

1-37) Please provide Applicant's suggested amount for a road bond issued pursuant to SDCL 49-41B-38 along with support for the amount.

RESPONSE: Based on a formula previously adopted by the Commission, Applicant recommends an indemnity bond based on 10% of estimated construction cost in South Dakota, which is \$142 million. Thus, Applicant suggests an indemnity bond in the amount of \$7.1 million for 2024 and a bond for the same amount in 2025.

SUPPLEMENTAL RESPONSE: Based on a formula previously adopted by the Commission, Applicant recommends an indemnity bond based on 2.9% of estimated construction cost in South Dakota, which is \$158 million. This is the percentage of construction cost that Commission Staff agreed would be appropriate in Docket HP 22-001, and that the Commission approved in Docket HP 14-002. Thus, Applicant suggests an indemnity bond in the amount of \$2,291,000 for 2024 and a bond in the same amount in 2025.

Dated this 18th day of July, 2023.

WOODS, FULLER, SHULTZ & SMITH P.C.

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OBJECTIONS

The objections stated to Staff's First Set of Data Requests were made by James E. Moore, one of the attorneys for Navigator Heartland Greenway, for the reasons and upon the grounds stated therein.

/s/ James E. Moore
*One of the Attorneys for Navigator Heartland
Greenway*

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of July, 2023, a true and correct copy of the foregoing Applicant's Fifth Supplemental Responses to Staff's First Set of Data Requests was served via e-mail transmission to the following:

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