

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

IN THE MATTER OF THE APPLICATION BY)		ORDER GRANTING
SCS CARBON TRANSPORT LLC FOR A)		REQUEST TO WITHDRAW
PERMIT TO CONSTRUCT A CARBON)		PARTY STATUS
DIOXIDE TRANSMISSION PIPELINE)		
)		HP22-001

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), a limited liability company owned by Summit Carbon Solutions, LLC. Applicant proposes to construct and operate a carbon dioxide (CO₂) transmission pipeline (Project). The Project is approximately 2,000 miles of pipelines for the transportation of CO₂ from more than 30 ethanol plants across five states, including seven 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. In addition to the main line, the proposed Project includes lateral and trunk lines connecting ethanol plants to the main line. The proposed length of pipelines through South Dakota is approximately 469 miles and would cross the counties of Beadle, Brown, Clark, Codington, Edmunds, Hamlin, Hand, Hyde, Kingsbury, Lake, Lincoln, McCook, McPherson, Minnehaha, Miner, Spink, Sully, and Turner.

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 was April 8, 2022. On February 16, 2022, Josh Haeder, State Treasurer, was appointed by Governor Noem to serve as an Acting Commissioner in this docket.

On April 26, 2022, the Commission issued an Order Granting Party Status Applications. On May 5, 2022, the Commission issued an Order Granting Party Status; Order Denying Party Status; Order Granting Withdrawal. On May 13, 2022, the Commission issued an Order Granting Party Status; Order Denying Party Status. On July 11, 2022, Intervenor Hand County requested to withdraw as a party. On July 12, 2022, Intervenor Jayne I. and Blaise V. Fogarty requested to withdraw as a party.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 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.

At its regularly scheduled meeting on July 19, 2022, the Commission considered Hand County's and Jayne I. and Blaise V. Fogarty's request to withdraw their party status. The Commission voted unanimously to grant Hand County's and Jayne I. and Blaise V. Fogarty's request to withdraw their party status. It is therefore

ORDERED, that the request of Hand County and Jayne I. and Blaise V. Fogarty to withdraw as a party to this docket is hereby granted.

Dated at Pierre, South Dakota, this 25th day of July 2022.

CERTIFICATE OF SERVICE
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>Harow E. Cremer</u>
Date: <u>07/25/22</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Commissioner

Gary Hanson
GARY HANSON, Commissioner

Josh Haeder
JOSEPH HAEDER, Acting Commissioner