



Kristie Fiegen, Chairperson
Gary Hanson, Vice Chairman
Chris Nelson, Commissioner

South Dakota

PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
<https://puc.sd.gov>

(605) 773-3201

Consumer Hotline
1-800-332-1782

Email
puc@state.sd.us

September 7, 2023

Lanny Tschetter



Hitchcock SD 57348

Mr. Tschetter,

This is in response to your letter regarding the SCS Carbon Transport LLC and Navigator Heartland Greenway, LLC dockets, HP22-001 and HP22-002.

You write about your conservation management of your farmland and your concern about wasting taxpayer dollars via these proposed pipeline projects.

Please reference the Pipeline Siting Info Guide that is enclosed, posted on the commission website home page and in the online dockets, explaining the South Dakota Public Utilities Commission's processing of siting dockets such as these. I encourage you to read the state statutes and rules referenced and that provide the commission's jurisdiction according to laws passed by the South Dakota Legislature.

My fellow commissioners and I cast our votes to deny Navigator Heartland Greenway's application for a permit on September 6, 2023; and commissioners will soon make a determination on the SCS Carbon Transport requested permit based on facts presented by parties to that docket. Our decisions must be based on facts and evidence, not hearsay or emotion. We must make a decision on each docket that is within the commission's legal jurisdiction, and one we believe will be upheld should our decision be appealed to circuit court.

Since commissioners have a decision-making role in docket matters, any communication with us about any open or imminent docket must be done in an open forum, such as a public meeting or hearing, with notice given to all parties or made available via the docket. Thus, your letter and my response will be posted under Comments and Responses in the dockets.

Thank you for writing to share your concerns and allowing me to explain the commission's jurisdiction regarding the CO₂ pipeline siting permit applications.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kristie Fiegen". The signature is fluid and cursive, with the first name "Kristie" written in a larger, more prominent script than the last name "Fiegen".

Kristie Fiegen