

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

<b>IN THE MATTER OF THE APPLICATION BY</b>	)	<b>ORDER GRANTING PARTY</b>
<b>SCS CARBON TRANSPORT LLC FOR A</b>	)	<b>STATUS APPLICATIONS</b>
<b>PERMIT TO CONSTRUCT A CARBON</b>	)	
<b>DIOXIDE TRANSMISSION PIPELINE</b>	)	<b>HP22-001</b>

On February 7, 2022, the South Dakota Public Utilities Commission (Commission) received an Application for a Permit to Construct a Carbon Dioxide Transmission Pipeline (Application) from SCS Carbon Transport LLC (Applicant or SCS Carbon), a limited liability company owned by Summit Carbon Solutions, LLC. Applicant proposes to construct and operate a carbon dioxide (CO<sub>2</sub>) transmission pipeline (Project). The Project is approximately 2,000 miles of pipelines for the transportation of CO<sub>2</sub> from more than 30 ethanol plants across 5 states, including 7 ethanol plants in South Dakota, to underground injection control facilities in North Dakota. The proposed route of the main line enters South Dakota in Lincoln County at the Iowa/South Dakota border and extends in a northwesterly direction, exiting the state at the South Dakota/North Dakota border in McPherson County. Major components being built in South Dakota are expected to include 4 pump stations, 16 main line valves, 5 launcher-receiver sites, and approximately 5 miles of access roads as part of the Project. In addition to the main line and other components, the proposed Project includes lateral and trunk lines connecting ethanol plants throughout the eastern part of South Dakota to the main line. The proposed length of pipelines through South Dakota is approximately 469 miles and will cross the counties of Beadle, Brown, Clark, Codington, Edmunds, Hamlin, Hand, Hyde, Kingsbury, Lake, Lincoln, McCook, McPherson, Minnehaha, Miner, Spink, Sully, and Turner. The proposed pump stations are located in Kingsbury, McPherson, Minnehaha, and Spink counties. Applicant estimates the total cost of the proposed Project in South Dakota to be \$785 million.

On February 9, 2022, Vice Chairperson Kristie Fiegen filed a letter delivered to Governor Kristi Noem advising of a conflict of interest under SDCL 49-1-9 after learning of family ownership of land on the proposed Project route. On February 10, 2022, the Commission issued a Notice of Application; Order for and Notice of Public Input Meetings; Notice of Opportunity to Apply for Party Status. Pursuant to ARSD 20:10:22:40, the deadline for persons to file an application for party status is April 8, 2022.

On February 10, 2022, the Commission electronically transmitted notice of the filing and the intervention deadline of April 8, 2022, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On February 16, 2022, Josh Haeder, State Treasurer, was appointed by Governor Noem to serve as an Acting Commissioner in this docket. On February 24, 2022, the Commission issued an Order Assessing a Filing Fee in the amount of \$592,500.

In accordance with SDCL 49-41B-16, the Commission published notice and thereafter held public input meetings in Onida on March 22, 2022, in Sioux Falls on March 23, 2022, in De Smet and Redfield on March 24, 2022, and in Aberdeen on March 25, 2022. Applications for Party Status were received from approximately 375 persons, including units of local government. Briefs responding to the Applications for Party Status were filed by both Commission Staff and SCS Carbon.

On April 8, 2022, Applicant filed a project overview map noting the adoption of alternate routes in Beadle, Edmunds, Lake, Lincoln, McPherson, Minnehaha, and Miner counties.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically 49-41B-17, and ARSD Chapter 20:10:22, specifically 20:10:22:40.

At its regularly scheduled meeting on April 14, 2022, the Commission considered this matter. Finding that all Applicants for Party Status residing within ten miles of the proposed pipeline route had complied with 49-41B-17(4), that those with easements are directly interested, and that all governmental entities that had applied were entitled to party status, the Commission voted unanimously to grant party status to all Applications for Party Status listed in Attachment A to this Order. A decision on the remaining Applications for Party Status was deferred to a later date to allow time for those persons to provide additional information regarding their direct interest in the Project. It is therefore

ORDERED, that the Applications for Party Status is hereby granted to all persons and entities listed in Attachment A to this Order.

Dated at Pierre, South Dakota, this 26th day of April 2022.

<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.
By: <u>Karen E. Cremer</u>
Date: <u>04/26/22</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSIONER:

Chris Nelson

CHRIS NELSON, Commissioner

Gary Hanson

GARY HANSON, Commissioner

Josh Haeder  
JOSH HAEDER, Acting Commissioner