

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

IN THE MATTER OF THE APPLICATION BY)	ORDER GRANTING JOINT
BASIN ELECTRIC POWER COOPERATIVE,)	MOTION FOR APPROVAL
INC. FOR AN ENERGY CONVERSION)	OF SETTLEMENT
FACILITY SITING PERMIT FOR A NATURAL)	STIPULATION AND
GAS PIPELINE TO SUPPORT THE DEER)	GRANTING PERMIT TO
CREEK STATION PROJECT)	CONSTRUCT FACILITIES
)	
)	
)	HP09-002

On July 28, 2009, Basin Electric Power Cooperative, Inc. (Basin) filed a siting permit application with the Public Utilities Commission (Commission) for the Deer Creek energy conversion facility (EL09-015) and a natural gas pipeline to support the Deer Creek facility. Basin is proposing to construct, own, and operate a natural gas pipeline to support a proposed 300-megawatt combined-cycle natural gas energy conversion facility called the Deer Creek Station. The proposed 13.2 mile pipeline route will traverse about 18 sections of land located in Brookings and Deuel counties. The proposed pipeline diameter is 10.75 inches with an operating pressure ranging between 475 – 1,435 pounds per square inch gauge (psig). Construction is proposed to begin in July 2010 with start up in June 2012.

On July 30, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of September 28, 2009, to interested individuals and entities.

On August 11, 2009, at its regularly scheduled meeting, the Commission, pursuant to SDCL 49-41B-12, unanimously voted to assess Basin a filing fee not to exceed \$30,000, with an initial deposit of \$8,000, the minimum fee allowed by law as requested by the Deputy Executive Director. On August 21, 2009, the Commission received a Motion for Extension of Notice, Public Hearing Time Frame and Application for Party Status from Basin. Commission Staff requested a waiver of SDCL 49-41B-15 and 49-41B-16. On August 25, 2009, the Commission voted unanimously to grant the Motion for Extension of Notice, Public Hearing Time Frame and Application for Party Status and to grant a waiver of SDCL 49-41B-15 and 49-41B-16.

On August 31, 2009, the Commission received a Petition for Intervention from Iberdrola Renewables (Iberdrola). On September 8, 2009, the Commission granted intervention to Iberdrola. On September 30, 2009, the Commission received an Application for Party Status from the Brookings County Commission (Brookings). On October 20, 2009, the Commission granted Party Status to Brookings and granted intervention.

On January 19, 2010, Basin filed an Addendum to the Application. On February 5, 2010, a draft environmental impact statement was received from the U.S. Department of Energy. On April 5, 2010, Basin Electric submitted their water permit obtained by the South Dakota Department of Environment and Natural Resources. On May 5, 2010, Basin submitted the Notice for Requirements of Transmission Line Construction. On May 10, 2010, Basin and Staff filed a Joint Motion for Approval of Stipulation and the Stipulation.

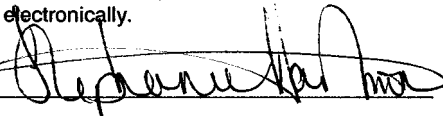
The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, and ARSD Chapter 20:10:22.

At its regularly scheduled meeting of May 18, 2010, the Commission considered this matter. The Commission voted unanimously to grant the Joint Motion for Approval of the Stipulation. By approving the Stipulation, the Commission grants Applicant's application for a permit to construct a natural gas pipeline, 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 Applicant and Commission Staff on May 10, 2010, 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 Application is granted a permit to construct a natural gas pipeline, subject to the Findings of Fact, Conclusions of Law, and Terms and Conditions listed in the Stipulation.

Dated at Pierre, South Dakota, this 16th day of June, 2010.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u></u></p> <p>Date: <u>06/16/10</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:


DUSTIN M. JOHNSON, Chairman


STEVE KOLBECK, Commissioner


GARY HANSON, Commissioner