

### Affidavit of Publication

STATE OF SOUTH DAKOTA } :SS  
 COUNTY OF TURNER \_\_\_\_\_ }

I, **Robin Schneider** of the City of Parker, County of Turner, State of South Dakota, being first duly sworn on oath, deposes and says:

The New Era is a weekly legal newspaper of general circulation, printed and published in the City of Parker, in said County of Turner, by The New Era, Lyon Sioux Press, publishers, and has been such legal newspaper during the times hereinafter mentioned; that the said newspaper has been in existence as such legal newspaper for more than one year prior to the publication of the notice hereunto attached, and has during all of said publication of the notice hereunto attached, and has during all of said time had, and now has, more than 200 bona fide subscribers; that the undersigned, The affiant, is the **Office Manager** of the said newspaper, in charge of the advertisement department thereof and has personal knowledge of all the facts stated in this affidavit and the advertisement headed:

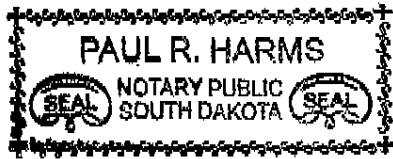
**Legal #163881 Notice of Public Hearing South Dakota Public Utilities Commission** printed copy of hereto attached, is printed and published in the said newspaper for one successive weeks, once each week and on the same day of the week, on the following dates, to-wit:

On Thursday, the 31<sup>st</sup> day of July, 2008

That \$165.00 being the full amount of the fees for publication of the attached notice insures solely for the benefits of the publishers of the said newspaper, that no arrangement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any other person whomsoever.

Robin Schneider  
 Subscribed and sworn to before me this 29<sup>th</sup>  
 Day of August, 2008  
Paul R Harms  
 Notary Public, Turner County, South Dakota

My Commission Expires 02/10, 2012



*See attached*

Publication Fee \$	
Notary Fees . \$	
Total .. \$	165.00
Received Payment Date,	

## NOTICE OF PUBLIC HEARING SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

**WHAT:** East River Electric Power Cooperative, Inc. Transmission Line Project  
Lincoln and Turner Counties, South Dakota

**WHEN:** Thursday, August 7, 2008, at 6:00 p.m. CDT

**WHERE:** American Legion Post 283, Main Street, Chancellor, South Dakota

Pursuant to SDCL 49-41B-15 and 49-41B-16, the South Dakota Public Utilities Commission (Commission) will hold a public input hearing at the above time and place on an application filed by East River Electric Power Cooperative, Inc. (East River) for a Facility Permit to construct a 115 kV transmission line between the Vigil Fodness High Voltage Substation located south of Tea in Lincoln County and the Chancellor Substation located east of Chancellor in Turner County. The line is needed to serve the expansion of an ethanol plant served by East River's member system, Southeastern Electric Cooperative, Inc., as well as other loads which continue to grow in Turner and Lincoln Counties.

At the hearing, East River will present a brief description of the project, following which interested persons may appear and present their questions, views and comments regarding the application. Pursuant to SDCL 49-41B-15(5), the application is on file in the Lincoln County Auditor's office and Turner County Auditor's office and in the Commission's office in Pierre and the application and all other documents in the case may also be accessed on the Commission's web site at [www.puc.sd.gov](http://www.puc.sd.gov) under Commission Actions, Commission Dockets, Electric Dockets, 2008 Electric Dockets, EL08-016.

The parties to this proceeding are currently East River and the Commission. Pursuant to SDCL 49-41B-17, any person residing in the area of the project, each municipality, county, and governmental agency in the project area, any non-profit organization formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the project area for any interested person, may be granted formal party status in this proceeding by making written application to the Commission as provided in ARSD 20:10:22-40 on or before August 11, 2008. Application forms for party status will be available at the public input hearing on August 7, 2008, or may be obtained from the Commission.

Following the public input hearing, the Commission may schedule one or more subsequent formal evidentiary hearings conforming to SDCL Chapter 1-26 to consider any issues raised by any intervening party, Commission Staff or the Commission itself. At such formal hearing, all parties will have the opportunity to appear, present evidence and cross-examine the other parties' witnesses and exercise all other rights afforded by SDCL 1-26, 49-1 and 49-41B and ARSD 20:10:01 and 20:10:22. Absent a contested issue, the Commission will schedule the matter for decision at a regular or special meeting of the Commission.

For approval, East River must show that the proposed transmission line project will comply with all applicable laws and rules, 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, will not substantially impair the health, safety or welfare of the inhabitants, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether the permit should be granted, denied or granted upon such terms, conditions or modifications of the construction, operation or maintenance as the Commission finds are appropriate. The parties will have the right to appeal the final decision in this case to the appropriate Circuit Court by serving and filing a notice of appeal of the decision in accordance with SDCL 1-26-34, within thirty (30) days after the date of service of the notice of decision in this case.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Commission at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you. The Commission's contact information is: ph. (605) 332-1782; fax. (605) 757-6031; [www.puc.sd.gov](http://www.puc.sd.gov); 500 E. Capitol Ave., Pierre, SD 57501.