filing fee not to exceed \$24,250. It is further

ORDERED, that BHE shall be assessed a filing fee in the amount of the minimum filing fee of \$8,000 and shall from time to time make such additional deposits up to the total amount of the assessment as requested by the Commission's Finance Manager. It is further

ORDERED, that the executive director is authorized to enter into necessary consulting contracts.

Dated at Pierre, South Dakota, this 20th day of February 2019.

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 or by mail.

By: Karen E. Cremer

Date: 02/20/19

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner