

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

**IN THE MATTER OF THE
APPLICATION BY OTTER TAIL
POWER COMPANY AND WESTERN
MINNESOTA MUNICIPAL POWER
AGENCY FOR A FACILITY PERMIT
FOR A 345-KV TRANSMISSION
FACILITY AND ASSOCIATED
FACILITIES IN GRANT COUNTY,
SOUTH DAKOTA**

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SETTLEMENT STIPULATION

EL24-015

This Settlement Stipulation (Stipulation) is entered into by and among Applicants, Otter Tail Power Company (Otter Tail) and Western Minnesota Municipal Power Agency (WMPMA), through its agent, Missouri River Energy Services (MRES) (collectively, Applicants), and Intervenor, Daniel J. Jurgens and Tamra L. Jurgens (Jurgens). Applicants, Jurgens, and the South Dakota Public Utilities Commission (Commission) Staff are individually referred to herein as a “Party” and collectively referred to as the “Parties.”

STIPULATED FACTS

- A. Applicants are developing the Big Stone South to Alexandria 345-kV Transmission Line Project (Project) in Grant County, South Dakota;
- B. On April 15, 2024, Applicants filed an Application (Application) with the South Dakota Public Utilities Commission (Commission) for a Facility Permit for the Project (Docket EL24-015);
- C. Jurgens petitioned to intervene as a party in Docket EL24-015 on May 13, 2024, and was granted party status by the Commission on June 18, 2024;
- D. Jurgens own a parcel of land on the south side of 146th Street crossed by the route proposed in the Application (Jurgens’ Parcel);
- E. The Applicants met with Jurgens and Commission Staff on June 6 and August 1, 2024, and with Jurgens and their attorney on October 4, 2024, to discuss the Jurgens’ concerns and potential options for addressing those concerns.
- F. On October 25, 2024, Applicants filed the Supplemental Direct Testimony of Jason Weiers, which included a route adjustment that avoids the Jurgens’ Parcel.
- G. Jurgens and Applicants have agreed that it is in their best interests to enter into this Stipulation to document the agreed-upon terms of a settlement between them.

Therefore, Jurgens and Applicants agree as follows:

STIPULATION

1. Route Adjustment. Applicants shall not construct or maintain the Project on the Jurgens' Parcel.
2. Withdrawal of Party Status. Jurgens hereby withdraw their party status in Docket EL24-015.
3. Conditions of Commission Order. The terms of this Stipulation shall be referenced in and included as conditions to any order issued by the Commission granting a Facility Permit for the Project.
4. Application. This Stipulation is intended to relate only to the specific matter referred to herein; no Party waives any claim or right, which it may otherwise have, with respect to any matter not expressly provided for herein.
5. Commission Approval. The terms of this Stipulation are only effective if the Stipulation is approved by the Commission.

Dated: December 5, 2024

OTTER TAIL POWER COMPANY AND
WESTERN MINNESOTA MUNICIPAL POWER
AGENCY, THROUGH ITS AGENT, MISSOURI
RIVER ENERGY SERVICES

By /s/ Mollie M. Smith
Mollie M. Smith
Fredrikson & Byron, P.A.
60 South Sixth Street, Suite 1500
Minneapolis, MN 55402
Phone: (612) 492-7000
Email: msmith@fredlaw.com

Dated: 12/05, 2024

DANIEL J. JURGENS AND TAMRA L. JURGENS

By /s/ Daniel Jurgens
Daniel J. Jurgens
5033 Green Farms Rd
Edina, MN 55436
Phone: (612) 616-6063
Email: danjurgens@mac.com