

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
BY SCS CARBON TRANSPORT LLC
FOR A PERMIT TO CONSTRUCT A
CARBON DIOXIDE PIPELINE

HP22-001

**APPLICANT'S OBJECTION TO
LANDOWNERS' MOTION FOR TIME
CERTAIN**

COMES NOW, the Applicant, by and through its attorneys, and objects to Landowners' Motion for Time Certain.

Applicant is the Petitioner and has the burden of proof in this matter. Because of that, Applicant has the right to present the entirety of its case-in-chief before any other party can present evidence or call witnesses. Landowners do not rely on any authority to make their request and possibly interrupt Applicant's case-in-chief. Therefore, Applicant objects to the Commission ordering a time certain for any parties' witnesses where testimony could occur before Applicant's case-in-chief is complete.

Applicant believes its case-in-chief will be completed on or by September 18, 2023. The Commission has already granted a motion for time certain for Staff's witnesses to appear on September 19 and September 20, 2023. Because of that, Applicant would not object to Landowner witnesses being granted a time certain on or after September 21, 2023.

The Applicant respectfully requests the Commission deny Landowners' Motion for Time Certain.

Dated this 24th day of August, 2023.

MAY, ADAM, GERDES & THOMPSON LLP

BY: 

BRETT KOENECKE

CODY L. HONEYWELL

AARON SCHEIBE

Attorneys for SCS Carbon Transport LLC

503 South Pierre Street; P.O. Box 160

Pierre, South Dakota 57501-0160

Telephone: (605) 224-8803

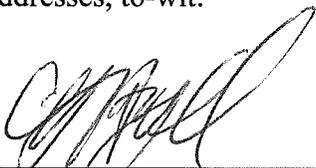
brett@mayadam.net

cody@mayadam.net

aaron@mayadam.net

CERTIFICATE OF SERVICE

Cody L. Honeywell, of May, Adam, Gerdes & Thompson LLP hereby certifies that on this 24th day of August, 2023, he served a true and correct copy of the foregoing in the above-captioned matter via the South Dakota Public Utilities Commission filing system and via electronic and/or United States mail, first class postage thereon prepaid, to the service list of PUC Docket HP22-001, at their last known addresses, to-wit:



CODY L. HONEYWELL

VIA USPS mail, first class postage:

Lonnie Kramer
25770 460th Ave.
Humboldt, SD 57035

Lowell & Joyce Grave
46182 265th St.
Hartford, SD 57033

Marilyn D. Nelson
10339 368th Ave.
Forbes, ND 58439

Jenny Anliker
36829 101st St
Forbes, ND 58439

VIA E-mail:

South Dakota Public Utilities Commission

Ms. Patricia Van Gerpen, Executive Director
patty.vangerpen@state.sd.us

Ms. Kristen Edwards, Staff Attorney
Kristen.edwards@state.sd.us

Mr. Darren Kearney, Staff Analyst
darren.kearney@state.sd.us

Mr. Jon Thurber, Staff Analyst
jon.thurber@state.sd.us

SCS Carbon Transport LLC

Mr. James Powell, Chief Operating Officer
Jpowell@summitcarbon.com

Mr. Jess Vilsack, General Counsel
jvilsack@summitcarbon.com

Mr. Erik Schovanec, Director-Pipeline and Facilities
eschovanec@summitcarbon.com

Ms. Cindy Tassi, Senior Executive Assistant
ctassi@summitcarbon.com

Mr. John Satterfield, Director of Regulatory Affairs & ESG Environmental
jsatterfield@summitcarbon.com

Ms. Valerie Wilson, Director, Federal Regulatory Affairs
vwilson@summitcarbon.com

Parties

Aaron Kappes, aaronkappes@gmail.com

Adam, Dan, & Cheryl Prunty, pruntyfarms@hotmail.com
Charles David Prunty Jr. Trust
Cheryl Prunty Trust
Dorthea Prunty Trust
Prunty Farms Family Limited Partnership II

Alderson Family Trust, Joyce Alderson, joycealderson@yahoo.com

Alfred D. Slaathaug al_evie@outlook.com

Alicia Lambert, alambert2019@yahoo.com

Alvine Family Limited Partnership, Frank G. Alvine, frankalvine@gmail.com

Amanda J. Torkelson (Hagemann), mandihagemann@hotmail.com

Andreessen Family Farms, LLC
Gregory Hilt, ghilt1972@gmail.com
Laurie Kunzelman, kunzelml@gmail.com
Linette Steinmetz, linette.steinmetz@gmail.com
Troy Hilt, thilt@wsbks.com

Audrey Johnson, audreyjo83@hotmail.com

Aunt T's Ques Wayside Shoppe, Robert W. Dean, hartfordstuff@peoplepc.com

Austin Gross, grossfarms04@gmail.com

Becker Dream Hunt LLC, Dawn D. Waldner, fishingwaldners@gmail.com

Big Sioux Community Water System Inc., Jodi Johanson, jodi@bigsiouxews.com

Brian Alderson, balderso76@gmail.com

Brown County, South Dakota, Duane Sutton, duane.sutton@browncounty.sd.gov

Cassandra Hinz, cassandraj.hinz@gmail.com

Chris and ReEtta Sieh, rrsieh@valleytel.net

Christine and Gailen G. Hauck, ckhauck411@gmail.com

City of Carthage, South Dakota, David Hattervig, Mayor, carthagecity@alliancecom.net

City of Hartford

Teresa Sidel, City Administrator, cityhall@hartfordsd.us

Thomas H. Frieberg, Frieberg, Nelson & Ask, LLP, tfrieberg@frieberglaw.com

City of Leola, Royce Erdmann, Mayor, leola@valleytel.net

City of Tea, South Dakota, Dan Zulkosky, City Administrator, dzulkosky@iw.net

Clark County, South Dakota, Chad Fjelland, State's Attorney
christine.tarbox@state.sd.us

Clear Lake Township, donaldsieverding@yahoo.com

Craig R. Basler, clbasler@itctel.com

Dale Bonnema, Dale Bonnema, Trustee, bonnema@midco.net

Darlene Kutzler, bdkutzler@gmail.com

David Johnson Farm, davidj@alliancecom.net

Deana Larson, tdlarson@unitelsd.com

DEH III, LLC, William G. Haugen, wh401889@hotmail.com

Dennis Kapperman, kappermancm@aol.com

Dewayne L. Siebrasse, cattlecents@gmail.com

Dustin Leiseth, leisethdpl@hotmail.com

East Dakota Water Development District, Jay P. Gilbertson, edwdd@brookings.net

Edmunds County, South Dakota, Vaughn P. Beck, State's Attorney
becklaw@midconetwork.com

Edna and Richard Haase, richardhaase@unitelsd.com

Erdmann Angus Ranch by Anne Jo Erdmann, erdmannangus@valleytel.net

Erin Alderson, bealdersons@gmail.com

FEM Electric Association, Inc., Scott Moore, moore@femelectric.coop

Gail Marx Eberlein and Judy Marx, todd@wslawfirm.net

Gary Fossum and Lori Pick, ga.fossum@hotmail.com

GayLynn G. Pitts-Hagemann, gaylynn.hagemann@gmail.com

George H. Weisser, gweisser@valleytel.net

Gerald D. Kutzler Trust, Kristi Lewis, eklewis@goldenwest.net

Great Plains' Laborers' District Council, Tony Penn, gpldc@aol.com

H&H Farms, LLP, Jeff Hedges jjh@abe.midco.net

Hagemann Red Angus, Zachary R. and Amanda Torkelson, torkelson2010@hotmail.com

Hamlin County, dixie.opdahl@state.sd.us

Hartford Area Fire & Rescue, Matt Horn, ffemshart@unitelsd.com

Helen Schmidt, helenmaryschmidt@hotmail.com

Helen Short, hshort57@gmail.com

Highmore Fire Department, Matt Kutz (Fire Chief), highmorefd@venturecomm.net

Hoffman Township, Gary Hoffman, Chaiman, sfeickert@valleytel.net

Launa Feickert

Sid Feickert

Humboldt Fire & Ambulance, Tim Evan, Fire Chief, humfireamb@midconetwork.com

Humboldt Natural Gas Utility, Kristie Ellis cityhall@humboldtsd.org

Town of Humboldt

Humboldt Township, Steve Lias, stevenplias@gmail.com

Hyde County, South Dakota, Robert Bawdon, Chairman, hydeaud@venturecomm.net

International Union of Operating Engineers, Local 49, Nathaniel J. Runke
nrunke@local49.org

Jami Wolf jwolf@itctel.com

Jana and Michael W. Miles, jmiles@siouxvalley.net

Jarret Haven, jarret.haven@gmail.com

Jarrood Haven, jthaven@nvc.net

Jason Boll, jboll83@gmail.com

Jason Fauth, jrfauth@valleytel.net

Jason Van Den Top, topfarms@svtv.com
Jason & Jaci Family Trust
Van Den Top Trust

Jean Donahue, sjdonahue@hotmail.com

Jeanne Ellen Liming, limingje@gmail.com

Jed Anliker, jed_anliker@hotmail.com

Jervin E. and Carrol M. Wait, jervinanddolly@live.com

John J. Bender, jjbender929@yahoo.com

Jolene A. Johnson Revocable Trust, Jolene Johnson, earthworm43sd@hotmail.com

Joseph Dean Anderson, anderson_jdsa@hotmail.com

Josh Miller, millermotorsportsllc@gmail.com

Joyce J. Grenz, djgrenz@nvc.net

JP Logan Farm Partnership, Patricia M. Logan, patty57104@midco.net

Kenneth and Lois Campbell, camplois@hotmail.com

Kent and Lynnae Redenius, klreden@siouxvalley.net

Kevin Johnson, heykevinj@hotmail.com

Kevin Rath, kevinrath62@gmail.com

Kingbrook Rural Water System, Inc.

Office - office@kingbrookruralwater.com

Heath Thompson, G.M. heath@kingbrookruralwater.com

Kingsbury County, South Dakota, Gary W. Schumacher, State's Attorney

kingsburycountysa@wslawfirm.net

Kristie J. Morrison, kristie57456@gmail.com

Kyle Grace, kgrace2434@gmail.com

L Bar, Inc., Linda J. and Reubin M. Bartels, ljbr@goldenwest.net

Laborers International Union of North America, May Va Lor, mlor@liuna.org

Lake County, South Dakota, lakegovt@lake.sd.gov

Kelli Wollmann, Chair, kelli.wollmann@lake.sd.gov

Lamont Enterprises LP, Gary DeVries, gary@lamontenterprises.biz

Lance Feickert, lancefeickert@hotmail.com

Larry Nickelson, lbnick@venturecomm.net

Laura Anderson, andfamily@venturecomm.net

Leola Ambulance Service, tzantow@valleytel.net

McPherson County Soil District

Trevor and Kristy Zantow

Leola School District/Board, ReEtta Sieh, reetta.sieh@k12.sd.us

Leola Volunteer Fire Department, Doug Hatlewick, Fire Chief

leolafire2016@gmail.com

Lewis & Clark Regional Water System, Troy Larson, tlarson@lcrws.org

Lincoln County, South Dakota, Tiffani Landeen, auditor@lincolncountysd.org

Linda Boll, bollranch4@gmail.com

Linda Dansman-Nichols, ldansmannichols@gmail.com

Linda and Nick Grace, gracel-58@hotmail.com
Nick Grace & Linda Grace Living Trust

Linda L. Christensen, lindaandbobc@gmail.com
Linda L. Christensen Trust
Robert M. Christensen Trust

Lisa M. Logan, lischad96@gmail.com

Lowell Huls Estate
Gail Hoefert, Representative, khoefert@hotmail.com
Patricia Beckman, pat.beckman08@gmail.com

Marcus Rath, marcusrath@icloud.com

Mark & Mary Margaret Mack Trust, Karen (Mack) Jones, dmjones1941@outlook.com

Mark and Brad Bonnema, bonnemamark@gmail.com

Mark Harden, mlharden7474@gmail.com

Marlene Kay Gannon, marschickens@icloud.com

Mary Miller machmi@hotmail.com

Mary Schmidt, mjschmidtski@yahoo.com

Matthew Husman, husmann@hotmail.com

McCook County Commission, Geralyn Sherman, Auditor, mccookaud@triotel.net

McPherson County, South Dakota, Austin B. Hoffman, State's Attorney
austinhoffman@valleytel.net

Mellette Township, Mark Fischbach, Clerk, mfisch@nvc.net

Melvin and Marian Kallas, mzkoutdoors22@gmail.com

Michael Fischbach, mbcfisch@nvc.net

Michelle Jensen, drvetmike@yahoo.com

Mike Mardian, mike_mardian@hotmail.com

Miner County, South Dakota, Alex Protsch, Chairman, minerauditor@minercountysd.org

Minnehaha Conservation District, John Parker (Manager), john.d.parker@sd.nacdnet.net

Myron and Sheila Fauth smfauth@valleytel.net

Nadine Grace, ngrace914@gmail.com

Noreen Nickelson, noreen@venturecomm.net

Patricia K. Deeg Trust, Patricia Deeg, kdwommack@gmail.com

Paul Leiseth, leisethp@itctel.com

Pente Farms, LLC, Bret Merkle, bret@merklelaw.com

Philip Morrison philfly2@gmail.com

Rebecca Melland, rebecca.melland@outlook.com

Red Rock Township Board, James E. Andersen, Clerk, jmjandersen@yahoo.com

Rene' and Steve Helfenstein, sh5875@comcast.net

Richard Lee Cahill, dsacahill@kc.surewest.net

Richard Stolp and Patricia Stolp Living Trust, Patricia R. Stolp, s2740@hotmail.com

Robert and Debora Ross, dross@nrctv.com

Rodney and Sherrie Miles, rod8792@hotmail.com

Roger and Elizabeth Meyer, r.meyer@midco.net

Sandra Dean, atq@goldenwest.net

Scott and Sarah Siemonsma, sarahprunty@hotmail.com

Shari Heiden, shariheidenspronk@gmail.com

Signe Andenas Bobbitt Trust, Bruce L. and Signe A. Bobbitt, signe@comcast.net

Sioux Rural Water System Inc., Heath Thompson, manager@siouxruralwater.com

Skelton Family, Troy Skelton, troy_skelton@hotmail.com

SD Conference of Methodist Churches, Jeff Pospisil, finance@dakotasumc.org

SD Telecommunications Association, Kara Semmler, karasemmler@sdaonline.com

Spink County, South Dakota, Victor B. Fischbach, State's Attorney, vfischbach@nvc.net

Thomas R. Huls, tomhuls@icloud.com

Thomas Spisak, PE, tom_spisak@hotmail.com

Tim Basler, lbasler59@yahoo.com

Todd Obele, tgobele@hotmail.com

Tom Shumaker, ltleshuz@goldenwest.net

Traci Kappes, tekappes@gmail.com

Turner County Commission, Mick Miller, mickmick60@yahoo.com

Valley Springs Township, Jon Beal, Chairman, jon_beal@budsiouxfalls.com

Wayne Borge, cat_rider@nvc.net

WEB Water Development Association, Inc., Angie Hammrich, General Manager
ahammrich@webwater.org

Wild Water West Waterpark, Frank G. Alvine, fran@wildwaterwest.com

Zetterlund and Sons Inc., Gordon Zetterlund, President, 2gntzland@valleytel.net

Darla Pollman Rogers; Ellie Bailey, Riter Rogers, LLP
dprogers@riterlaw.com; e.bailey@riterlaw.com

*Representing: South Dakota Association of Rural Water System (SDARWS), South Dakota Rural
Electric Association (SDREA)*

William M. Van Camp, Olinger Law Firm, bvancamp@olingerlaw.net

*Representing: Dakota Ethanol, LLC, Glacial Lakes Energy, LLC, Redfield Energy, LLC, Ringneck
Energy, LLC*

John P. Peterson, Peterson Law Office, peteronlaw@midconetwork.com

Representing: Dakota Aeration, Inc.; Dwayne Pederson Land Co., LLC; KKKP, LLP; Pederson Ag, LLC; Sherwood Beck

Brian E. Jorde; Ryan D. Cwach, Domina Law Group

bjorde@dominalaw.com; ryan@birmcwachlaw.com;

SDCO2@dominalaw.com; jcuster@dominalaw.com

Representing: Aaron Johnson, Alden J. Flakoll, Ann Cowart, Anna Rentschler, Arlene Wolff, Arnold Erickson, B&L Fischbach Farms, Becky Michaelsohn, Belle Plaine Hutterian Brethren, INC., Bennett DeJong, Betty J. Strom, Revocable Living Trust, Brad Fischbach, Brady Weiszhaar, Breanne Kraft, Brenda Lanz, Brent Neiger, Brian Butzer, Brian Hoffman, Brian Wiedebush, Bruce Mack, Bruce McCloud, Carol Hoines, Charles Schaunaman, Charlie Johnson, Clayton Rentschler, Colin Hoffman, Craig Schaunaman, Cynthia Schock, Daniel J. Nelson, David Melland, David Rath, David Vinzant, Delye Schock, Dennis Haselhorst, Dennis Wolff, Derald Mack, Derek Deraad, Diana M. Nelson, Dianna Shafer, Diane Boekelheide, Dixie Melland, Don Cowart, Don Schaunaman Estate, Donna Rozell, Doug Braun, Douglas Schaefer, Duane Klipfel, Dwayne Hofer Corporation, Edna A. Brown Grantor Trust, Edwin Fischbach, EE Wiedebush Legacy Trust, Evelyn Schuer Living Trust, Fischbach Real Estate LP, Francoli Family Limited Partnership, Galen Ver Steeg Revocable Trust, Galen Ver Steeg, Trustee, Gary Schauer, Gene Knoll, Geraldine Schauer, Heartland Acres, LLC, Henry Dansman, Hillside Hutterian Brethren, INC., Holly Lapka, Hugh Dahme, J and S Partnership, Jackie Leibel, Jared Bossly, Jay Poindexter, Jason Schaefer, Jean Haselhorst, Jeff Neiger, Jeff Rechtenbaugh, Jeff Waltman, Jennifer Poindexter-Runge, Jeremy Braun, Jerome Hoffman, Jessica Henjum, Jim Schauer, Joan Weiszhaar, JoAnn Schaefer, Jodi Waltman, Joell Fischbach, John Francoli, John Graham Hubenthal, John Jung, John Schaefer, John Schutte, Joy Hohn, Joy Nelson, Joyce Dahme, Judy Weiszhaar, June Thompson, Karen Dahme, Karen Wiedebush, Karla Sollie, Kathy Fischbach, Kay Burkhart, Kay Lapka, Kelly Lambert, Ken Olson Trust 2010, Kenneth Shafer, Ketterling Farm, LLC, Kevin Hofer, Kevin Lapka, Kim Hoffman, Kirk Schaunaman, Kirstin Johnson, Lance Fischbach, Lapka Farms, Leo Vilhauer, Leonard Sollie, LeRoy Braun, Leroy Weiszhaar, Linda Rippentrop, Linda Schauer, Lloyd Schaunaman, Loren Waldner, Luella DeJong, Margaret Ellett, Margaret Wince, Marilyn Cowhick, Mark Boekelheide, Mark Bossly, Mark Braun, Mark Brown, Mark Hoffman, Mark Javers, Mark Lapka, Mark Thompson, Mark Vossler, Marlyn Francoli, Marsha Vossler, Marty Francoli, Marty Hofer, Mary Beth Hoffman, Mary Schaunaman, Melissa Schutte, Michael Klipfel, Mike Lambert, Monica Meyer, Myron O. Hammer Credit Shelter Testamentary Trust, Nathan Spilde, Nelson Living Trust, Nicole Henjum, Olson Family Trust 2019, Orrin Geide, P Spear Ranch, Paul Fischbach, Paul Fischbach Real Estate Limited Partnership, Paul Harms, Paula Spilde, Peter Helfenstein, Jr., Philip Overby, Quinton Wolff, Raquel Meidinger, ReEtta Rott-Sieh, Rick Hofer, Rita D. Brown, Robert Fischbach, Robert Schaefer, Rod Hohn, Roger Feickert, RoSchell Vinzant, Rott Farms, Inc., Roxanne Olson, Ruben Glanzer, Ruthie Vilhauer, Ryan Spilde, Sam Schauer, Scott A. Rozell, Scott Francoli, Scott Schauer, Seth Klipfel, Shafer Real Estate Limited Partnership, Shantel Schumack, Simon Schaefer, Spilde Farms, Stephanie Jung, Steve Schauer, Sue Neiger, Tammy Ford, Terrance M. Hoban, Terry Spilde, Thomas Klipfel, Todd Rozell, Tyler Braun, Valerie Rath, Verlyn Rentschler, Vilhauer Land Limited Partnership, Wade Weiszhaar, Waltman Land & Cattle Company, Wayne Breitag, Wiedebush Farms, Wilma J. Flakoll, Aaron Olson, Bryce Neiger, Chad Weiszhaar, Daryl Nelson, Joan Nelson, Joan Weiszhaar, Leroy Weiszhaar, Matthew DeMent, Matthew Schaefer, Paula Bell, Rick Bonander, Bernie, LLC, C & K Farm, James Fischbach, Ed and Cathy Frericks, Ronald Geffre, Haselhorst Milton and Rhonda Revocable Trust, Ethan Javers, Curtis, Arlene, and Carlton Job, William Kerker, Nancy Klipfel, Ruth Kline, Charles and Rosemary Martinmaas, Freddie and Bonnie Robinson, Peggy and Ronnie Schumack, Brian Shafer, James and Alta Smith, Katie Weiszhaar, Tiffany Weiszhaar