

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

**IN THE MATTER OF THE FILING BY )  
WESTERN MINNESOTA MUNICIPAL )  
POWER AGENCY, THROUGH ITS )  
AGENT MISSOURI RIVER ENERGY )  
SERVICES, REGARDING ITS )  
NOTIFICATION OF INTENT TO APPLY )  
FOR A PERMIT FOR AN ENERGY )  
CONVERSION FACILITY )**

**AMENDED  
ORDER DESIGNATING  
AFFECTED AREA AND  
DESIGNATING LOCAL REVIEW  
COMMITTEE**

**EL24-021**

This Amended Order corrects the original order by including the company representative as part of the below list of members of the local review committee. This correction makes the Order consistent with the applicable statute and the vote of the Commission at the July 2, 2024, meeting.

On June 3, 2024, the South Dakota Public Utilities Commission (Commission) received a Notice of Intent from Western Minnesota Municipal Power Agency (WMMPA), through its agent Missouri River Energy Services (MRES) to submit an application for a permit for an energy conversion facility. WMMPA proposes to construct, own and operate an energy conversion facility consisting of seven or eight reciprocating internal combustion engines, a concrete engine hall building, diesel fuel truck unloading facilities, and other associated facilities. The expected generation is approximately 145 megawatts of power during periods of high energy demand. Associated facilities will include natural gas piping anticipated to be less than 450 feet and a 345 kV generation-tie transmission line to connect with the Astoria 345 kV substation. The energy conversion facility, known as Toronto Power Plant, is proposed to be located in the SE ¼ of Section 7, Township 113N, Range 48W in Toronto Township, Deuel County, approximately 3 miles north of Toronto, South Dakota. WMMPA filed a map showing the anticipated affected siting area that is within ten miles of the proposed energy conversion facility.

On June 20, 2024, the Commission electronically transmitted notice of the filing and the intervention deadline of July 8, 2024, to interested persons and entities on the Commission's PUC Weekly Filings electronic listserv. As of the date of this order, no petitions to intervene have been filed. On June 28, 2024, PUC Staff filed a letter regarding designation of Affected Area and exhibits. On July 2, 2024, James Moore filed a Notice of Appearance on behalf of Western Minnesota Municipal Power Agency.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically SDCL 49-41B-5 and 49-41B-6, as well as ARSD 20:10:22:01. Pursuant to SDCL 49-41B-6, the Commission is required to designate the affected area relative to this filing and also designate a local review committee within thirty days after the filing of the notification of intent.

At its regularly scheduled meeting on July 2, 2024, the Commission considered this matter. The Commission voted unanimously to designate the affected area as a six-mile radius from the proposed energy conversion facility. In accordance with SDCL 49-41B-6, the Commission voted unanimously to designate the local review committee which shall be compromised of the following individuals, ex officio:

- |   |   |
|---|---|
| (1) Affected South Dakota Counties<br>(Chair of County Commissioners) | Deuel<br>Brookings                            |
| (2) Affected SD Municipalities<br>(Mayor)                             | Toronto<br>Astoria<br>Brandt                  |
| (3) Affected SD School Districts<br>(President of Board of Education) | Deuel 19-4<br>Deubrook 05-6<br>Estelline 28-2 |
| (4) A representative of WMMPA   |   |

Any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by its successor, who shall promptly notify the Commission of such succession. It is therefore

ORDERED, that for the purpose of this energy conversion facility, the affected area shall be a six-mile radius from the proposed energy conversion facility. It is further

ORDERED, that the local review committee shall be comprised of the above referenced individuals, serving ex officio, and that any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by his or her successor, who shall promptly notify the Commission of such succession.

Dated at Pierre, South Dakota, this 9<sup>th</sup> day of July 2024.

<p><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u><i>[Signature]</i></u></p> <p>Date: <u>9 July 2024</u></p>
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BY ORDER OF THE COMMISSION:

*Kristie Fiegen*  
KRISTIE FIEGEN, Chairperson

*Gary Hanson*  
GARY HANSON, Commissioner

*Chris Nelson*  
CHRIS NELSON, Commissioner