

# PETERSON LAW OFFICE, P.C.

6201 E. Silver Maple Circle, Suite 102  
Sioux Falls, SD 57110  
petersonlaw@midconetwork.com

John P. Peterson  
Attorney at Law

Laurie A. Gates  
Sr. Paralegal

Telephone: 605-331-1031  
Facsimile: 605-271-6096

December 28, 2022

Public Utilities Commission  
Capitol Building  
500 E. Capitol Avenue  
Pierre, SD 57501-5070

In Re: PUC HP22-001  
Re: January 5, 2023 meeting  
On Behalf of Landowners: Dakota Aeration, Inc; Pederson Ag, LLC;  
KKKP, LLP; Dwayne Pederson Land Co, LLC  
Sherwood and Kristi Devick Beek

Dear Commission:

As I will be out of the country and unable to attend the January 5, 2023, virtual prehearing conference either by Zoom or otherwise, I wish to provide the following written comment on behalf of Landowners: Dakota Aeration, Inc., Pederson Ag, LLC, KKKP, LLP, Dwayne Pederson Land, Co., LLC, and Sherwood and Kristi Devick Beek.

Summit Carbon Transport LLC has not filed a final and complete application for which a scheduling order should attach. Scheduling should be put on indefinite hold until a final and complete application is filed, a determination is made by South Dakota Courts whether Summit Carbon Transport, LLC is vested with eminent domain powers and until Summit Carbon Transport, LLC has provided the legally required notice to all landowners within one-half mile of the proposed site and allow them an opportunity to be heard.

Sincerely,



John P. Peterson

JPP:lg