



Staff witnesses to testify beginning on September 19, 2023, and into September 20, 2023. On August 14, 2023, the Commission issued an Order for and Notice of Evidentiary Hearing. On August 21, 2023, the Commission issued an Order for and Notice of Motion Hearing on Less Than 10 Days' Notice. On August 21, 2023, Applicant filed a Motion for Order Preempting County Ordinances. On August 28, 2023, Staff filed a Motion for Time Certain for Evidence on the Issue of County Preemption. On August 28, 2023, Pente Farms, LLC filed a request to withdraw as an intervenor. On August 31, 2023, Minnehaha County filed a Motion to Intervene for Limited Purpose and Motion for Time Certain to Present Evidence on County Preemption. On September 1, 2023, the Commission issued an Order Denying Motion to Return Application; Order Granting Motion to Adopt Substitute Witness Testimony; Order Granting motion for Time Certain for Certain Witnesses.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 15-6, and 49-41B, and ARSD Chapters 20:10:01 and 20:10:22. The Commission may rely upon any or all of these or other laws of this state in making its determination.

On September 6, 2023, at its regularly scheduled meeting, the Commission considered these matters.

With no objection from other Parties, the Commission voted unanimously to grant Pente Farms, LLC's request to withdraw as an intervenor. The Commission then voted unanimously to grant Minnehaha County's Motion to Intervene for Limited Purpose. The Commission then voted to establish September 17, 2023, as the deadline for parties with limited intervention status to file prefiled testimony, witness lists and hearing exhibits. The Commission did not act on the Motion for Time Certain to Present Evidence on County Preemption. It is therefore

ORDERED, that Pente Farms, LLC's request to withdraw as an intervenor is granted. It is further

ORDERED that Minnehaha County's Motion to Intervene for Limited Purpose is granted. It is further

ORDERED that parties with limited intervention status shall file pre-filed testimony, witness lists and hearing exhibits by 5:00 p.m. CDT, September 17, 2023.

Dated at Pierre, South Dakota, this 8<sup>th</sup> day of September 2023.

<b>CERTIFICATE OF SERVICE</b>
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 or by mail.
By: <u><i>Adam Haeder</i></u>
Date: <u>9/8/23</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Gary Hanson*  
GARY HANSON, Commissioner

*Chi Nelson*  
CHRIS NELSON, Commissioner

*Adam Haeder*  
JOSH HAEDER, Acting Commissioner