

# AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)

COUNTY OF BROWN)

§

*My Beas* being duly sworn, on his/her oath says: That the AMERICAN NEWS is a daily newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned; That affiant is an employee and principal clerk of said publisher and has personal knowledge of all facts stated in this affidavit; That the advertisement headed:

*Sept 17 1644864*

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof, once each *week* for *2* successive *weeks*

The first publication being made on the *12* day of *Sept*, 2013

The second publication being made on the *15* day of *Sept*, 2013

The third publication being made on the \_\_\_\_\_ day of \_\_\_\_\_, 2013

The fourth publication being made on the \_\_\_\_\_ day of \_\_\_\_\_, 2013

The fifth publication being made on the \_\_\_\_\_ day of \_\_\_\_\_, 2013

The sixth publication being made on the \_\_\_\_\_ day of \_\_\_\_\_, 2013

That said newspaper is a legal newspaper published five days or more each week; with a bona fide circulation of more than two hundred copies daily; published in the English language within the said county of Brown for more than one year prior to the first publication of said notice; and printed in whole in an office maintained at the place of publication of said newspaper; That the whole amount of the fee paid for the publication of the annexed notice is \$ *179.30*, which insures solely to the benefit of said publisher; That no agreement or understanding for a division thereof had been made with any other person; and That no part thereof has been agreed to be paid to any person whomsoever.

Subscribed and sworn to before me this *19* day of *Sept*, 2013

Daily Circulation *13,500*

*Chris Bell* Notary Public, Brown County, SD

My commission expires *March 20, 2019*

(No. 1644864)  
(Sept. 12, 10, 2013 - 21)

## NOTICE OF PUBLIC HEARING Big Stone South to Ellendale 345 KV Transmission Line Project

On August, 23, 2013, jointly Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., a Delaware corporation, and Otter Tail Power Company, a Minnesota corporation, (jointly, the Applicants) filed with the South Dakota Public Utilities Commission (Commission) an Application for a Facility Permit for the Big Stone South to Ellendale 345 KV Transmission Line Project (Application) and a Motion to Schedule Prehearing Conference (Motion). The Application requests Commission approval of a permit to construct a 345 KV transmission line of approximately 150 to 180 miles in South Dakota (Project). The line will cross the South Dakota and North Dakota border in Brown County, South Dakota, and extend south and east through Brown, Day, and Grant counties to the Big Stone South Substation in Grant County, South Dakota, near Big Stone City. Modifications to the project may occur depending on the final route permitted, land rights, and final engineering design. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-28 and 49-41B and ARSD Chapter 20:10-22.

The Commission will hold public input hearings on the Application on Thursday, October 17, 2013:

Hearing 1:  
12:00 pm CDT

Lorhem State University Student Center,  
Continental Rooms  
1200 South Jay Street  
Aberdeen, South Dakota  
(Parking available in the lot  
along Washington Street  
between 12th and 14th Avenues)

Hearing 2:  
7:00 pm CDT

Milbank Visitor Center, Community Room  
1001 East Fourth Avenue  
Milbank, South Dakota

Pursuant to the Americans with Disabilities Act, these hearings will be held in physically accessible locations. If you have an Americans with Disabilities Act accommodation request, please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing.

The purpose of these public input hearings will be to hear public comment regarding the transmission line permit Application and the project. At the hearings, Applicants will present a brief description of the project; following which, interested persons may appear and present their views, comments, and questions regarding the Application. A copy of the Application is on file with the Brown, Day, and Grant County Auditors pursuant to SDCL 49-41B-15(s) and at the Commission's office in Pierre, SD. The Application and all other documents in this case, including detailed map of the project, may be accessed on the Commission's website at [www.puc.sd.gov](http://www.puc.sd.gov) under Commission Actions, Commission Dockets, Electric Dockets, 2013 Electric Dockets, EL 13-028.

Pursuant to SDCL 49-41B-17 and ARSD 20:10-22-40, the parties to this proceeding are currently the Applicants and the Commission. Any person residing in the area of the project; each municipality, county, and governmental agency in the area where the project is proposed to be sited; any non-profit organization formed in whole or in part to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent commercial and industrial groups; or to promote the orderly development of the area in which the project is to be sited; or any interested persons, may be granted party status in this proceeding by making written application to the Commission. Applications for party status will be available at the project input hearings or may be obtained from the Commission's website or by contacting the Commission. Applications for party status must be received by the Commission on or before October 22, 2013.

Following the public input hearings, the Commission may schedule a formal evidentiary hearing conforming to SDCL Chapter 1-16 to consider any issues raised by any intervening party. At such formal hearing, all parties will have the opportunity to appear, present evidence, and cross-examine all other parties' witnesses and exercise all other rights afforded by SDCL Chapters 1-28, 49-1, and 49-41B and ARSD Chapters 20:10-01 and 20:10-22. Including the right of appeal to the courts. Absent a contested issue, the Commission will schedule the matter for decision at the regular or a special meeting of the Commission.

For approval, the Applicants must show that the proposed project will comply with all applicable laws and rules, will not pose a threat or serious injury to the social and environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety or welfare of the inhabitants, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether the permit should be granted, denied, or granted upon such terms, conditions or modifications of the construction, operation or maintenance as the Commission finds appropriate. Published twice at an approximate total cost of \$179.30

001093

# AFFIDAVIT OF PUBLICATION

County of Day  
State of South Dakota, }

John Suhr, of said county and state being duly sworn on oath, says: That the Reporter & Farmer is a legal weekly newspaper of general circulation, and an official newspaper as required by Session Laws of 1893, printed and published in Webster, in said county and state, by the Day County Printing Company and has been such newspaper during the time hereinafter mentioned, that I, John Suhr, the undersigned, am publisher of said newspaper, and have personal knowledge of all facts stated in this affidavit and that the advertisement headed, Public Hearing-transmission line; HDR Engineering, a printed copy of which is hereunto attached, was printed and published in the said newspaper two successive and complete issues as follows:

First Publication	Sept. 9, 2013;
Second Publication	Sept. 16, 2013;
Third Publication	;
Fourth Publication	;
Fifth Publication	;

That the full amount of fees for publication of the annexed notice is \$109.69 and inures solely to the Reporter & Farmer, published by The Day County Printing Company, that no arrangement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid any person whomsoever.

Subscribed and sworn to before me this 16th day of September, 2013.

LeAnn M. Suhr  
Day County South Dakota  
My Commission Expires November 2, 2017  
Notary Public, Day County, South Dakota

## Transmission line hearing

(First Sept. 9)  
NOTICE OF  
PUBLIC HEARING  
Big Stone South to Ellendale  
345 kV Transmission Line  
Project

On August 23, 2013, jointly Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc., a Delaware corporation and Otter Tail Power Company, a Minnesota corporation, jointly the Applicants) filed with the South Dakota Public Utilities Commission (Commission) an Application for a Facility Permit for the Big Stone South to Ellendale 345 kV Transmission Line project (Application) and a Motion to Schedule Prehearing Conference (Motion). The Application requests Commission approval of a permit to construct a 345 kV transmission line of approximately 150 to 160 miles in South Dakota (Project). The line will cross the South Dakota and North Dakota border in Brown County, South Dakota and extend south and east through Brown, Day and Grant counties to the Big Stone South Substation in Grant County, South Dakota, near Big Stone City. Modifications to the project may occur depending on the final route permitted, land rights and final engineering design. The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B and ARSD Chapter 20:10-22.

The Commission will hold public input hearings on the Application on Thursday, October 17, 2013.

Hearing 1:  
12:00 p.m. CDT  
Northern State University  
Student Center Centennial  
Rooms  
1200 South Jay Street  
Aberdeen, South Dakota  
(Parking available in the lot along Washington Street between 12th and 14th Avenues).

Hearing 2:  
7:00 p.m. CDT  
Milbank Visitor Center,

Community Room  
1001 East Fourth Avenue  
Milbank, South Dakota  
Pursuant to the Americans with Disabilities Act, these hearings will be held in physically accessible locations. If you have an Americans with Disabilities Act accommodation request, please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing.

The purpose of these public input hearings will be to hear public comment regarding the transmission line permit Application and the project. At the hearings, Applicants will present a brief description of the project; following which, interested persons may appear and present their views, comments and questions regarding the Application. A copy of the Application is on file with the Brown, Day and Grant County Auditors pursuant to SDCL 49-41B-15(5) and at the Commissioner's office in Pierre, SD. The Application and all other documents in this case, including a detailed map of the project, may be accessed on the commission's website at [www.puc.sd.gov](http://www.puc.sd.gov) under Commission Actions, Commission Dockets, Electric Dockets, 2013 Electric Dockets, EL 13-026.

Pursuant to SDCL 49-41B-17 and ARSD 20:10-22-40, the parties to this proceeding are currently the Applicants and the Commission. Any person residing in the area of the project, each municipality, county and governmental agency in the area where the project is proposed to be sited; any non-profit organization formed in whole or in part to promote conservation or natural beauty; to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the project is to be sited; or any interested persons, may

be granted party status in this proceeding by making written application to the Commission. Applications for party status will be available at the project input hearings or may be obtained from the Commission's website or by contracting the Commission. Applications for party status must be received by the Commission on or before October 22, 2013.

Following the public input hearings, the Commission may schedule a formal evidentiary hearing conforming to SDCL Chapter 1-16 to consider any issues raised by any intervening party, Commission Staff or the Commission itself. At such formal hearing, all parties will have the opportunity to appear, present evidence and cross-examine the other parties' witnesses and exercise all other rights afforded by SDCL Chapters 1-26, 49-1, and 49-41B and ARSD Chapters 20:10-01 and 20:10-22, including the right of appeal to the courts. Absent a contested issue, the Commission will schedule the matter for decision at the regular or a special meeting of the Commission.

For approval, the Applicants must show that the proposed project will comply with all applicable laws and rules, will not pose a threat or serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety or welfare of the inhabitants and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether the permit should be granted, denied or granted upon such terms, conditions or modifications of the construction, operation or maintenance as the Commission finds appropriate.

(Last Sept. 16)





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

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In the Matter of the Transmission Permit for the  
Big Stone South to Ellendale Project

EL13-028

**CERTIFICATE OF SERVICE**

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I, Jason R. Sutton, do hereby certify that I am a member of the law firm of Boyce, Greenfield, Pashby & Welk, LLP, attorneys for Montana-Dakota Utilities Co. and Otter Tail Power Company and that on the 8<sup>th</sup> day of October 2013, a true and correct copy of Affidavits of Publication for Grant, Day and Brown Counties were served via email to the following addresses listed:

Ms. Patricia Van Gerpen  
Executive Director  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501  
[patty.vangerpen@state.sd.us](mailto:patty.vangerpen@state.sd.us)

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Staff Attorney  
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A handwritten signature in black ink, appearing to read 'Tom Welk', written over a horizontal line.

Thomas J. Welk  
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