

**BASIN ELECTRIC  
POWER COOPERATIVE**

1717 EAST INTERSTATE AVENUE  
BISMARCK, NORTH DAKOTA 58503  
PHONE: 701-223-0441 FAX: 701-557-5336



May 6, 2015

Ms. Patricia Van Gerpen  
Executive Director  
South Dakota Public Utilities Commission  
500 East Capitol  
Pierre, SD 57504-5070

**RECEIVED**

**MAY 11 2015**

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

**Re: Basin Electric Power Cooperative – Docket EL01-025**

Dear Ms. Van Gerpen:

As discussed with Ms. Karen Cremer in early March 2015, Basin Electric Power Cooperative (Basin Electric) is planning to relocate a small portion (approximately 3734 feet) of 230-kV transmission line approximately ¼ mile to the south, along the south side of the City of Rapid City (City) landfill. The existing transmission line, constructed in 2003, is jointly owned by Basin Electric and Black Hill Power, Inc. The purpose of the relocation project is to accommodate the lateral expansion of the City's municipal solid waste landfill. The relocation (or bypass) has been directed by the City as per the terms of the easement dated August 6, 2002, a copy of which is attached hereto, and all relocated structures would remain on the City's property.

Described from west to east, the bypass route diverts off the original alignment at a distance of 50 feet inside the west City property line, then proceeds south a distance of approximately ¼ mile, running parallel to the west property line. The route then turns east and proceeds approximately 0.7 miles, running parallel to and offset 50 feet north of the south property line. The route then turns back north and proceeds approximately ¼ mile to a point where it intersects the original alignment. An air photo showing the proposed bypass is attached for your reference.

Six transmission line structures, comprising 3734 feet of transmission line length, will be removed along the existing route. In turn, ten new structures, comprising 6387 lineal feet of transmission line length, will be added by construction of the bypass. The net addition to the transmission line due to construction of the bypass will be four structures and approximately 2653 feet of line length. Structures will consist of galvanized steel monopole design with configurations and heights similar to the existing line structures. Dead end and angle structures will be self-supported with concrete pier foundations and no guy wires.

As part of the agreement to relocate this section of line, a new route easement will be provided by the City. All of the transmission line easement for the landfill bypass route will remain on property owned by the City, with the exception of a small parcel owned by the South Dakota Department of Transportation.

May 6, 2015

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Based on the above-referenced conversation with Ms. Cremer, Basin Electric understands filing this letter (which describes the relocation project in detail) in the above-captioned docket will satisfy the PUC's information requirements, and no other actions or approvals are necessary before construction may begin. If our understanding is incorrect, please notify us immediately so that we may take actions necessary to allow the relocation project to proceed.

If you should have any questions, comments, or concerns regarding this matter, please contact me at 701.557.5495 or [ksolie@bepc.com](mailto:ksolie@bepc.com).

Sincerely,



Kevin L. Solie, P.E.

Environmental Administrator

cc: Kenna Hagen, Black Hills Corporation  
Miles Schumacher, Lynn, Jackson, Shultz, & Lebrun, P.C.

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08/12/2002 08:35a 28.00  
Pennington County, South Dakota  
Donna M. Meyer Misc Real Est

Prepared by:  
Amy Spilman  
Basin Electric Power Cooperative  
1717 East Interstate Avenue  
Bismarck, ND 58503-0564  
(701) 223-0441

PROJECT NO. 412  
PARCEL NO. 0030

EASEMENT

FA 47358

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **City of Rapid City**, of the post office address 300 6th Street, Rapid City, South Dakota 57701-2728, whether one or more, hereinafter referred to as the "Grantor(s)", being the owner of, or having an interest in, land situated in the County of Pennington, State of South Dakota, more fully described below, hereinafter referred to as "Easement Area", for the consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant unto **Basin Electric Power Cooperative**, whose address is 1717 East Interstate Avenue, Bismarck, North Dakota 58503-0564, hereinafter referred to as "Grantee", and to its successors and/or assigns, the exclusive right for so long as the property is needed for an electrical transmission line. To enter upon the lands of the Grantor(s) referred to and to place, construct, reconstruct, operate, repair, inspect, maintain, and replace thereon and in or upon all streets, roads or highways abutting said lands, a line or system for the purpose of transmitting and/or distributing electricity, including all necessary fixtures, including poles, wires, all necessary attachments, and appurtenances thereto, including but not limited to any and all communications systems, equipment, lines, etc. which are now or might from time to time in the future be determined to be necessary or helpful with respect to operation, repair, monitoring, etc. of the transmission system, and to cut down, top, trim, control the growth, or eliminate trees or shrubbery within or adjacent to the Easement Area which might interfere with or endanger the said transmission line.

There will be no buildings, wells, hay or straw stacks or other structures placed in the Easement Area. The Grantor(s), its heirs, successors and/or assigns will have the right to plow, plant, cultivate, harvest or use in any manner said premises as long as the Grantor(s) does not interfere with any of the rights and privileges herein granted to the Grantee or endanger any property of either party. The Grantee will have the right of ingress and egress at all times across the Grantor(s)'s property for the purpose of carrying out the provisions of the easement and the right to install, maintain, and use gates in all fences which cross the Easement Area.

The electric transmission line easement is described as follows:

A tract of land located in Tract A of Waste-Land Subdivision in the South Half (S½) of Section 19, Township 1 North, Range 8 East, of the Black Hills Meridian, City of Rapid City, Pennington County, South Dakota, being more particularly described as follows:



Beginning at the southwest corner of the E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> of said Section 19, the true point of beginning; thence N02°04'26"E 89.45 feet; thence S87°46'12"E 863.27 feet; thence N85°39'54"E 545.93 feet; thence S87°29'08"E 2429.86 feet to the westerly right of way line of state highway 79; thence S05°14'14"E 95.87 feet; thence N86°25'05"W 48.85 feet; thence S15°22'23"E 6.24 feet; thence N87°29'08"W 2389.88 feet; thence S85°39'54"W 439.95 feet to the south line of Section 19; thence N87°51'33"W 973.81 feet to the point of beginning.

The above-described tract contains 8.58 acres.

Directional calls are based on the South Dakota State Plane Coordinate System, North Zone, 1983 Datum.

It is further agreed as follows:

1. The Grantee will pay for all physical property damages that may be caused in the surveying, building, operating, and maintaining of its transmission line over and across the property of the Grantor(s).
2. The Grantor(s) agrees that all structures, poles, wire, and other facilities installed on the Easement Area at the Grantee's expense, will remain the property of the Grantee, and removable by the Grantee.
3. The Grantor(s) covenants and warrants that he/she/they is the owner of the above-described lands subject to such defects, outstanding interests, liens or encumbrances as may now appear of record.
4. The rights of the Grantee hereunder may be assigned in whole or in part.
5. The term Grantee herein will be construed to include Grantee's agents, representatives, employees, contractors, and subcontractors.
6. For purposes of this Easement, the term "transmission line" will include a 230 kV line and a 69 kV line on a single pole, which 69 kV line might be owned, operated, and maintained by Grantee or a third party.
7. The Grantee will have the right to install and maintain anchors and guy wires when reasonably necessary, and the right of ingress and egress over *other lands* of Grantor only as necessary to access the hereinabove described right-of-way.
8. The Grantee will have the right to leave the Easement Area for necessary travel around bodies of water, excessively wet ground or other physical barriers.
9. The Grantee agrees that it will, one time during the term of this Easement, at its sole expense, move any of its transmission facilities located on this Easement upon the following terms and conditions:
  - a. Such move is determined by the Grantor to be necessary to accommodate an actual expansion or modification of the City landfill (into Section 30, Township 1 North, Range 8 East, BHM, Pennington County, South Dakota);
  - b. The Grantor provides Grantee (and/or its successors and assigns) with sufficient advance, written notice (including details relating to the logistics and specifications) of such need to move to provide reasonable time to plan and to make the move without undue interruption of use of those facilities;
  - c. The Grantor provides land or easements, at no cost to Grantee, for relocation of the facilities;
  - d. That all federal, state and local approvals, permits, etc. required for such move are obtained, an effort in which Grantee and Grantor will cooperate and use due diligence;
  - e. That the move requested by Grantor can be accomplished in compliance with Good Utility Practice and all electrical and safety codes then in force; and

f. That Grantee and Grantor will cooperate in identifying and selecting the most reasonable, cost effective, efficient means and methods for the requested move taking into account the Grantor's reasonable needs and the impacts upon Grantee, its successors and assigns.

This instrument and the benefits and obligations herein contained will inure to the benefit of and be binding and obligatory upon the heirs, executors, administrators, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantor(s) has set his/her/their hand this 10th day of August, 2002.

CITY OF RAPID CITY

ATTEST:

[Signature]  
Finance Officer

(SEAL)

[Signature]  
SIGNATURE

Terry Munson  
PRINTED NAME

Mayor  
TITLE

46-6000-380  
FEDERAL TAX ID NUMBER

APPROVED AS TO FORM  
CITY ATTORNEY'S OFFICE

[Signature] 8-6-02  
Attorney Date

ACKNOWLEDGEMENT

STATE OF SD )  
COUNTY OF Penn. ) ss

The foregoing instrument was acknowledged before me this 10 day of August, 2002, by Terry Munson its Mayor of the City of Rapid City.

[Signature]  
Notary Public

My Commission Expires: 9/3/02

**TENANTS CONSENT**

In consideration of One Dollar (\$1.00) and other valuable consideration, the undersigned hereby adopts, ratifies, and joins in the execution of the above and foregoing Transmission Line Easement grant and does hereby subordinate its leasehold hereto and consents to the use and enjoyment by the Grantee therein of the rights covered by said grant. Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2002.

\_\_\_\_\_  
Tenant



PROJECT NO. 412  
 PARCEL NO. 0030

**EASEMENT**  
**BASIN ELECTRIC POWER COOPERATIVE**

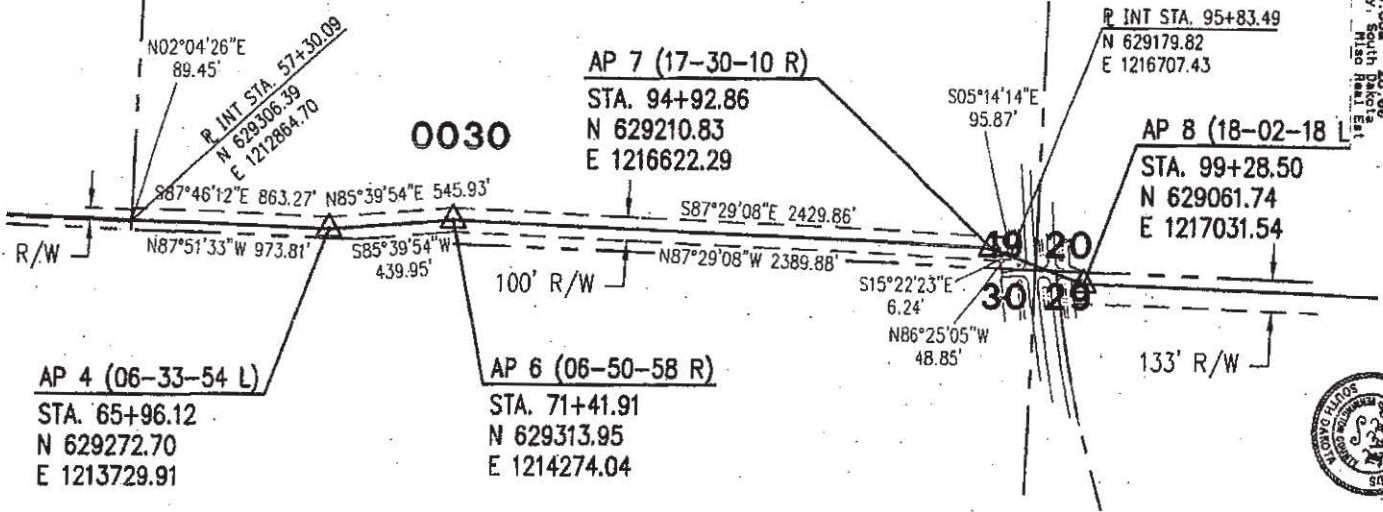
A tract of land located in Tract A of Waste-Land Subdivision in the South Half (S½) of Section 19, Township 1 North, Range 8 East, of the Black Hills Meridian, City of Rapid City, Pennington County, South Dakota, being more particularly described as follows:

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**PARCEL NO. 0030**  
**CITY OF RAPID CITY**  
**E1/2SW1/4, SE1/4**  
**SECTION 19 (T1N,R8E)**  
**SURVEY LENGTH 3853.40'**  
**8.58 ACRES**  
**STA. 57+30.09**  
**TO STA. 95+83.49**



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 8/12/2002 08:35:26  
 State of South Dakota  
 Pennington County, South Dakota  
 Debra J. Hoover, Surveyor





# Map Features



- Current Structures
- Reroute Structures
- Transmission Reroute (1.21 miles)
- Existing Transmission
- ▭ Townships
- ▭ Sections

Date: 3/4/2015  
1 inch = 1,000 feet

