

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

<b>IN THE MATTER OF THE APPLICATION BY )</b>	<b>NOTICE OF HEARING ON</b>
<b>SCS CARBON TRANSPORT LLC FOR A )</b>	<b>MOTION TO RECONSIDER</b>
<b>PERMIT TO CONSTRUCT A CARBON )</b>	<b>APPLICANT'S MOTION TO</b>
<b>DIOXIDE TRANSMISSION PIPELINE )</b>	<b>EXTEND DEADLINE ON LESS</b>
<b>)</b>	<b>THAN TEN DAYS' NOTICE</b>
<b>)</b>	
<b>)</b>	<b>HP24-001</b>

On November 19, 2024, the South Dakota Public Utilities Commission (Commission) received an Application for a Permit to Construct a Carbon Dioxide Transmission Pipeline (Application) from SCS Carbon Transport LLC (Summit or Applicant), a limited liability company owned by Summit Carbon Solutions, LLC. Applicant proposes to construct and operate a carbon dioxide (CO<sub>2</sub>) transmission pipeline (Project). The Project, which has been named the Midwest Carbon Express pipeline, is approximately 2,500 miles of pipelines for the transportation of CO<sub>2</sub> from ethanol plants across five states to underground injection wells in North Dakota. The South Dakota portion of the Project is approximately 698 miles, crossing 23 counties. The Commission held public input meetings on the Application at six locations in proximity to the route on January 15-17, 2025.

On November 21, 2024, the Commission issued a Notice of Application; Order for and Notice of Public Input Meeting; Notice of Opportunity to Apply for Party Status and electronically transmitted notice of the filing and the intervention deadline of January 24, 2025, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. The Commission has received and granted Applications for Party Status from a number of persons, including governmental entities.

A procedural schedule was adopted by the Commission by Order dated January 31, 2025. On March 12, 2025, Applicant filed a Motion to Suspend Current Scheduling Order and Extend Current Deadline Indefinitely (Motion to Suspend Schedule). The Commission then issued a Notice of Hearing, scheduling the Motion to Suspend Schedule to be heard on April 10, 2025.

At its regularly scheduled meeting on April 10, 2025, the Commission considered the Applicant's Motion to Suspend Schedule. After hearing from the parties, the Commission found that Applicant failed to provide information on its proposed plans during the suspension period in order to justify suspension of the procedural schedule or extension of this docket and, therefore, denied the Motion to Suspend the Procedural Schedule and Extend the Deadline Indefinitely. On April 16, 2025, Applicant filed a Motion to Reconsider Applicant's Motion to Extend Deadline.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B. Pursuant to ARSD 20:10:01:22.02, the Commission may order a hearing on less than ten days' notice if the Commission determines good cause exists. The Commission finds that because the Procedural Schedule establishes dates that are quickly approaching, and the parties need time to prepare for those due dates, good cause exists to hear this Motion on less than ten days' notice.

It is therefore

ORDERED, that a hearing on the Motion to Reconsider Applicant's Motion to Extend Deadline will be held on April 22, 2025, at 1:30 p.m. CT in Room 414 in the State Capitol Building in Pierre, South Dakota.

Dated at Pierre, South Dakota, this 16<sup>th</sup> day of April 2025.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.

By: Ann L. Hurst

Date: 04/16/2025

BY ORDER OF THE COMMISSION:

Gary Hanson  
GARY HANSON, Chairperson

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner