

EAST RIVER

ELECTRIC POWER COOPERATIVE

121 Southeast First St.
Madison, SD 57042

P.O. Box 227
Telephone (605) 256-4536

September 11, 2008

Ms. Kara Semmler
South Dakota Public Utilities Commission
State Capitol Building
500 East Capital Avenue
Pierre, SD 57501-5070

RE: Response to South Dakota Public Utilities Commission Staff Data Request
Number 2 – In Docket Number EL08-016 - In the Matter of the Application of
East River Power Cooperative, Inc. for a Permit to Construct 9.5 Miles of 115 KV
Transmission Line in Lincoln and Turner Counties

Dear Ms. Semmler:

Enclosed is East River's response to the second data request in the matter referenced
above.

We have electronically filed this response and request that it be part of our application
and the official record for this proceeding.

Please contact me if you have any questions.

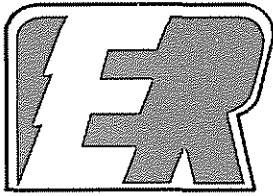
Sincerely,

Bob Sahr
General Counsel

BS/sl

Enc.





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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

**IN THE MATTER OF THE APPLICATION OF EAST RIVER POWER
COOPERATIVE, INC. FOR A PERMIT TO CONSTRUCT 9.5 MILES
OF 115 KV TRANSMISSION LINE IN LINCOLN AND TURNER COUNTIES**

DOCKET NO. EL08-016

**STAFF SECOND DATA REQUEST
SEPTEMBER 5, 2008**

- 2.1. **At the public hearing in Chancellor on August 7, 2008, there was discussion regarding the condition of the road just west of the Fodness Substation. East River said they would meet with the township board to determine if they were responsible for any damage and report back to the PUC and the landowners that raised this concern. Provide the companies correspondence related to this concern.**

East River personnel spoke telephonically with two Perry Township board members, Ron Poppens, the Board Chairman, and Orville Groenveld, specifically about this issue.

The board members stated there has been increased traffic on the road, in the past few years, as it is a shortcut for commuter and heavy truck traffic in the area. They do not feel East River Electric is solely responsible for any damage above and beyond normal wear and tear. Mr. Poppens did recommend that if we expect increased substation traffic due to construction work, we could water the road as we did in the past for dust control.

Subsequent to the Chancellor public hearing on August 7, 2008, the Township did gravel the road. The board members indicated they will continue with the same gravel rotation in the future as they have in the past. The Township indicated that they did not want any financial support from East River on the road as they feel the current gravel program is adequate.

- 2.2. **At the public meeting in Chancellor, East River said they would work with the landowners that did not sign a private easement on pole**

locations in the public ROW. Provide a status report on the company's efforts in this regard with parcels 4, 11, 12, 15, 16, 17, 19, 20, 26, 27, 28, 29, and 31 as depicted on Exhibit 25 of East River's response to Staff Data Request 1-24. Consider this an ongoing request.

Prior to construction of the transmission line, East River's surveyors will place wooden lath at the locations where the poles are to be placed. Two landowners, Ms. Marianne Plucker, landowner of parcel 27, and Mr. David Hoogestraat, landowner of parcel 11, have indicated that they will consider providing an easement for East River's poles when they can visually see the location of the lath. East River personnel will meet with these two landowners for this purpose at the time the pole placements are marked.

For all of the land parcels adjacent to the line route, East River will take into consideration both the road approaches used by the landowners and the visual impact of the line, as well as other design criteria, in the design of the line and the placement of the poles. This includes the properties belonging to landowners Christensen, parcel 17, and Peterson, parcel 20, who both appeared at the August 7, 2008, meeting in Chancellor and the property owned by Hermansons, parcel 26, who did not appear at the meeting.

2.3. Provide the status of the archeological review that is being performed that is referenced on East River's response to Staff Data Request 1-30. If complete, provide a copy of the final review.

At this time, the completed survey has not been received and thus has not been forwarded on to SHPO for their review. East River would suggest that a requirement be included in the final stipulation, as was done in the final stipulation for docket EL08-010, for East River to provide to the PUC staff a copy of the results of the completed survey as well as the response from the South Dakota State Historical Preservation Office, when they are received.