

8. 331-B/K

EL 95-009

DOCKET NO. EL 95-009

IN THE MATTER OF THE
COMPLAINT FILED BY MARVIN
BUEHNER, M.D. OF RAPID CITY, SD
AGAINST BLACK HILLS POWER &
LIGHT

Public Utilities Commission of the State of South Dakota

DATE	MEMORANDA
7/2	File closed, state re filed
6/29 95	Dismissing Complaint;
6/29 95	Docket Closed

BLACK HILLS POWER AND LIGHT COMPANY

P.O. BOX 1400 · 409 DEADWOOD AVENUE

RAPID CITY, SOUTH DAKOTA 57709

TELEPHONE (605) 342-3200

May 9, 1995

Dear

At the request of several Wildwood Homeowners, a second public meeting has been scheduled to discuss the upgrade of the existing line south of Wildwood. This meeting will be held May 16, 1995, 7:00 pm at the Arrowhead Country Club. We encourage any Wildwood resident with questions or concerns to attend.

Dr. Marvin Buehner has filed a complaint with the South Dakota Public Utilities Commission regarding this project. We met with Dr. Buehner last Thursday and then followed up our meeting with a letter. A copy of the letter is enclosed for your information.

We would like to repeat that it is our practice to provide information to concerned parties and to answer questions regarding our activities. We have had several meetings with the Wildwood Homeowners' Association Board regarding this project over the past months and several homeowners have been contacted directly. During these meetings, visibility and health issues were addressed and incorporated into the design of the upgrade of the existing line. We thought proper communication channels were being used to keep interested residents advised of the status of the project.

Again, please feel free to attend the meeting. In the meantime, if you have specific questions I could answer for you, please give me a call.

Sincerely,

Ted Massey
Director Customer Service

Enclosures (2)

xc: Greg Rislov - SD Public Utilities Commission
Leni Hook - SD Public Utilities Commission
Steve Wegman - SD Public Utilities Commission

BLACK HILLS POWER AND LIGHT COMPANY

P.O. BOX 1400 • 409 DEADWOOD AVENUE
RAPID CITY, SOUTH DAKOTA 57709

TELEPHONE (605) 343-3200

May 9, 1995

Dear

We have received a complaint which Dr. Marvin Buehner has filed with the South Dakota Public Utilities Commission regarding the upgrade of an existing line south of Wildwood. Your name is included with the complaint on a list of concerned residents of Wildwood. We hope the following information will be useful.

We met with Dr. Buehner last Thursday and then followed up our meeting with a letter. A copy of the letter is enclosed.

We would like to repeat that it is our practice to provide information to concerned parties and to answer questions regarding our activities. We have had several meetings with the Wildwood Homeowners' Association Board regarding this project over the past months and several homeowners have been contacted directly. During these meetings, visibility and health issues were addressed and incorporated into the design of the upgrade of the existing line. We thought proper communication channels were being used to keep interested residents advised of the status of the project.

Last Tuesday, at the request of the Board, we made a presentation regarding our plans at the annual meeting of the Wildwood Homeowners' Association. Unfortunately, several Wildwood residents were unable to be there. A second meeting is scheduled for May 16, 1995, 7:00 pm at the Arrowhead Country Club. We would encourage any Wildwood resident with questions or concerns to attend.

In the meantime, if you have specific questions I could answer for you, please give me a call.

Sincerely,

Ted Massey
Director Customer Service

Enclosures (2)

xc: Greg Rislov - SD Public Utilities Commission
Loni Hook - SD Public Utilities Commission
Steve Wegman - SD Public Utilities Commission

BLACK HILLS CORPORATION

P.O. BOX 1400 625 NINTH STREET
RAPID CITY, SOUTH DAKOTA 57709

BARBARA THIRSTRUP
MANAGER, GOVERNMENTAL
AND PUBLIC AFFAIRS

TELEPHONE
(605) 348-1700
FAX (605) 348-9740

May 8, 1995

Ms. Leni Hook
SD Public Utilities Commission
500 E. Capitol
Pierre, South Dakota 57501

Dear Leni:

Here is the videotape of KEVN's news coverage of Dr. Buehner and Ev Hoyt in regard to BHP's 69 KV line improvement project in the Wildwood subdivision. The reporter's comment at the end regarding BHP's statement that people who were against the project should have spoken up earlier is erroneous. What Ev told her is that we had been working with the Wildwood Homeowners' Association, and that it was unfortunate that the information had not gotten to everyone.

As you know, last week's homeowners association meeting was an attempt to inform residents regarding the need for the line enhancement and to explain the project's design, including changes made to meet homeowners' association requests. Also, EMF concerns were addressed. Charts were used, along with accompanying handouts, to explain the issues thoroughly (see enclosed copies). The same charts were also explained to and left with the KEVN reporter, Jill Cordes.

At this point, we are waiting to hear from the Wildwood Homeowners Association regarding the time and place for their special meeting, at which time all the information will be explained again, and individual questions will be answered. We'll continue to keep you posted of progress.

Sincerely,


Barbara Thirstrup

DOCKET
NO. 22-009

Thomas & Nyla Griffith

0123 Wildwood Drive Rapid City, SD 57702

Thursday, May 4, 1995

Ms. Lennie Hook
Consumer Affairs
Public Utilities Commission
State Capital Building
Pierre, SD 57501

RECEIVED
MAY 11 1995
PUBLIC UTILITIES COMMISSION

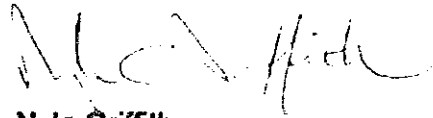
Dear Ms. Hook,

I am writing to voice my distress over the high voltage power line that Black Hills Power and Light is placing adjacent to my home in Wildwood of Rapid City. While I realize that these lines have never been proven to cause health problems, I know that they certainly have been implicated in many cases. My husband and I have four children ages 7 to 14 and our home is within 20 yards of the line as planned now. I am sure that you can appreciate my very sincere concerns over the placement of the line. I am not asking that the line be stopped, but rather it be buried or re-routed onto the highway. This may cause BHP&L to spend more money on the line, but I believe that it will be in the best interest of the residents of Rapid City and Pennington County.

My home is not the only one that would be affected, there are several other homes that are in very close proximity to the line as it is being constructed now. I understand that when the line was first proposed several years ago, there were many land owners that objected to it, but they could not successfully fight BHP&L and were advised to give in. I have spoken with some of them and they still feel that the line should be buried. Although they do not have houses as close to the line as we do, they know that the line will decrease their property values. While this is also a concern of mine, the potential health hazard is my first worry.

If there is any way that BHP&L can be made to bury the line or re-route it, please take action. I know that if it were to be brought to a vote, the citizens of Rapid City would feel the same as I do.

Sincerely,


Nyla Griffith

(NOTE: Please attach additional pages, if necessary, to explain your situation. Also enclose copies of any bills or other documents which may pertain to your complaint. If you know them, please make reference to any laws, rules, or orders of which a violation is claimed.)

WHEREFORE, I ask that the Commission enter an Order granting the following relief: (What do you think the Commission should do to solve your problem?) See Attached Sheet.

(NOTE: Attach any additional pages, if necessary.)

Dated at Rapid City South Dakota, this 5th day of May, 1995

[Signature]
Signature of the Complainant

Name, address and telephone number of your attorney, if any. If Complainant is not represented by an attorney, leave blank.

(Complaint must be notarized before a notary public prior to sending it to the Commission.)

VERIFICATION

State of South Dakota)
County of Pennington :SS

On this 5th day of May, 1995, before me personally came and appeared _____, known, and known to me, to be the individual described herein and who executed the foregoing instrument, and who duly acknowledged to me that he/she executed same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
NOTARY PUBLIC

(SEAL)
My commission expires 12-5-97

Date: 5/3/95

We the undersigned homeowners of the Wildwood neighborhood of Rapid City support an immediate halt to plans for construction of high voltage power lines by the Black Hills Power and Light Company at the periphery of our neighborhood until safety and aesthetic issues have been addressed in a public forum.

Signature: [Signature]
Printed name: Marvin Buehner

Address: 6020 Wildwood
Rapid City SD

Joseph E. Kocherhaus
Joseph E. Kocherhaus

1209 WILDWOOD DR

John M. Weiss
JOHN M. WEISS

6111 Wildwood Drive

Rebecca C. Weiss
REBECCA C. WEISS

6111 Wildwood Dr.

Pam Carlyle
Pam Carlyle

6115 Wildwood Dr.

Yvonne Buehner
Yvonne Buehner

6020 Wildwood Dr
Rapid City SD

Helen Oswald

6119 Wildwood Dr.
Rapid City SD

Nyla D. Griffith
Nyla D. Griffith

6123 Wildwood Dr.
Rapid City, SD

Date:

We the undersigned homeowners of the Wildwood neighborhood of Rapid City support an immediate halt to plans for construction of high voltage power lines by the Black Hills Power and Light Company at the periphery of our neighborhood until safety and aesthetic issues have been addressed in a public forum.

Signature: [Handwritten Signature]
Printed name: Linda J. Everson

Address: 6140 Wildwood Dr
RC SD

Linda J. Everson
Linda J. Everson

6140 Wildwood Dr.
Rapid City, S.D.

MART ALEXANDER
MART ALEXANDER

6145 UNA DEL PE
RAPID CITY SD

Richard Beasley
J

6107 Wildwood
Rapid City, SD

[Handwritten Signature]

Signed before me this 5th day of May
[Handwritten Signature]
Notary Public
My commission expires
12-5-97

The facts giving rise to my complaint are:

At the May 2, 1995 Wildwood Association meeting, the Black Hills Power and Light Company presented their plans to run four 69,000 volt power lines on 55 foot poles on land adjacent to the Wildwood neighborhood. That presentation included convincing arguments for the need for expanding service capabilities to the rapidly developing southwest Rapid City area, and of course the need to do so in the most efficient manner possible. but it failed to adequately address the potential health and safety issues regarding high voltage lines in residential areas, alternative option considerations, and most importantly the proper course of public disclosure of the plans by a large publicly supported corporation to place structures that affect the aesthetics, property value, and possibly the safety of an established neighborhood.

The BHP representative made it clear that there were no plans to include the opinions of the residents most directly affected by this construction, which is to begin within two weeks. Furthermore most of the homeowners living adjacent to the power line site were not even present at last night's meeting.

I am registering a formal complaint and requesting in the strongest possible way for a delay in the initiation of construction until the citizens of Rapid City have had the opportunity to review the plans, consider alternatives, and express their views in a public forum. This complaint was discussed verbally by telephone at 7:30 A.M. today with Mr. Greg Rislov, and copies of this letter will be forwarded to Bill Bullard, as well as to Mr. Everett Hoyt, president of BHP.

* Please note typographical corrections from previously faxed statement as well as the correction of the power line voltage.

Mark

Signed before me this 5th day of May 1995

Charlene M. Jones
Notary Public
My commission expires
12-5-97

RECEIVED

MAY 19 1995

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

PLEASE TYPE OR PRINT

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

COMPLAINT

DOCKET NUMBER **EL 95-009**

Complainant(s): (The party filing the complaint)		Respondent(s): (The person or Company complained against)	
Name	Marvin Buehner, M.D.	Company	Black Hills Power and Light
Address	6020 Wildwood Drive	Address	401 Deadwood Avenue
City, State Zip	Rapid City, SD 57702	City, State, Zip	PO Box 1200 Rapid City, SD 57701
Work Phone	605-343-2847	Contact Person	Ted Massey <i>Barbara Thustup</i> Everett Hoyt
Home Phone	605-343-0565	Phone	605-742-3000

The facts giving rise to my complaint are: See attached sheet and petition.

(This area contains horizontal lines for additional text or notes.)

(NOTE: Please attach additional pages, if necessary, to explain your situation. Also enclose copies of any bills or other documents which may pertain to your complaint. If you know them, please make reference to any laws, rules, or orders of which a violation is claimed.)

WHEREFORE, I ask that the Commission enter an Order granting the following relief: (What do you think the Commission should do to solve your problem?) See Attached Sheet.

(NOTE: Attach any additional pages, if necessary.)

Dated at Rapid City South Dakota, this 5th day of May, 1995

[Signature]
Signature of the Complainant

Name, address and telephone number of your attorney, if any. If Complainant is not represented by an attorney, leave blank.

(Complaint must be notarized before a notary public prior to sending it to the Commission.)

VERIFICATION

State of South Dakota)
County of Pennington) :SS

On this 5th day of May, 1995, before me personally came and appeared [Signature] known, and known to me, to be the individual described herein and who executed the foregoing instrument, and who duly acknowledged to me that he/she executed same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
NOTARY PUBLIC

(SEAL)
My commission expires 12-5-97