

Affidavit of Publication

State of South Dakota

Exhibit "A"

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County of Brookings

Katy VanMaanen of said county, first duly sworn, on oath, says: That she is the office clerk of THE BROOKINGS REGISTER, a daily newspaper, printed and published in the City of Brookings, in said County of Brookings, and State of South Dakota; that she has full and personal knowledge of the facts herein stated; that said newspaper is a legal newspaper and has a bona fide circulation of at least two hundred copies of each issue daily; that said newspaper has been published within the said County of Brookings and State of South Dakota, for more than one year prior to the first publication of Exhibit "A," hereto attached and herein mentioned, and was and is printed that the

RECEIVED

OCT 05 2009

SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

Legal Display "Deer Creek Station"

a printed copy of which, taken from the paper in which the same was published, is hereto attached marked Exhibit said newspaper for 2 times, to-wit:

September 16, 2009

September 23, 2009

said Exhibit "A" inures to the sole benefit for the publishers of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever; that the fees charged for the publication thereof are:

Six hundred sixty dollars \$660.00



Katy VanMaanen

Subscribed and sworn to before me this 23rd day of September 2009

Katie Cobb

Notary Public in and for the County of Brookings, South Dakota. My Commission expires July 14, 2015

**NOTICE OF PUBLIC HEARING  
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION  
DOCKETS EL09-015 AND HP09-002**

**WHAT:** Applications by Basin Electric Power Cooperative, Inc. for permits to construct (i) Deer Creek Station, a 300-megawatt, natural gas-fueled, combined-cycle electric generation facility and associated water pipeline and electric transmission facilities, and (ii) a natural gas pipeline to support the Deer Creek Station generation facility

**WHEN/WHERE:** Wednesday, September 30, 2009 at 6:00 P.M.  
McKnight Community Center,  
300 W. Main St., White, SD

In accordance with SDCL 49-41 B-15 and 49-41 B-16, the South Dakota Public Utilities Commission (Commission) will hold a public input hearing at the above time and place on applications filed by Basin Electric Power Cooperative, Inc. (Basin) for permits to construct an electric generation plant and a natural gas pipeline. On July 28, 2009, Basin filed an application with the Commission for an energy facility permit under SDCL Chapter 49-41 B to construct the Deer Creek Station energy conversion facility (Docket EL09-015), a proposed 300-megawatt combined-cycle natural gas generation facility and associated water supply system and electric transmission facilities. Basin simultaneously filed an application for a permit to construct, own and operate a natural gas pipeline to support the Deer Creek facility (Docket HP09-002). The proposed 13.2 mile pipeline route will traverse about 18 sections of land located in Brookings and Deuel counties. The proposed pipeline would have a diameter of 10.75 inches and would operate at pressures ranging from 475 - 1,435 pounds per square inch gauge (psig). Construction is proposed to begin in July 2010, with generation start-up scheduled for June 2012.

At the hearing, interested persons may appear and present their questions, views and comments regarding the applications. Pursuant to SDCL 49-41 B-15(5), the applications are on file in the Brookings and Deuel County Auditors' Offices. The applications are also on file in the Commission's office in the Capitol Building in Pierre, and the applications and all other documents in the cases 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 and then for Deer Creek Station under Electric Dockets, 2009 Electric Dockets, EL09-015 and for the pipeline under Hydrocarbon Pipeline Dockets, 2009 Hydrocarbon Pipeline Dockets, HP09-002.

The parties to each of these proceedings are currently Basin and the Commission. Pursuant to SDCL 49-41 B-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, or any interested person, may be granted formal party status in either or both of these proceedings by making written application to the Commission as provided in ARSD 20:10:22:40 on or before October 13, 2009. Application for Party Status forms will be available at the public input hearing in White.

For approval of the requested permits, Basin must show that the proposed energy conversion and/or pipeline facilities 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 permits 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 decisions in either or both of these cases to the appropriate Circuit Court by serving and filing a notice or notices of appeal of the decision or decisions in accordance with SDCL 1-26-31, within thirty (30) days after the date of service of the applicable notice of entry of decision in these cases.

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 (800) 332-1782; fax (866) 757-6031; [www.puc.sd.gov](http://www.puc.sd.gov); 500 E. Capitol Ave., Pierre, SD 57501.