

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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HP 22-002

IN THE MATTER OF THE APPLICATION :
OF NAVIGATOR HEARTLAND :
GREENWAY LLC FOR A PERMIT UNDER :
THE SOUTH DAKOTA ENERGY :
CONVERSION AND TRANSMISSION :
FACILITIES ACT TO CONSTRUCT THE :
HEARTLAND GREENWAY PIPELINE IN :
SOUTH DAKOTA, :
:
:

**APPLICANT’S MOTION FOR
PREHEARING CONFERENCE**

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Applicant Navigator Heartland Greenway, LLC, moves that the Commission set a date for a prehearing conference to be conducted by Adam DeHueck as General Counsel for the Commission. Navigator suggests that the prehearing conference be held sometime between July 12 and July 19; that all parties who intend to present testimony or to cross-examine witnesses at the hearing be required to attend; and that the following subjects be addressed:

1. seating arrangements in the hearing room;
2. the order of case presentation by party;
3. the order of witness examination by party;
4. regulating speaking objections and responding to another party’s objection;
5. handling confidential exhibits and testimony during the hearing;
6. reserving a date before the hearing for the parties to stipulate to exhibits;
7. marking exhibits in advance of the hearing;
8. agreeing on the effect of stipulating to exhibits;
9. addressing the use of technology in the hearing room;

10. other steps necessary to ensure that the hearing is completed by August 5;
11. any other issues in the discretion of Mr. DeHueck.

The South Dakota Supreme Court has recognized that tribunals possess “inherent authority to ‘manage their own affairs so as to achieve the orderly and expeditious disposition of cases.’” *Annett v. American Honda Motor Co.*, 548 N.W.2d 798, 805 (S.D. 1996). These issues are all within the scope of the Commission’s authority to regulate and will allow the hearing to proceed more efficiently and to be completed on time.

Dated this 26th day of June, 2023.

WOODS, FULLER, SHULTZ & SMITH P.C.

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