

From: PUC
Sent: Thursday, January 5, 2023 9:02 AM
To: [REDACTED]
Subject: HP22-002

Ms. Nosbush,

This is in response to your letter to the South Dakota Public Utilities Commission regarding the proposed Navigator Heartland Greenway, LLC's Pipeline, docket [HP22-002](#).

The commission received a siting permit application from Navigator on Sept. 27, 2022. The docket is receiving a detailed review by the commission, following the public input meetings hosted in November along the route, including the one in Flandreau that you attended.

My fellow commissioners and I are bound by law to fully review and process any siting application legally filed with the commission. We cannot simply refuse to consider such an application, and must do so following criteria and definitions required by law.

The [Information Guide to Siting Pipelines](#) posted on the commission website home page and in the docket further explains the commission's processing of this docket, including relevant South Dakota state laws and rules. As this relays, the South Dakota commission is not involved with eminent domain or easements.

The commission is also not involved in planning or routing any project requesting a siting permit, and does not have the legal authority to change or mandate a route. See South Dakota Codified Law, specifically SDCL [49-41B-36](#). In past siting dockets involving other projects, routes and layouts have become more firm following the information gathered by the applicant during and in communications with landowners and others as a result of the public input meetings.

I suggest you reach out to Navigator contacts with your concerns about your property, if you have not done so already. You will find these contacts in the docket's Service List.

You will learn more about the proposed project and find answers to your questions as further information continues to be requested by commissioners and staff, filed in the online docket, and publicly available in the months ahead. Many questions

are being asked and issues are continually being addressed by commission staff working with other state agencies and industry expert witnesses.

Thank you for sharing your concerns. Your letter and this response will be posted under Comments and Responses in the docket.

Chris Nelson, Chairman
South Dakota Public Utilities Commission
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