

**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 DISCOVERY
RESPONSE DEADLINE; MOTION TO
REQUIRE PREFILED TESTIMONY;
AND REQUEST FOR PREHEARING
SCHEDULING CONFERENCE**

HP22-002

Staff (Staff) of the South Dakota Public Utilities Commission (Commission) hereby files this Motion for Discovery Response Deadline, Motion to Require Prefiled Testimony; and Request for Prehearing Scheduling Conference.

This docket was opened on September 27, 2022, with the filing by Navigator Heartland Greenway, LLC (Navigator or Applicant), for a permit to construct the Heartland Greenway Pipeline (Project). Numerous persons have been granted party status. Under SDCL 49-41B-24, the Commission must issue a decision on this matter within twelve months of the filing of the application. As such, a final Commission order is required by the September 27, 2023. Because of the limited timeframe provided by SDCL 49-41B-24 and following the practice established in Docket No. HP14-002¹ for the Dakota Access Pipeline application proceeding, Staff believes that the most efficient way to establish a schedule is to hold a scheduling conference. Therefore, Staff respectfully requests the Commission issue a Prehearing Scheduling Conference Order.

Given the time constraints in this docket, Staff proposes the Commission order that all responses to discovery requests are due 10 business days after service, unless otherwise agreed to, in writing, by the inquiring and responding parties.

¹ <https://puc.sd.gov/commission/orders/hydrocarbonpipeline/2015/hp14-002prehrschord.pdf>

In addition, as is the practice in dockets of this nature, Staff requests the Commission include in its order a requirement that all parties submit prefiled written testimony for any witnesses that will testify at the evidentiary hearing.

WHEREFORE, Staff respectfully requests the Commission issue an order adopting establishing a ten-business day deadline for responses to discovery requests and setting a prehearing scheduling conference to be held virtually. Staff further requests the Commission require the filing of prefiled testimony.

Dated this 22nd day of December 2022.



Kristen N. Edwards
Staff Attorney
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501
Phone (605)773-3201
Kristen.edwards@state.sd.us