

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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 )

EL-24-026

**MOTION TO WITHDRAW**

Comes now, Black Hills Power, Inc. d/b/a Black Hills Energy (“Black Hills Power”), by and through undersigned counsel, pursuant to S.D. Admin. R. 20:10:01:02:04, and hereby moves to withdraw the notice filed in this proceeding and for dismissal, without prejudice. In support of this motion, Black Hills Power states as follows:

1. Black Hills Power filed its Notification of Intent to Apply for a Permit for an Energy Conversion Facility for the Proposed Lange 2 Power Plant (“Notice of Intention”) with the Commission on August 2, 2024.
2. South Dakota law requires a permit from the Commission prior to constructing or operating a facility in the state if an energy conversion is designed for or capable of generating 100 megawatts or greater.<sup>1</sup>
3. At the time of the filing of the Notification of Intent, the design of the Lange 2 Power Plant Project (“Lange 2 Power Plant”) was expected to generate more than 100 megawatts of power during peak periods of demand. The design at that time included a combination of Reciprocating Internal Combustion Engines (“RICE”) units with natural gas as the sole fuel source and RICE units with dual fuel source capability (natural gas and diesel). As further engineering design was completed, the capacity need was better met by a different portfolio of

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<sup>1</sup> S.D.C.L. §§ 49-41B-1 and 49-41B-2.2(3).

RICE units. Specifically, it was determined that six RICE units with dual fuel capability (natural gas and diesel) would better meet customer need and continued reliability of the Black Hills Power system. With this engineering change, the Lange 2 Power Plant is both designed for and capable of generating a maximum of 99.6 MW of electricity. With this change in the facilities, the Lange 2 Power Plant's generating capacity falls under the statutory permit requirement under South Dakota statute.

4. Black Hills Power will continue its communications with the Commission staff and individuals assigned to the Local Review Committee regarding progress of this project. This will include ongoing communications and sharing of required Wyoming Service Commission Certificate of Public Convenience and Necessity application.

5. As the Lange 2 Power Plant no longer meets the 100 MW statutory threshold, Black Hills Power is filing this Motion to Withdraw the docket and ask the Commission to grant this motion and release Black Hills Power and the Commission appointed Local Review Committee of any further obligations related to energy facility siting permitting for the Lange 2 Power Plant.

WHEREFORE, Black Hills Power respectfully requests the Commission grant the Motion to Withdraw without prejudice.

Dated this 20th day of December, 2024.



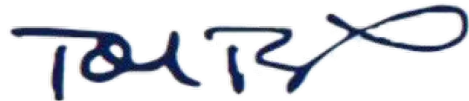
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**CERTIFICATE OF SERVICE**

I certify that on this 20th day of December, 2024, the foregoing document was filed in the docket and served on the following:

Patricia Van Gerpen Amanda Reiss Logan Schaeftbauer Jennie Fuerst Darren Kearney Jon Thurber South Dakota Public Utilities Commission 500 E. Capital Ave. Pierre, SD 57501 patty.vangerpen@state.sd.us amanda.reiss@state.sd.us logan.schaeftbauer@state.sd.us jennie.fuerst@state.sd.us darren.kearney@state.sd.us jon.thurber@state.sd.us	Troy Carr, Board President Board of Education 625 9 <sup>th</sup> Street Rapid City, SD 57701 troy.carr@k12.sd.us  Lloyd LaCroix, Chairman Pennington County Board of Commissioners PO Box 6160 Rapid City, SD 57709 lloyd.lacroix@pennco.org  Jason Salamun Rapid City Mayor 300 Sixth Street Rapid City, SD 57701 mayorsoffice@rcgov.org
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Todd Brink