



Chris Nelson, Chairman
Kristie Fiegen, Vice Chairperson
Gary Hanson, Commissioner

South Dakota

PUBLIC UTILITIES COMMISSION

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February 9, 2022

The Honorable Kristi Noem
Governor of South Dakota
Office of the Governor
500 E. Capitol Ave.
Pierre, SD 57501

RE: SDCL 49-1-9 Notification of Conflict of Interest

Dear Governor Noem:

Currently pending before the Public Utilities Commission is Docket HP22-001, In the Matter of the Application by SCS Carbon Transport LLC for a Permit to Construct a Carbon Dioxide Transmission Pipeline. In this docket, SCS Carbon Transport LLC has applied for a facility permit 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 pipelines cross 18 counties in South Dakota.

I have recently been informed that the proposed pipelines would cross land owned by my sister-in-law (my husband's sister) and her husband. This route is similar to the route in Docket HP14-002 in which I also disqualified myself due to the same conflict of interest as in this docket. Pursuant to SDCL 49-1-9, a Public Utilities Commissioner may not participate in a proceeding in which the Commissioner has a conflict of interest. Given this familial relationship, I am regretfully disqualifying myself from participating in this proceeding.

As required by SDCL 49-1-9, I hereby certify that I am disqualifying myself from participating in this docket and request that you appoint an elected constitutional officer, other than the attorney general, as a member of the Commission in my place. In order to give notice of my disqualification, I am filing this letter in Docket HP22-001.

Thank you for your attention to this matter.

Sincerely,

Kristie Fiegen
Vice Chairperson, Public Utilities Commission