

From: PUC
Sent: Friday, September 1, 2023 2:40 PM
To: Tannenbaum [REDACTED]
Subject: HP22-001, HP22-002

Mr. Wassom,

This is in response to your email regarding the SCS Carbon Transport LLC and Navigator Heartland Greenway, LLC dockets, [HP22-001](#) and [HP22-002](#).

You write about safety concerning these proposed projects with applications for siting permits currently under review by the South Dakota Public Utilities Commission.

It is important that the South Dakota Public Utilities Commission processes these dockets according to the jurisdiction provided to us by state law. My fellow commissioners and I took an oath to follow the laws of the state of South Dakota after being elected and that is what we are working to do.

Please reference the [Pipeline Siting Info Guide](#) that is posted in these pipeline dockets as well as on the commission website home page, 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 that provide the commission's jurisdiction by the South Dakota Legislature.

My fellow commissioners and I will make a determination on each permit based on facts presented by parties to the docket. Our decision must be based on evidence, not hearsay or emotion. We must make a decision for each docket within the commission's legal jurisdiction, and that we believe will be upheld should our decision be appealed to circuit court. The Navigator evidentiary hearing lasted 12 days, July 25-August 25. If you listened to the hearing or following along by reading the exhibits and other filings, you know safety was a key issue discussed by the parties with many questions asked by commissioners.

The HP22-001 hearing will be held September 11-28, and safety issues will certainly be discussed during this hearing as well. Commissioners will listen closely and ask questions concerning safety and other concerns.

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 email 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 and the processing of these CO₂ pipeline siting permit applications.

Kristie Fiegen, Chairperson
South Dakota Public Utilities Commission
PUC.sd.gov