

**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 Transmission  
Pipeline**

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**APPLICATION FOR  
PARTY STATUS**

**HP22-001**

Tony Penn (on behalf of Great Plains' Laborers' District Council)

(Name of Applicant, this will be the person or entity named as a party)

petitions the Public Utilities Commission to be granted party status in the above-referenced facility permit proceeding.  
Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40

Briefly explain your interest in this permit proceeding. Form is limited to 1000 characters.  
(Example: Landowner in project area).

Please see the attached petition of the District Council.

Signature of Applicant

**Tony Penn**

Print or Type Name

Address: 4208 W. Patridge Way Unit 2  
Peoria, IL 61615

309-692-8750

Phone Number

gpldc@aol.com, mlor@liuna.org

E-mail Address

Great Plains' Laborers' District Council

Name of Organization (if applicable)

4/5/2022

Date

**NOTE:**

Consistent with SDCL 49-41B-17 and ARSD 20:10:22:40, this application must be filed with the Public Utilities Commission on or before 5:00 p.m. CDT, April 8, 2022, unless the deadline is extended by the Commission.

Executive Director  
South Dakota Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501-5070  
Electronic Filing: <http://puc.sd.gov/EFilingOptions.aspx>

**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 Transmission Pipeline	Docket No. HP22-001
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**Motion to Intervene of Great Plains’ Laborers’ District Council**

On February 7, 2022, SCS Carbon Transport LLC (“Applicant”) submitted an application to the South Dakota Public Utilities Commission (“Commission”) for a permit under the South Dakota Energy Conversion and Transmission Facilities Act, with respect to the proposed South Dakota pipeline aspects of the Midwest Carbon Express Project (“Project”). According to the Application, the project will include construction of approximately 469.1 miles of pipeline, 4 pump stations, and other ancillary facilities over 12-18 months. During construction, approximately 1,750 construction personnel will be in South Dakota. Construction labor hours will total approximately 3.5 million hours and generate approximately \$200 million in labor income.<sup>1</sup>

Pursuant to the Notice of Application for Docket No. HP22-001 establishing a deadline for intervention of April 8, 2022, the Great Plains’ Laborers’ District Council (“District Council”) respectfully moves to intervene in the above-captioned proceeding. For the reasons stated below, the Commission should grant this Motion to Intervene and confer party status on the District Council.

**I. Communications**

Communication should be directed as follows:

Tony Penn, Business Manager  
Great Plains’ Laborers’ District Council  
4208 W. Partridge Way Unit 2  
Peoria, IL 61615  
Phone: 309-692-8750  
Email: [gpldc@aol.com](mailto:gpldc@aol.com)

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<sup>1</sup> See Direct Testimony of James Powell, pp. 11-13, February 7, 2022.

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Laborers International Union of North America  
Department of Corporate Affairs  
905 16<sup>th</sup> Street NW  
Washington, DC 20006  
Phone: 202-251-3108  
Email: [mlor@liuna.org](mailto:mlor@liuna.org)

## **II. Basis for Intervening**

The District Council is a democratic labor organization representing 9,000 members, including hundreds of construction workers in South Dakota. The District Council is affiliated with the Laborers' International Union of North America ("LIUNA"), which represents half a million construction workers across the United States and Canada. LIUNA members in and outside of South Dakota have been building pipelines for decades. The District Council's principal place of business is located at 4208 W. Partridge Way Unit 2, Peoria, IL 61615. The District Council's affiliate Local 620's principal place of business is 606 N. Kiwanis Avenue, Sioux Falls, SD 57104.

The District Council and its affiliated Local Unions represent its members in numerous capacities, including, but not limited to, referring members for construction employment; bargaining with union employers over wages, benefits and working conditions; representing members in disputes with employers; advocating for public policies that protect the rights and well-being of workers and their local communities; providing health, retirement, training, and vacating savings benefits through joint labor-management funds; protecting and safeguarding labor, safety, and community standards; and educating members about issues that affect their jobs, safety, and livelihoods. The District Council is an advocate of smart infrastructure development, including energy infrastructure, road infrastructure, and other public works.

The District Council's legal rights, duties, or privileges may be affected by the outcome of this case for the following reasons:

- Members of the District Council are trained and experienced in pipeline installation and may be employed on portions of the project;

- The union members represented by the District Council, together with their families and communities, have an interest in the quality of public benefits created by the Project;
- The union members represented by the District Council, together with their families and communities, have an interest in the local economic impacts of the decision to approve, reject, or modify the proposed Project; and
- The union members represented by the District Council, together with their families and communities, have an interest in the Project’s potential impact on the local construction workforce.

### **III. Conclusion**

For the reasons set forth above, the District Council has an interest which may be materially affected by the outcome of this proceeding, and no other parties can represent its interest. Further, these interests are not shared by the public or taxpayers at-large. Accordingly, the District Council moves to intervene pursuant to SDCL 49-41B-17 and ARSD 20: 10:22:40.

Dated: April 5, 2022

Respectfully submitted,

/s/ Tony Penn

Tony Penn, Business Manager  
Great Plains’ Laborers’ District Council  
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Peoria, IL 61615  
Phone: 309-692-8750  
Email: [gpldc@aol.com](mailto:gpldc@aol.com)