BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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EL 25-028

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 FACILITY AND ASSOCIATED FACILITIES INCLUDING AN ELECTRIC TRANSMISSION LINE IN DEUEL COUNTY, SOUTH DAKOTA	:	**MOTION TO WITHDRAW APPLICATION**

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By order dated July 15, 2026, the Commission granted the Applicants' motion to extend the deadline for a decision in this docket until February 8, 2027. As outlined in its motion, the Applicants sought additional time to explore siting and permitting options after the voters in Deuel County defeated an ordinance rezoning the property where the proposed power plant would have been located. Based on their further investigation, the Applicants have found a new site in a different county that satisfies the criteria for siting the plant and allows them to continue their current position in the Midcontinent Independent System Operator generation interconnection process. The Applicants will file a new application for an energy facility permit specific to the new site. They therefore seek leave under ARSD § 20:10:01:02.04 to withdraw their application in this docket.

The Applicants have communicated with Staff about the new site and new application. Much of the information provided to the Commission and Staff in this docket should be relevant to the new docket, but there are good reasons for proceeding in a new docket: the site is different so the environmental and cultural survey data will differ; the site is located in a different county,

so that county will have an opportunity to participate in the docket as a party; the new site will require a short natural gas distribution line; and the Applicants must give statutory notice to area landowners of a public-input meeting and the opportunity to apply for party status. Thus, the public interest would be best served if the Applicants file a new application in a new docket.

The Applicants respectfully request that the Commission enter an order granting leave to withdraw the energy facility permit application in this docket without prejudice to filing a new application for the proposed power plant at a different location.

Dated this 26th day of October, 2026.

WOODS, FULLER, SHULTZ & SMITH P.C.

By /s/James E. Moore

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2026, a true and correct copy of the foregoing Motion to Withdraw Application was served via email upon the following:

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