

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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

**HP22-001**  
**MOTION FOR A DEFINITIVE DATE FOR  
FINAL DECISION AND ORDER**

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COMES NOW, the Applicant, by and through its counsel of record, and moves the Commission for an amendment to the Scheduling Order providing for a definitive date post-evidentiary hearing whereby the Commission will render its final decision and order in the above-captioned matter.

At its January 5, 2023 meeting, the Commission set a procedural schedule culminating in an evidentiary hearing September 11-22, 2023, with September 25-29, 2023 reserved for hearing overflow if needed. Applicant, in its January 3, 2023 letter from counsel and again at the Commission's January 5 meeting, advised the Commission of the many practical and commercial difficulties any schedule with a final permit date after June 15, 2023 creates for its business, as well as South Dakota communities. Applicant submits that without setting a more definitive date post-evidentiary hearing by which the Commission will take final action, the Commission's current Scheduling Order will create significant and unnecessary commercial risk for Applicant's business, in addition to leaving open the possibility of calculated post-hearing delay by one or more parties to the docket.

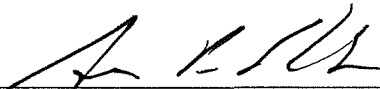
As such, Applicant moves the Commission for an order providing that a Final Decision and Order in the docket will be entered no later than Wednesday, November 15, 2023. This date is 47 days after September 29, the final overflow hearing date. Such date is also five months after Applicant's proposed date in its Motion to Extend Deadline to June 15, 2023 and is nearly

two full years (646 days) after Applicant filed its application in this matter. Applicant submits that concluding the Commission's review by the above-proposed date provides ample opportunity for all parties to conduct discovery, develop the record, and inform the Commission's deliberations, all while still allowing sufficient time to prepare a final decision and order in this matter.

For the reasons outlined above, Applicant moves the Commission for an order requiring a Final Decision and Order be entered in the docket no later than Wednesday, November 15, 2023.

Dated this 15<sup>th</sup> day of January, 2023.

MAY, ADAM, GERDES & THOMPSON LLP

BY:   
BRET KOENECKE  
AARON P. SCHEIBE  
CODY L. HONEYWELL  
*Attorneys for SCS Carbon Transport LLC*  
503 South Pierre Street  
P.O. Box 160  
Pierre, South Dakota 57501-0160  
Telephone: (605) 224-8803  
Telefax: (605) 224-6289  
[brett@mayadam.net](mailto:brett@mayadam.net)  
[aaron@mayadam.net](mailto:aaron@mayadam.net)  
[cody@mayadam.net](mailto:cody@mayadam.net)

### CERTIFICATE OF SERVICE

On the 15<sup>th</sup> day of January, 2023, Aaron P. Scheibe of May, Adam, Gerdes & Thompson LLP, electronically filed and served through the PUC filing system and/or through United States mail, first class postage thereon prepaid, a true and correct copy of the foregoing in the above-captioned matter to the following at their last known address, to-wit:

  
AARON P. SCHEIBE

**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

Melvin & Marian Kallas  
36740 117th St  
Wetonka, SD 57481

Van Den Top Trust  
Gerrit Van Den Top  
111 W 17th St, Apt #400  
Sioux Falls, SD 57104

**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

Mr. Christopher Hill, PE, PhD, Director-Environmental and Permitting  
chill@summitcarbon.com

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

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

Parties

Aaron Kappes, aaronkappes@gmail.com

Adam Prunty & Dan 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, Laurie Kunzelman, kunzelml@gmail.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@bigsiouxaws.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 Hauck & Gailen G. Hauck, ckhauck411@gmail.com

City of Carhage, South Dakota, David Hattervig, Mayor, carhagecity@alliancecom.net

City of Hartford, Teresa Sidel, City Administrator, cityhall@hartfordsd.us

Thomas H. Frieberg, Attorney, Frieberg, Nelson & Ask, LLP, tfrieberg@frieberglaw.com  
Representing: City of Hartford

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

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 Haase & 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 & Judy Marx, todd@wslawfirm.net

Gary Fossum & 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

Gregory Hilt, Andreessen Family Farms, LLC, ghilt1972@gmail.com

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

Hagemann Red Angus & Zachary R. 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

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

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

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 Miles & Michael W. Miles, jmiles@siouxvalley.net

Jarret Haven, jarret.haven@gmail.com

Jarrod Haven, jthaven@nvc.net

Jason Boll, Jboll83@gmail.com

Jason Fauth, jrfauth@valleytel.net

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

Jean Donahue, sjdonahue@hotmail.com

Jeanne Ellen Liming, limingje@gmail.com

Jed Anliker, jed\_anliker@hotmail.com

South Dakota Conference of Methodist Churches, finance@dakotasumc.org

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

Jody L. Eli-Ackerman, jodyeliackerman@gmail.com

John J. Bender, jjbender929@yahoo.com

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

Joseph Dean Anderson, anderson\_jdsa@hotmail.com

Josh Miller, millermotorsportsllc@gmail.com

Joyce J. Grenz, djgrenz@nvc.net

Kenneth and Lois Campbell, camplois@hotmail.com

Kent Redenius & Lynnae Redenius, klreden@siouxvalley.net

Kevin Johnson, heykevinj@hotmail.com

Kevin Rath kevinrath62@gmail.com

Kingbrook Rural Water System, Inc., office@kingbrookruralwater.com

Kingbrook Rural Water System, Inc., heath@kingbrookruralwater.com

Kingsbury County, South Dakota, Gary W. Schumacher, State's Attorney  
kingsburycountysa@wslawfirm.net

Kristie J. Morrison, Kristie57456@gmail.com

Kristy and Trevor Zantow, tzantow@valleytel.net  
Leola Ambulance Service  
McPherson County Soil District

Kyle Grace, kgrace2434@gmail.com

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

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

Lake County, South Dakota, Kelli Wollmann, Chair  
lakegovt@lake.sd.gov & 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

Laura and Sid Feickert, sfeickert@valleytel.net

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](mailto:tlarson@lcrws.org)

Linda Boll, [bollranch4@gmail.com](mailto:bollranch4@gmail.com)

Lincoln County, South Dakota, Tiffani Landeen, [auditor@lincolncountysd.org](mailto:auditor@lincolncountysd.org)

Linda L. Christensen, [lindaandbobc@gmail.com](mailto:lindaandbobc@gmail.com)

Linda L. Christensen Trust

Robert M. Christensen Trust

Linda Dansman-Nichols, [ldansmannichols@gmail.com](mailto:ldansmannichols@gmail.com)

Linda Grace & Nick Grace, [gracel-58@hotmail.com](mailto:gracel-58@hotmail.com)

Nick Grace & Linda Grace Living Trust

Linette Steinmetz, Andreessen Family Farms, LLC, [linette.steinmetz@gmail.com](mailto:linette.steinmetz@gmail.com)

Lisa M. Logan, [lischad96@gmail.com](mailto:lischad96@gmail.com)

Lowell Huls Estate, Gail Hoefert, Representative, [khoefert@hotmail.com](mailto:khoefert@hotmail.com)

Marcus Rath, [marcusrath@icloud.com](mailto:marcusrath@icloud.com)

Mark and Brad Bonnema, [bonnemamark@gmail.com](mailto:bonnemamark@gmail.com)

Mark Harden, [mlharden7474@gmail.com](mailto:mlharden7474@gmail.com)

Mark & Mary Margaret Mack Trust, Karen (Mack) Jones, [Dmjones1941@outlook.com](mailto:Dmjones1941@outlook.com)

Marlene Kay Gannon, [marschickens@icloud.com](mailto:marschickens@icloud.com)

Mary Miller [machmi@hotmail.com](mailto:machmi@hotmail.com)

Mary Schmidt, [mjschmidt@dedicatedmed.com](mailto:mjschmidt@dedicatedmed.com)

Matthew Husman, [husmann@hotmail.com](mailto:husmann@hotmail.com)

McCook County Commission, Geralyn Sherman, County Auditor  
[mccookaud@triotel.net](mailto:mccookaud@triotel.net)

McPherson County, South Dakota, Austin B. Hoffman, State's Attorney  
[austinhoffman@valleytel.net](mailto:austinhoffman@valleytel.net)

Mellette Township, Mark Fischbach, Clerk, [mfisch@nvc.net](mailto:mfisch@nvc.net)

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 Beckman, Lowell Huls Estate, pat.beckman08@gmail.com

Patricia K. Deeg Trust, kdwommack@gmail.com

Patricia M. Logan, JP Logan Farm Partnership, Patty57104@midco.net

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, jmjnandersen@yahoo.com

Rene' Helfenstein & 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

Sherwood Beek, Agroman02@aol.com

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

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

South Dakota Telecommunications Association, Kara Semmler, General Counsel  
karasemmler@sdtanline.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

Troy Hilt, Andreessen Family Farms, LLC, thilt@wsbks.com

Troy Skelton - Skelton Family, troy\_skelton@hotmail.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, fran@wildwaterwest.com

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

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

Darla Pollman Rogers, Attorney, Riter Rogers, LLP, [dprogers@riterlaw.com](mailto:dprogers@riterlaw.com)  
Representing: South Dakota Association of Rural Water System, South Dakota Rural Electric Association

Ellie Bailey, Attorney, Riter Rogers, LLP, [e.bailey@riterlaw.com](mailto:e.bailey@riterlaw.com)  
Representing: South Dakota Association of Rural Water Systems (SDARWS), South Dakota Electric Association (SDREA)

William M. Van Camp, Olinger Law Firm, [bvancamp@olingerlaw.net](mailto:bvancamp@olingerlaw.net)  
Representing: Dakota Ethanol, LLC, Glacial Lakes Energy, LLC, Redfield Energy, LLC, Ringneck Energy, LLC

John P. Peterson, Peterson Law Office, [peterstonlaw@midconetwork.com](mailto:peterstonlaw@midconetwork.com)  
Representing: Dakota Aeration, Inc.; Dwayne Pederson Land Co., LLC; KKKP, LLP; Pederson Ag, LLC

Brian E. Jorde, Attorney, Domina Law Group, [bjorde@dominalaw.com](mailto:bjorde@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, Delyle 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 Vilhaue, 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