

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED BY) ORDER DISMISSING
PETER RAGNONE, RAPID CITY, SOUTH DAKOTA,) COMPLAINT
AGAINST BLACK HILLS POWER & LIGHT.)
) EL95-012

On May 26, 1995, the South Dakota Public Utilities Commission (Commission) received a complaint from Peter Ragnone, Rapid City, South Dakota, stating as follows: "Black Hills Power & Light Company (BHPL) is constructing a project of high voltage lines that will decrease the aesthetics and the value of my property. The stated project is approximately 6 feet from the south boundary of my property. The decrease in value will be caused by: (1) the aesthetics of the project and (2) the fact that the high voltage lines are perceived as a health risk (although medically the issue is inconclusive, the perception of a problem can ward off potential buyers)." For relief, Mr. Ragnone requested the following: "the lines be moved away from the neighborhood and if not, be buried. Lastly, if nothing else, compensation to the property owners for the losses and inconveniences."

On May 16, 1995, BHPL conducted a public meeting attended by Commission Staff and affected residents. During this meeting, BHPL explained its plans to upgrade its transmission/distribution line and residents expressed their concerns about the plan.

Pursuant to SDCL 49-34A-4 and ARSD 20.10.01.08.01, 20.10.01.09, 20.10.01.10, and 20.10.01.11.01, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint and serve it upon respondent BHPL.

On May 30, 1995, at its regularly scheduled meeting, the Commission considered the complaint. Peter Ragnone, Dr. Buehner (another homeowner), and Tom Fritz (attorney for Pat Hall, homeowner) explained the nature of their complaint. Ted Massey, representative of BHPL, presented the position of BHPL. Mr. Massey explained that BHPL currently has a 12,400 volts existing electric line. BHPL will construct a 69,000 volts electric line with a 12,400 volts under built electric line to replace the existing 12,400 volts electric line. Pursuant to SDCL 49-41B-2.1 the Commission only has specific siting authority over an electric transmission line with a design of 115,000 volts or more. Steve Wegman of Commission Staff explained the effects of EMF and the standards within the electrical industry.

The Commission finds that the procedure followed by BHPL in upgrading its transmission/distribution lines and its public disclosure to the public did not constitute an unlawful or unreasonable act, rate, practice, or omission. As the Commission's final

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decision in this matter, it is therefore,

ORDERED that the complaint is dismissed, and it is

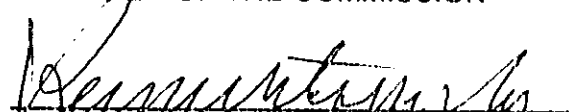
FURTHER ORDERED that the docket is closed.

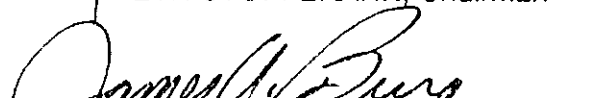
Dated at Pierre, South Dakota, this _____ day of June, 1995

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, by facsimile or by first class mail, in properly addressed envelopes with charges prepaid thereon	
By _____	
Date _____	

(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION


KENNETH STOFFERAHN, Chairman


JAMES A. BURG, Commissioner


LASKA SCHOENFELDER, Commissioner