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*South Dakota*

**PUBLIC UTILITIES COMMISSION**

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December 1, 2025

Leah Mohr  
Executive Director  
SD Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

**RE: EL25-032, In re Petition of Sweetman Const. Co. dba Knife River**

Ms. Mohr,

On November 24, 2025, Sweetman Const. Co. dba Knife River (Knife River) filed a Motion for a Procedural Schedule. Staff is writing in support of the filed procedural schedule. In looking at hearing dates for this matter the proposed hearing dates of April 13-15, 2026, give the parties ample opportunity to conduct discovery and file testimony. These are the dates that are available in the busy schedules of the Commissioners without pushing this matter way out into the future. Moreover, as with any procedural motion, establishing the hearing dates creates a presumption that the parties can plan, while the Commission still retains the authority to amend the schedule in the event of unforeseen circumstances.

In the Motion Knife River asks the Commission to order that responses to discovery are due ten calendar days after service of discovery unless a different period is agreed to by the parties. Staff also supports discovery responses being due ten calendar days after service of discovery unless a different period is agreed to by the parties. Allowing for more than ten days to respond to discovery in this matter will unnecessarily delay the efficient processing of this docket. Staff encourages the intervenors who disagree with the proposed schedule to submit an alternate proposal for consideration.

Therefore, staff requests that the Commission approve Knife Rivers Motion for a Procedural Schedule including ten calendar day response deadlines to discovery requests unless a different period is agreed to by the parties. However, Staff is amenable of ordering the deadline to be based off of business days rather than calendar days.

Staff understands that this motion was heard on a somewhat expedited basis and thanks the Commission for considering it and thanks the parties for their efficient responses.

Sincerely,

Jennie Fuerst