

Thank you for the opportunity to comment on Docket #HP24-001, Summit Carbon Solution's (SCS) second pipeline permit request.

I would like to thank the PUC Commissioners for your dedication with your response to the concerns of the public and the protection of property rights and the public's freedom. I am so very thankful that in South Dakota the people's PUC Commissioners are elected and not appointed by the state's lawmakers.

I remember so well at several public meetings on SCS's first permit request PUC Commissioner Gary Hanson questioning what the county commissioners' concerns and feelings were about the proposed hazardous pipeline. Thank you, Commissioner Hanson.

During the time of SCS's first permit request and the PUC's public input meetings, I was serving as one of the Brown County Commissioners. At that time, Brown County had no specific set-back ordinances for hazardous CO2 pipelines. The Brown County Commission then enacted a one-year hazardous pipeline set-back ordinance moratorium. After several Planning and Zoning Board special meetings, it was decided to place a 2600 ft (1/2 mile) set-back ordinance in place. Public hearing dates were announced and the public was invited for comments at those meetings. No one appeared before the Planning and Zoning Board in objection to the 2600 ft set-back. Following the Planning and Zoning Board's approval of the 2600 ft set-back, approval was required by the County Commission to establish the 2600ft set-back ordinance. It was at the Brown County Commission's meeting to approve the Planning and Zoning Board's recommendation of the 2600 ft set-back that SCS objected and asked for an opportunity to lower the set-back requirement. The Brown County Commission agreed to a new hearing which was set to give SCS an opportunity to be heard. At that re-set hearing, SCS had a delegation of people there and never once did any SCS presenter ask for a more specific set-back distance, which left the feeling that SCS wanted no set-back at all. At that point, the Brown County Commission respectfully asked the Planning and

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Zoning Board to put in place a 1500 ft set-back, which was done. That is currently the hazardous pipeline set-back in Brown County.

It is obvious the PUC Commissioners' unanimous denial of SCS's first permit for a hazardous pipeline was based on the counties' ordinances on set-backs for hazardous CO2 pipelines. It is also very obvious by the 38,000 signatures on petitions to refer SB(Summit Bill) 201 to the vote of South Dakota's citizens and then consequently, RL 21's defeat by the voters of South Dakota, that the PUC's denial of SCS's first permit was correct. Those two victories and the State Supreme Court's rulings that the SCS pipeline is NOT a common carrier and CO2 is NOT a commodity should overrule any new argument that a second permit should be granted. Thank you for a quick and firm NO on SCS's second permit request.

Thank you, Commissioners Nelson, Hanson, Fiegen, and State Treasurer Josh Haeder stepping in for Commissioner Fiegen, for supporting Planning and Zoning Boards, County Commissioners, and local control. You are truly servants of the people.

A handwritten signature in black ink that reads "Dennis Feickert". The signature is written in a cursive style with a large, looped initial "D".

Dennis Feickert

Past Brown County Commissioner

Past District 1 and 3 State House Representative

Dennis Feickert



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