OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION BY SCS CARBON)	ORDER GRANTING PARTY
TRANSPORT LLC FOR A PERMIT TO CONSTRUCT A	j	STATUS APPLICATIONS;
CARBON DIOXIDE TRANSMISSION PIPELINE)	ORDER DENYING PARTY STATUS
	1	HP24-001

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 (CO2) 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 CO2 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. The deadline to file Applications for Party Status was January 24, 2025. Applications for Party Status that have been filed in this docket can be viewed at https://puc.sd.gov/Dockets/HydrocarbonPipeline/2024/HP24-001PartyStatus.aspx.. The Commission has granted party status to numerous persons and entities.

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 Applications for Party Status from a number of persons, including governmental entities. This Commission has previously issued orders granting Party Status Applications on December 20, 2024, January 23, 2025, January 31, 2025, and February 13, 2025.

On February 10, 2025, the Commission received Intervenor Harlan Young's Request to Withdraw from Party Status. By Order dated February 13, 2025, the Commission deferred action on the Party Status Applications of Alicyn R. Wager, Bruce Burkhart, Charles D. Dubbe, Charles Kludt, Francies Buttemeier, Jacquline Leibel, Joyce Grenz, Judy Nelson, Julie Burkhart, Lee Ann Pierce, Lorena Dubbe, Mark Lebrun, Nathan Wager, Ronald Shelburg, and Stacy Sinner. On February 18, 2025, the Commission received Allison Farms Inc./Keith Allison's Party Status Application.

On February 27, 2025, Attorney Brian Jorde, representing several intervenors and party status applicants, filed Landowners' Motion for Party Status, and Staff filed Staff's February 28 Recommendation for Party Status Application.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically 49-41B-17, and ARSD Chapter 20:10:22.

At its regularly scheduled meeting on February 28, 2025, the Commission considered all pending Applications for Party Status, as well as Harlan Young's request to withdraw his party status. With no party objecting, the Commission voted unanimously to grant withdrawal of party status to Harlan Young.

The Commission voted unanimously to reconsider the party status applications of Dan De Roon and Travis & Kenny Hostler, which were denied on February 13, 3025.

Finding that sufficient direct interest had been demonstrated, the Commission voted unanimously to grant party status to Charles D. Dubbe, Jacqueline J. Leibel, Joyce Grenz, Lorena Dubbe, Stacy Sinner, Dan De Roon, and Travis & Kenny Hostler.

Finding that more information is needed, the Commission voted to defer action on Charles Kludt's party

status application, with Commissioner Nelson dissenting.

Finding that the party status applicants have the burden of proof to establish a direct interest and that certain party status applicants had failed to show a direct interest, the Commission voted to deny party status to Alicyn R. Wager, Francies Buttemeier, Judy Nelson, Lee Ann Pierce, Mark LeBrun, Nathan Wager, Ronald L. Shelburg, Allison Farms Inc./Keith Allison, Bruce Burkhart, and Julie Burkhart, with Commissioner Fiegen dissenting on the denial of Bruce Burkhart and Julie Burkhart.

Finding that no justification was provided for the late filed party status application filed by Allison Farms Inc./Keith Allison, the Commission voted unanimously to deny that party status application.

It is therefore

ORDERED, that Party Status is hereby granted to Charles D. Dubbe, Jacqueline J. Leibel, Joyce Grenz, Lorena Dubbe, Stacy Sinner, Dan De Roon, and Travis & Kenny Hostler. It is further

ORDERED, that Party Status is hereby denied to Alicyn R. Wager, Francies Buttemeier, Judy Nelson, Lee Ann Pierce, Mark LeBrun, Nathan Wager, Ronald L. Shelburg, Allison Farms Inc./Keith Allison, Bruce Burkhart, and Julie Burkhart. It is further

ORDERED, that the Commission hereby defers action on the party status application filed by Charles Kludt.

Dated at Pierre, South Dakota, this _____ day of Ma

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.

- 03/04/2025

BY ORDER OF THE COMMISSION:

GARY HANSON, Chairperson

CHRIS NELSON, Commissioner

(Dissenting in/Part)

KRISTIE FIEGEN, Commissioner

(Dissenting in Part)