

**RECEIVED**

FEB 18 2022

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

February 16, 2022

SD Public Utilities Commission  
Capitol Building, 1<sup>st</sup> Floor  
500 E. Capitol Ave  
Pierre, SD 57501

RE: Proposed CO2 Pipelines. Summit Carbon Solutions (SCS Carbon Transport LLC) and Heartland Greenway (Navigator CO2 Ventures)

Chris Nelson, Kristie Fiegen, and Gary Hanson,

Summit Carbon Solutions has indicated they feel confident that they will get a CO2 pipeline permit through the SD PUC and feel confident they will get permission to use eminent domain if unable to reach voluntary agreements/easements with all landowners along their project route. Heartland Greenway has also indicated they may seek to exercise the right of eminent domain if unable to reach voluntary agreements with all landowners along their project route. I don't believe Heartland Greenway has filed a petition for the permit process yet through the PUC, however, they have indicated they intend to. It is my understanding both are private business entities.

My questions are:

Would the SD PUC's approval of a permit to construct a carbon Dioxide transmission pipeline by Summit Carbon Solutions or Heartland Greenway through SD also give SCS Carbon Transport LLC and Navigator CO2 Ventures authorization to use eminent domain to acquire easements along the proposed pipeline routes?

Since SCS Carbon Transport LLC and Navigator CO2 Ventures are not Public Utilities, could they even get permission to use eminent domain in SD?

What SD Government body would decide if eminent domain even can be allowed for the above-mentioned proposed CO2 pipelines?

Would this type of a CO2 pipeline project fall under a classification of a project for public use? On the surface it doesn't appear that it would.

I have also sent these same written questions to the Minnehaha County Commission.

Respectfully,

*Susan K. Bowne*

Susan K. Bowne

