

**STATE OF SOUTH DAKOTA
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE PETITION
FOR SWEETMAN CONST. CO. D/B/A
KNIFE RIVER, TO HAVE XCEL
ENERGY ASSIGNED AS ITS ELECTRIC
PROVIDER IN THE SERVICE AREA OF
SIOUX VALLEY ELECTRIC**

EL-25-032

**EAST RIVER ELECTRIC POWER
COOPERATIVE, INC.'S
EXHIBITS AND WITNESS LIST**

COMES NOW East River Electric Power Cooperative, Inc. (“East River”), by and through its undersigned counsel, and hereby submits the following list of exhibits and witnesses pursuant to the Commission’s Order Granting Motion for a Procedural Schedule and Order for Notice of Evidentiary Hearing and Order Amending Deadline for Filing of Exhibits and Witness Lists.

Witnesses:

Mark Hoffman, Chief Operations Officer, East River Electric Power Cooperative, Inc.
Scott Shewey, Chief Financial Officer, East River Electric Power Cooperative, Inc.

Exhibits:

MH-1: Mark Hoffman Resume
MH-2: Load Location and ER Infrastructure
MH-3: Conditional Use Permit Application
MH-4: Conditional Use Permit Approval
MH-5: Map
MH-6: Knife River Water Permit Application
MH-7: Knife River Notice of Intent
MH-8: Pre-Filed Testimony of Mark Hoffman
MH-9: Rebuttal Testimony of Mark Hoffman
MH-10: Conditional Use Permit Application pages 23-139 and 176-483 removed
SS-1: Scott Shewey Resume
SS-2: Email CONFIDENTIAL
SS-2: Email PUBLIC DOCUMENT REDACTED
SS-3: Xcel Answers to Sioux Valley Energy, East River, and Basin Electric Data Request
3-1 through 3-5
SS-4: Pre-Filed Testimony of Scott Shewey CONFIDENTIAL
SS-4: Pre-Filed Testimony of Scott Shewey PUBLIC DOCUMENT REDACTED
SS-5: Xcel Data Request Answer 2-9 to Sioux Valley Energy, East River, and Basin Electric
SS-6: Xcel Rate Table of Contents

SS-7: Xcel Peak Controlled Service Rate Code E20
SS-8: Rules for Application of Peak Controlled Service
SS-9: Rate Riders in Rate E20
SS-10: Fuel Rates used in Fuel Rate Rider Calculation
SS-11: Service Agreement for Rate E20

East River reserves the right to present testimony from any witnesses necessary to lay additional foundation for exhibits, as well as the right to call adversely any witnesses identified by Knife River or Xcel Energy. In addition, East River reserves the right to call any additional witnesses to respond to rebuttal evidence presented at the time of hearing.

Further, East River reserves the right to offer any documents for cross-examination, demonstrative purposes, impeachment, or to further respond to any rebuttal evidence presented by Knife River and/or Xcel Energy, as well as any documents identified in response to potential exhibits by Knife River and/or Xcel Energy.

All East River Exhibits are available electronically in the docket except for SS-4: Pre-Filed Testimony of Scott Shewey CONFIDENTIAL, and SS-2: Email CONFIDENTIAL.

In accordance with ARSD 20:10:01:23, East River has removed pages 23-139 and 176-483 from Exhibit MH-3: Conditional Use Permit Application and submitted Exhibit MH-10: Conditional Use Permit Application, pages 23-139 and 176-483 removed as a replacement, absent objection that material or relevant evidence has been removed from MH-3.

In accordance with ARSD § 20:10:01:41.01 through 42, East River respectfully requests confidential treatment of certain information contained in Exhibits SS-2 and SS-4. East River has identified and redacted each piece of confidential information in Exhibit SS-2 PUBLIC DOCUMENT REDACTED and SS-4 Pre-Filed Testimony of Scott Shewey PUBLIC DOCUMENT REDACTED

Pursuant to ARSD § 20:10:01:41.01, East River provides the following information in

support of this request:

1. East River requests that the identified portions of Exhibit SS-2 and SS-4 be Confidential.
2. East River requests that the redacted information be treated as confidential forever.
3. If you have questions regarding this request, please contact:

East River Electric Power Cooperative, Inc.
Danny Brown
General Counsel
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4. East River requests confidential treatment on the grounds that East River considers the redacted information to be trade secret information, the disclosure of which would result in material damage to the Cooperative's financial or competitive position. The claim for confidential treatment is based on ARSD§ 20:10:01:39(4) and (5), and SDCL § 1-27-30. The information contained within the referenced documents meets the definition of "trade secret" under SDCL § 37-29-1(4)(1), the South Dakota Uniform Trade Secrets Act, which is defined as information that "Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and is the subject of efforts that are reasonable under the circumstances to maintain its secrecy."
5. The identified information qualifies for confidential treatment because it is trade secret information regarding East River's and Sioux Valley Energy's cost/CIAC estimates, rate

estimates, and rate philosophy presented to Knife Fork for their plant expansion located at 25944 482nd Ave, Brandon, South Dakota, subject to the above entitled-matter.

Dated this 1st day of April, 2026.

EAST RIVER ELECTRIC POWER COOPERATIVE, INC.

By: 

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