

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

**IN THE MATTER OF THE APPLICATION OF)
XCEL ENERGY AND OTTER TAIL POWER)
COMPANY FOR A PERMIT TO CONSTRUCT)
THE BIG STONE SOUTH TO BROOKINGS)
COUNTY 345 KV TRANSMISSION LINE)**

**ORDER ASSESSING
FILING FEE**

EL13-020

On June 3, 2013, Northern States Power Company, a Minnesota Corporation d/b/a Xcel Energy (Xcel) and Otter Tail Power Company (Otter Tail) (Applicants) jointly filed with the South Dakota Public Utilities Commission (Commission) an Application for a Project Permit for the Big Stone South to Brookings County 345 kV Transmission Line Project (Application). The Application requests Commission approval of a permit to construct the approximately 43-mile southern portion of the Big Stone South to Brookings County Substation transmission line in Deuel and Brookings Counties and make modifications to the existing Brookings County Substation (Project).

On June 5, 2013, the Commission issued a Notice of Application; Order for and Notice of Public Input Hearing; Notice of Opportunity to Apply for Party Status. On June 6, 2013, the Commission electronically transmitted notice of the filing and the intervention deadline of August 2, 2013, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. At this time, no petitions to intervene have been filed, and one comment has been filed.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically 49-41B-12, and ARSD Chapter 20:10:22. SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent of the first one hundred million dollars of estimated construction costs of the facility, plus one-twentieth of one percent of the estimated construction costs in excess of one hundred million dollars. The fee is deposited in the Commission's regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing, except that the minimum fee that must be charged in a siting permit case is three thousand dollars (\$3,000).

At its regularly scheduled meeting on July 2, 2013, the Commission considered this matter. Commission staff recommended a filing fee up to the statutory limit of two hundred fifty-four thousand, three hundred sixty dollars (\$254,360) with an initial deposit of eight thousand dollars (\$8,000) in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing and satisfy the minimum fee requirement. The Commission voted unanimously to assess Applicants a filing fee not to exceed the statutory limit of \$254,360, with an initial deposit of the \$8,000 minimum fee required by law, in the Commission's regulatory assessment fee fund.

It is therefore

ORDERED, that Applicants shall be assessed a filing fee up to the statutory limit of \$254,360. It is further

ORDERED, that Applicants shall make an initial deposit in the Commission's regulatory assessment fee fund 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 Executive Director or the Commission's Finance Officer.

Dated at Pierre, South Dakota, this 3 day of July, 2013.

<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>Joy Lashley</u></p> <p>Date: <u>7.3.13</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Ch. Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner