

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION OF )  
GREAT RIVER ENERGY AND NORTHERN )  
STATES POWER COMPANY DBA XCEL )  
ENERGY FOR A PERMIT TO CONSTRUCT A )  
10.6 MILE, 345 KV TRANSMISSION LINE )  
(CAPX2020) IN BROOKINGS COUNTY NEAR )  
WHITE, SOUTH DAKOTA )**

**ORDER GRANTING  
EXEMPTION OF PERMIT  
CONDITION**

**EL10-016**

On November 23, 2010, the Commission received an Application from Great River Energy and Northern States Power Company dba Xcel Energy (Applicant or Xcel) for a Permit to Construct a 10.6 Mile, 345 kV Transmission Line (CapX2020) in Brookings County Near White, South Dakota. On June 8, 2011, Applicant and Commission Staff filed a Joint Motion for Approval of Settlement Stipulation. On June 17, 2011, the Commission issued an Order Granting Joint Motion for Approval of Settlement Stipulation and Granting Permit to Construct Facilities. On April 9, 2024, pursuant to SDCL 49-41B-27, the Commission received Applicant's Certification for the Brookings County – Lyon County and Helena – Hampton Second-Circuit Project. SDCL 49-41B-27 requires that if a utility commences construction, expansion, or improvement on a facility more than four years after a permit has been issued, the utility must certify to the Commission that the facility continues to meet the conditions upon which the permit was issued. Xcel now proposes to construct 10.6 miles of the second 345 kV circuit in South Dakota along the original Brookings line and a new breaker at the Brookings County substation.

Condition 29 of the Settlement Stipulation requires that Applicant provide staff with certain pre-construction information not less than 30 days prior to commencement of construction. On May 29, 2024, Xcel filed a Request for an Exemption of Condition 29 of the Settlement Stipulation, requesting the Commission allow the pre-construction information to be provided to staff less than 30 days before construction. The exemption request was made pursuant to Condition 25 of the Settlement Stipulation that states the Commission may grant an exemption to a particular condition upon an affirmative written request that clearly states the reason for the requested exemption.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, and ARSD Chapter 20:10:22.

At its regularly scheduled meeting of June 4, 2024, the Commission considered this matter. Commission staff noted that staff completed its review of the pre-construction information required by Condition 29, which was filed by Xcel on May 29, 2024. Staff recommended the Commission grant Xcel's requested exemption of the 30-day requirement in Condition 29 of the Settlement Stipulation effective as of June 4, 2024.

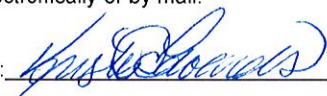
Finding the exemption request to be necessary for Applicant to begin construction on time and further finding that Commission Staff was able to complete its review of the pre-construction information required by Condition 29, the Commission voted unanimously to grant an exemption of the 30-day requirement in Condition 29 of the Settlement Stipulation effective June 4, 2024.

It is therefore

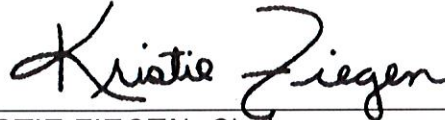
ORDERED, that Applicant's request for exemption of the 30-day requirement within Condition 29 of the Settlement Stipulation is granted. It is further

ORDERED, that the exemption of the 30-day requirement within Condition 29 is effective as of June 4, 2024.

Dated at Pierre, South Dakota, this 5<sup>th</sup> day of June 2024.

<b>CERTIFICATE OF SERVICE</b>
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, electronically or by mail.
By: <u></u>
Date: <u>5 June 2024</u>

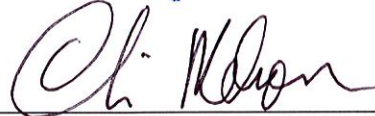
BY ORDER OF THE COMMISSION:



KRISTIE FIEGEN, Chairperson



GARY HANSON, Commissioner



CHRIS NELSON, Commissioner