

July 27, 2021

SD Public Utilities Commission, Pennington County, and Black Hill Energy

Memo: Black Hills Energy charging us for making our own power at our own cost.

Can I just say WOW is this for real! Let me take you back to before the turn of the century. Please bear with me my frustration is huge and all of the above had a role in terrorizing our dreams for the future and now it is still going on. My husband and I purchased two lots in Pactola Estates located in the middle of the Black Hills. We were told by the person we purchased the property from that we had water, power, and phone lines to the property on both lot lines. I was hastate without this in writing to agree, but was pushed by friends who pointed out it was part of the agreement when the origin developers" [REDACTED] contacted with Black Hills Power (Now Black Hills Energy ) that they run lines though the development.

When we purchased our lots in 1998, we spent every weekend clearing for our building site. We wanted to be honest and up front with what we were doing, but it would seem we were the only ones. We were told to get a survey done on both lots and they would combine the two lots, which would allow us to build our future garage on both lots in the position we had envisioned. Pennington County Zoning did combine the lots and that was to be good as long as we did not request a change. We also needed a survey to show and grant ourselves easement though the middle of our lower lot. Then we filed all of this with the county and we were given the address 12525 Jax Court, since our home would be built on off of Jax Court even though our main drive is off of Pactola Drive. We were also told the small driveway that goes though the reservoir easement should still be maintained for 911 responses.

Once we started building my fears came true the developer would not honor any verbal agreements. On meeting with a person from Black Hills Power we were told that the agreement with [REDACTED] was simply to run power to Pactola Court on the other side of Edelweiss Mountain Road and they fulfilled that contract. We asked about how much it would cost to run the power from the

home close to us. We were told that was not going to happen since the lines were only large enough to run power just for the few homes that already exist. If we wanted power they need to run a line that was of massive size to run all of the lots including the homes currently powered by Black Hills Power to our lower lot at a cost to us of thirty thousand dollars. Even though we would have to pay for the line it would still be consisted Black Hills Powers property and anyone who taps on will pay them a fee for their hook up and we would not ever see a dime in return. Even after these payments it would cost us another Thirty two hundred dollars to get power to our home. What was even worst was the rest of the remaining lots sold very quickly when buyers were told we were planning on putting in power past their lot and they could hook in for free. Both sides of the loop on Pactola Dr. were told this lie. When the last lot was sold [REDACTED] turned the Home owners Association over to the lot owners and we became the villains, who decided to go off the grid, because we refused to pay for a power line that would make Black Hills Power a lot of money. Then to make matters worse we were told by Black Hills Power that if we had purchased land not in a subdivision they would have gladly brought the power to our lot line for free and we would only need to pay for the hook up to our home. As it turns out this was just the beginning of their game.

My husband had been researching wind and solar for several years. We realize saving our plant is very unpopular in the past political years, but back in 2000 it was our only avenue. We went all in! Totally off the Grid! We had many of the normal concerns of being off the grid and it was scary. In my mind getting a propane truck up to our home safely so our backup generator could add our solar and wind was the most worrisome. Nothing compares to a hose busting on the propane generator in the middle of winter at 3 in the morning when my husband was obligated to be on a plane to take a crew of his Job Corp students to Lafayette, Louisiana that morning in response to Katrina. My husband did his job and I set in the dark to conserve power and warm our home by feeding the wood stove. It was more than a week of hell.

After going all in for being off the grid making a huge investment in equipment and safety features to our home, Black Hills Power had no problem pulling power from the small line we were told we had to replace at our cost to several homes.

Once we had decided we would be building off the grid our first hope was to get our building permit from Pennington County. At that time it was very simple and building could be renewed every year for up to 3 years. We were told we needed to have an approved septic system in place before anything, and needed a drawing of the first building and location of the drain field after that other buildings could be added in that 3 year time frame. We were very up front that we were building off the grid and wanted to build a modest garage with a bathroom, sleeping area as a summer get away until a day power became more reasonable. Pennington County Zone said "No". No garage unless it was attached to the main home. We had to start building our main home first by county rules.

Because of the games we had no other choice, but to change our plans to make our home as efficient as possible. **The plat marked A.** was filed to get our building permit. We noted on our plat that the approximant location for our propane tank, and Power House , which we were told would be needed to keep the backup generator, from freezing up. We also noted it was unclear where we would need to put the solar panel, wind tower, battery bank and electrical station. We were told the wind tower, solar panels, propane tank and garage that would be built after the main house two years later did not need to be on the plat. We were assured by Pennington County Zoning that we did not need a permit for the wind tower or building off the grid. We did get a permit from the State Electrical and had all of the work inspected. The State Inspector was very impressed the system, although he was a little frustrated that it took us so long since we were only working on the home on weekends. With approved septic system in place we started building a smaller home then we envisioned, but used all the suggested techniques to make our home environmentally effective. We worked with several companies who gave bids, then gave grief and games. We found many companies were willing to raise prices and lower quality, knowing we were at their mercy. It seems the power company was not the only greedy people. There were a few honest companies that were above board. As a result many things had to be modified for efficiency and safety. All of these changes were expensive, but I would not change a thing. One of the suggestions of a concrete vault buried under

the house to hold our electrical panels for our wind and solar as well as the battery bank that is vented to the outside gives me personally the biggest peace of mind for safety. The power house was built at the same time as our home was no longer needed because we were told by [REDACTED] that the generator we purchased from them was state of the art and would not freeze up. It was not until the generator was delivered and hooked up that we found out they substitute a cheaper model. By the time we realized the switch we had already discovered that they were less than honest, and we stopped working with them. It was this generator that the hose broke and left me in the dark and we have since replaced the unit for a more reliable one. The power house became a storage unit for items we could not fix into our small home.

It was just a few years later when of two lots built a simple garage with sleeping quarters and a bath that Pennington County Zoning told us we could not do. Black Hills Power was happy to move the power to them, than continued to add on more homes and outlets for camping trailers, which were not allowed by the county. It was a big slap in the face to us and we were never sure why Black Hills Power targeted us for paying for the line [REDACTED] should have paid for when they decided to develop the property in the first place. County zoning and the State of South Dakota had no answers. I do know the faces have change at county zoning since these things occurred

Finally several years after living for off of the grid for over a decade our neighbor started breaking ground next to us. We share an easement to the association reservoir. I do not remember the amount Black Hills Power quoted them, but it was only about a thousand more then what it would have cost us to run from our lot line to our building site. "Yes" they never did replace the lines for that big whopper line they wanted us to pay for. When our neighbors got the quote they asked if we would like to pay for half of the expenses to move the power to their lot line I refused since we already paid a healthy some for our off grid system. They were fine with that and understood. He told us they planned to go ahead since anyone who tapped on to the line that they would reimburse him with power credit for a sizeable amount for each lot that hooks on. That is when we finally agreed to hook on so he could recoup some of his expenses, and we

were not the only ones. He still has another lot that will be tapping on in the future, so he made out quit well. He calms he knew the right people, how can this be.

When we finally hooked on at a sizeable expense and we also paid for special equipment installed to insure Black Hills Powers needs. To date we have not received a dime in credit for the power we feed into their lines. We do enjoy power unlike our neighbors who set in the dark from power failures though the many long hours and days that happen in more than our area, but all along Hwy 385.

**Please we have done our work, do not make us pay for that beautiful new building, and all of those beautiful new vehicles just because they are now called Black Hills Energy.**

Thank You Sincerely, Marie Ziemer

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*Marie Ziemer*