

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

IN THE MATTER OF THE APPLICATION BY BASIN)
ELECTRIC POWER COOPERATIVE, INC. FOR AN)
ENERGY CONVERSION FACILITY SITING PERMIT)
FOR THE DEER CREEK STATION PROJECT)
COMBINED-CYCLE NATURAL GAS ENERGY)
CONVERSION FACILITY AND ASSOCIATED)
INFRASTRUCTURE, INCLUDING A WATER SUPPLY)
SYSTEM AND ELECTRIC TRANSMISSION SYSTEM)

**ORDER GRANTING REQUEST
FOR RELEASE OF
CONSTRUCTION BONDS**

EL09-015

On July 28, 2009, Basin Electric Power Cooperative, Inc. (Basin) filed an application with the South Dakota Public Utilities Commission (Commission) for an energy conversion facility permit for the Deer Creek Station project located 12 miles northeast of Brookings, South Dakota. The project consists of a 300 net megawatt combined-cycle natural gas conversion facility and associated 1.25 mile water pipeline and 0.75 mile electric transmission line. On June 2, 2010, the Commission issued an Order Granting Joint Motion for Approval of Settlement Stipulation and Granting Permit to Construct Facilities (Order) authorizing the construction of the Project subject to the terms and conditions set forth in the Settlement Stipulation which included the requirement that Basin furnish an indemnity bond in the amount of \$800,000 pursuant to SDCL 49-41B-38 to secure the restoration and repair of damage to roads and other public infrastructure. On June 7, 2010, Basin filed the bond. On September 27, 2012, Basin filed a post-construction road repair and restoration condition compliance report and agreements with the governmental entities having roads affected by construction. On November 14, 2013, Basin filed a letter requesting release of the bond.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-38.

At its regular meeting on November 22, 2013, the Commission considered this matter. Commission Staff recommended approval. The Commission voted unanimously to grant Basin's request for release of construction bond and authorize the Executive Director or General Counsel to execute any necessary release documents to release Travelers Casualty and Surety Company of America Bond No. 105425850. It is therefore

ORDERED, that Basin's request for release of construction bond is hereby granted and the Executive Director or Commission Counsel are authorized to execute any necessary release documents to release Travelers Casualty and Surety Company of America Bond No. 105425850.

Dated at Pierre, South Dakota, this 25th of November, 2013.

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>Joy Lashley</u>
Date: <u>11-25-13</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman
Chris Nelson
CHRIS NELSON, Commissioner
Kristie Fiegen
KRISTIE FIEGEN, Commissioner