

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE
APPLICATION OF NAVIGATOR
HEARTLAND GREENWAY, LLC FOR
A PERMIT TO CONSTRUCT THE
HEARTLAND GREENWAY PIPELINE
IN SOUTH DAKOTA**

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**MOTION FOR TIME CERTAIN FOR
WITNESS TESTIMONY**

HP22-002

COMES NOW, Staff of the Public Utilities Commission (Commission) by and through its undersigned counsel and hereby files this Motion for Time Certain for Witness Testimony. Staff requests to have the following Staff witnesses testify beginning on August 2, 2023, and into August 3, 2023, if necessary:

1. William R. Byrd, P.E.
2. Matthew Frazell
3. Brian Sterner
4. Alissa Ingham
5. Tim Cowman

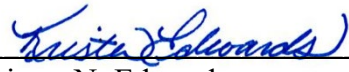
Those witnesses will be traveling for the evidentiary hearing and will need to make travel arrangements. Because of our funding limitations, Staff must be cognizant of costs when the amount of time each witness must spend traveling. In addition, one witness, Tim Cowman, is unavailable for the first part of the evidentiary hearing.

In order to give everyone a better understanding of the amount of time that might be needed for these witnesses, Staff notes that Matthew Frazell will be adopting the prefiled testimony¹ of Adam DiAntonio, in addition to his own. Brian Sterner will be adopting the prefiled testimony of Herbert Pirela, Amy Cottrell, and Sara Thronson, in addition to his own.

Therefore, Staff requests the Commission enter an Order reserving August 2-3, 2023, for the above-listed Staff witnesses.

¹ See *Christenson v. Crowned Ridge Wind, LLC*, 2022 SD 45, ¶ 43, 978 NW2d 756 (Court holding that a witness at an evidentiary hearing before the Commission could adopt the prefiled testimony of another witness if the testifying witness was an expert whose knowledge and opinions aligned with the prefiled testimony).

Dated this 13th day of June 2023.



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