

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION  
BY SCS CARBON TRANSPORT, LLC  
FOR A PERMIT TO CONSTRUCT A  
CARBON DIOXIDE PIPELINE

HP22-001

OBJECTION TO LANDOWNERS'  
RENEWED MOTION TO DISMISS  
MOTION TO STAY IN THE  
ALTERNATIVE

Comes now, Dakota Ethanol, LLC, Glacial Lakes Energy, LLC, Redfield Energy, LLC, and Ringneck Energy, LLC (hereinafter collectively referred to as "The Ethanol Plants"), by and through their counsel of record, and object to the landowners renewed Motion to Dismiss, Motion to Stay in the Alternative, and ask the Commission to set a procedural schedule in this matter.

For the reasons stated in the June 1, 2022 Response to Landowners' Initial Motion to Dismiss or in the Alternative to Stay the Proceeding, the Ethanol Plants would ask that the Commission again to reject the efforts of the opposition landowners in this docket. The Ethanol Plants would also ask the Commission to set a procedural schedule with a hearing date no later than June 15, 2023 as moved by the Applicant in its Motion filed with the Commission on May 9, 2022.

At the regular Commission hearing of December 20, 2022, the schedule proposed by Commission staff to move this matter forward was rejected by the Commission. The Ethanol Plants would support that schedule as proposed or as modified by the Commission providing a schedule is put forth in short order. Failure to schedule the application for hearing, as is the case with any docketed proceeding, will have the matters between the parties linger rather than move forward. Dates required in a Scheduling Order will allow this matter to move forward, while failure to adopt one that does not address the concerns of the Ethanol Plants or others who support the efforts of the Applicant, advance only the delay sought by the opponents to the project.

Dated this 28<sup>th</sup> day of December, 2022.

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#### CERTIFICATE OF SERVICE

28<sup>th</sup> William M. Van Camp, attorney for the Ethanol Plants hereby certifies on December 28<sup>th</sup>, 2022, he filed and served via electronic means and pursuant to direction from the Commission and true and correct copy of the foregoing in the above-captioned docket to the parties listed on the attached service list via email.

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William M. Van Camp

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