

**BEFORE THE SOUTH DAKOTA
PUBLIC UTILITIES COMMISSION**

**In the Matter of the Application by Otter Tail
Power Company on behalf of the Big Stone II
Co-owners for an Energy Conversion Facility
Siting Permit for the Construction of the Big
Stone II Project**)
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Case No. EL05-022

PROPOSED ORDER

ORDER

1. Otter Tail Power Company, on behalf of the Big Stone II Co-owners, has not met its burden under SDCL 49-41B-22 (2) to prove that the proposed coal-fired electric plant will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area.
2. Otter Tail Power Company, on behalf of the Big Stone II Co-owners, has not met its burden under SDCL 49-41B-22 (4) to prove that the proposed coal-fired electric plant will not unduly interfere with the orderly development of the region.
3. Accordingly, the Application by Otter Tail Power Company on behalf of the Big Stone II Co-owners for an Energy Conversion Facility Siting Permit for Construction of the Big Stone II Project is denied.

Dated: July 14, 2006

Commissioner

Commissioner

Commissioner