

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION )  
BY SCS CARBON TRANSPORT LLC FOR ) HP 22-001  
A PERMIT TO CONSTRUCT A CARBON )  
DIOXIDE TRANSMISSION PIPELINE ) ANSWERS TO INTERROGATORIES OF  
) SUMMIT CARBON TRANSPORT LLC  
)

TO: The above-entitled SCS Carbon Transport LLC and its attorney of record,  
Cody L. Honeywell and Brett Koenecke, of May, Adam, Gerdes & Thompson  
LLP, of Pierre, South Dakota:

**Comes now** Judy Marx, by and through her attorney of record, Todd D.

Wilkinson of Wilkinson & Schumacher Law Prof. LLC, De Smet, South Dakota, and  
hereby responds to the Interrogatories and Request for Production of Documents .

Petitioners make the following responses to interrogatories pursuant to SDCL  
15-6-33. These responses are made within the scope of SDCL 15-6-26(e) and shall not be  
deemed continuing nor be supplemented except as required by that rule.

**GENERAL OBJECTIONS**

1. Petitioners object to Respondents "Definitions" and "Instructions" to the extent they purport to impose discovery obligations that differ from or exceed the discovery obligations imposed by the South Dakota Rules of Civil Procedure.
2. Petitioners object to the Interrogatories to the extent that they seek information protected by the attorney-client privilege, the work-product privilege, or any other privilege, protection, or immunity applicable under the governing law.
3. Petitioners object to the Interrogatories to the extent that they are overly

broad, unduly burdensome, oppressive, and/or seek information that is not relevant to the issues in this lawsuit or reasonably calculated to lead to the discovery of admissible evidence.

4. These General Objections are made, to the extent applicable, in response to each of the Interrogatories as if the objections were fully set forth therein.

5. Petitioners responded to each of the Interrogatories based upon information and documentation available as of the date hereof and reserve the right to supplement and amend their responses.

### INTERROGATORIES

INTERROGATORY NO. 1: Please state the name of each person answering these interrogatories and include for each person their name, address and contact information.

**ANSWER: Judy Marx of 1831 Toyon Way, Vienna, VA 22812.**

INTERROGATORY NO. 2: Confirm Judy Marx is represented by Todd Wilkinson of the Wilkinson & Schumacher Law Prof., LLC Law Firm and that Judy Marx desires that all correspondence and documents on this matter are sent to Todd Wilkinson.

**ANSWER: Yes.**

INTERROGATORY NO. 3: Do you intend to provide sworn testimony with respect to this matter? If you do intend to provide testimony please state the areas of concern with which you intend to provide that testimony stating with specificity the facts and law on

which you rely for your assertions.

**OBJECTION:** Judy Marx objects to this Interrogatory to the extent it seeks information protected by attorney-client privilege and attorney work product.

**ANSWER:** Without waiving any objection, Judy Marx has not yet determined if she will provide sworn testimony and will supplement this response.

**INTERROGATORY NO. 4:** State whether you object to the Summit Carbon project as proposed in the application on file with the Public Utilities Commission. If you do object, state all your objections. Please do state all terms and conditions upon which your objection could be resolved if any exists. If you require more information on which to base a conclusion, please state what information you require.

**OBJECTION:** Judy Marx objects to this Interrogatory to the extent she lacks sufficient information form which to adequately respond until all documents have been filed.

**INTERROGATORY NO. 5:** Do you intend to provide testimony through an expert witness or a witness other than yourself at the hearing in late 2022 on this matter? If so please detail that person's name, contact information, their qualifications to testify on the subject matter, and the specific subject matter as to which your witness will expect to testify. For each expert provide a resume or curriculum vitae.

**ANSWER:** None.

**INTERROGATORY NO. 6:** Please identify any audio recordings, video recordings, photographs, drawings, charts, maps or any other records in your possession or in existence that is from, include, or feature a Summit Carbon employee or contractor.

a. If identified, please state the name of the person who made or

prepared such recordings or records, the location in which the recording or records took place, and the purpose for which it was made.

b. If identified, please produce the recordings or record.

ANSWER: None.

Dated at this 2<sup>nd</sup> day of September, 2022.

Judy Marx  
Judy Marx

State of Virginia )  
: ss  
County of Fairfax )

I, Judy Marx, being first duly sworn, do depose and state that I have read the foregoing Answers to Summit Carbon Transport LLC's Interrogatories and my answers thereto, subject to inadvertent or undiscovered errors, are based on and are therefore necessarily limited by the record and information still in existence, presently recollecting and thus far discovered in the course of the preparation of these answers; that consequently she reserves the right to make any changes in the answers if it appears at any time that omissions or errors have been made in those answers or that more accurate information is available; that subject to those limitations, the answers are true to the best of her knowledge, information and belief.



Judy Marx  
Judy Marx

subscribed and sworn to before me this 2<sup>nd</sup> day of September, 2022.

[Signature]  
Notary Public,

My Commission Expires: 04/30/2022