BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION BY WESTERN MINNESOTA MUNICIPAL POWER AGENCY AND MISSOURI RIVER ENERGY SERVICES FOR A FACILITY PERMIT FOR AN ENERGY CONVERSION AND ASSOCIATED FACILITIES INCLUDING AN ELECTRIC TRANSMISSION LINE IN DEUEL COUNTY, SOUTH DAKOTA	)))))))	**ORDER DENYING REQUEST FOR ACCESS** **EL25-028**

On August 7, 2025, the South Dakota Public Utilities Commission (Commission) received an Application for an Energy Facility Permit from Western Minnesota Municipal Power Agency and Missouri River Energy Services (Applicants). Applicants propose to construct an energy conversion facility and electric transmission line in Scandinavia Township, Deuel County, South Dakota, known as the Toronto Power Plant (Project). Included in the Application is Appendix G – Level III Cultural Resource Records Search. This Cultural Resource information was filed as a confidential document.

On August 14, 2025, the Commission electronically transmitted notice of the filing and the intervention deadline of October 6, 2025, to interested individuals and entities on the Commission's PUC Weekly Filing electronic listserv. On September 24, 2025, a public input meeting was held in Toronto, South Dakota. No individuals or entities intervened in this matter. On October 7, 2026, Suzie Pratt, a non-party to the docket, filed a Request for Access to Confidential Information under ARSD 20:10:01:43. In her request, Ms. Pratt seeks access to the Cultural Resource information. Pursuant to ARSD 20:10:01:42, the Commission must determine confidentiality when a request for access to information filed confidentially has been properly made by a party with standing to bring such a request. On October 26, 2026, Applicant filed a Motion to Withdraw Application.

The Commission has jurisdiction in this matter pursuant to SDCL 49-1-11 and ARSD 20:10:01:42.

At its regularly scheduled meeting on November 4, 2026, the Commission considered this matter. Finding that Ms. Pratt lacks standing to make this request as a non-party to the docket, the Commission voted unanimously to deny the request. It is therefore

ORDERED, that Ms. Pratt's request for access is hereby denied.

Dated at Pierre, South Dakota, this 9th day of November 2026.

CERTIFICATE OF SERVICE

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.

By: Kristen Edwards

Date: 9 Nov 2026

BY ORDER OF THE COMMISSION:

CHRIS NELSON, Chairman

KRISTIE FIEGEN, Commissioner

GARY HANSON, Commissioner