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*South Dakota*

**PUBLIC UTILITIES COMMISSION**

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August 21, 2024

Patricia Van Gerpen  
Executive Director  
SD Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

RE: EL24-026 – In the Matter of the Filing by Black Hills Power, Inc. dba Black Hills Energy regarding its Notification of Intent to Apply for a Permit for an Energy Conversion Facility for the Proposed Lange 2 Power Plant Project

Dear Ms. Van Gerpen,

Enclosed for filing, please find Staff's Exhibits 1 and 2. The Applicant, Black Hills Power, Inc. dba Black Hills Energy (BHE) is being served with the same by electronic copy of this correspondence. Staff Exhibit 1 is a map detailing the project area, showing counties, Tribes, municipalities, and school districts within a 5, 7, and 10-mile radius of the proposed project location. Staff Exhibit 2 is a description of the potential Local Review Committee members based on each radius identified in Exhibit 1.

SDCL 49-41B-6 requires, within thirty days of filing, the Commission to designate the affected area and a local review committee composed of the chair of each Tribal Council of each affected reservation, the president of the board of education of each affected school district, the chair of the county commissioners of each affected county, the mayor of each affected municipality, and a representative of the applicant utility designated by the utilities.

In its August 2, 2024, filing, BHE provided a list of the names and addresses of all chairmen of Tribal councils, presidents of school boards, chairmen of county commissions, and mayors of municipalities of the anticipated affected area. BHE's list included only the Board President of the Rapid City Area School District 54-1, the Chairman of the Pennington County Board of Commissioners, and the Mayor of Rapid City. BHE did not file a map that illustrates BHE's proposed affected area for the project. Based on the list provided in the August 2, 2024, filing, it appears to Staff that BHE's proposal for the affected area is confined to the city limits of Rapid City.

In a prior docket, Staff advocated for a six-mile radius to be designated as the affected area. *See* EL24-021. That proposed project is located in a rural area in east-central South Dakota and affects three small municipalities.<sup>1</sup> Conversely, BHE's proposed project is located within the city limits of Rapid City. Therefore, because Staff believes that Rapid City and the immediate area have ample resources to support a project of this nature, Staff recommends the Commission designate the affected area as a five-mile radius around the proposed plant location.

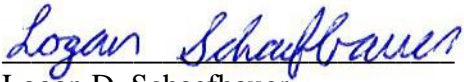
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<sup>1</sup> A Google search shows, as of the 2020 census, that the municipalities of Brandt, Toronto, and Astoria have a combined population of approximately 440 people.

The Local Review Committee membership associated with this recommended radius is shaded in Exhibit 2. Although Staff has made this recommendation, Staff encourages any entity that may be interested in this project to submit comments to this docket or participate in the impending docket regarding the application for a permit to construct the Lange 2 Power Plant, expected to be filed in early 2025.

Please do not hesitate to contact me should you have questions or concerns.

Sincerely,



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Cc/enc. Service List EL24-021