



Chris Nelson, Chairman
Kristie Fiegen, Vice Chairperson
Gary Hanson, Commissioner

South Dakota

PUBLIC UTILITIES COMMISSION

500 East Capitol Avenue
Pierre, South Dakota 57501-5070
<https://puc.sd.gov>

(605) 773-3201

Email
puc@state.sd.us

November 10, 2025

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

RE: EL25-038 - In the Matter of NorthWestern Energy Public Service Corporation dba NorthWestern Energy's Notice of Intent to Apply for Permit for an Energy Conversion Facility at Aberdeen, South Dakota

Ms. Mohr,

Enclosing for filing, please find Commission Staff's (Staff) Exhibits 1 and 2 regarding the Local Review Committee for the proposed energy conversion facility at Aberdeen, South Dakota. The Applicant NorthWestern Energy Public Service Corporation dba NorthWestern Energy (NorthWestern) is being served with the same by electronic copy of this correspondence. Staff's Exhibit 1 is a map detailing the project area, showing counties, municipalities, and school districts within a 5, 10, 15, and 20 mile radius of the proposed project location. There are no reservations within the project area. Staff's Exhibit 2 is a description of the potential Local Review Committee members based on each radius identified in Exhibit 1.

SDCL § 49-41B-6 requires the Commission, within thirty days of receiving the filing of a notification of intent, to designate the affected area and a local review committee composed of the chair of each Tribal Council of each affected reservation, the president of the board of education of each affected school district, the chair of the county commissioners of each affected county, the mayor of each affected municipality, and a representative of the applicant utility designated by the utilities.

In its October 31, 2025, filing, NorthWestern provided contact information for county commissions, school districts, and city and municipal mayors within ten miles of the proposed new facility. The filing included the Brown County Commission, City of Aberdeen, Town of Warner, Aberdeen Public School District 06-1, and the Warner School District 06-5. Staff notes that a ten-mile radius would also include the Groton Area School District 06-6.

Staff recommends the Commission designate the affected area as a five-mile radius around the proposed plant location. The Local Review Committee membership associated with this recommended radius is shaded in Exhibit 2. This recommendation is in line with the Commission's recent decisions regarding the affected area of energy conversion facilities.¹

¹ See, e.g. EL24-021 (designating the affected area of the Toronto Power Plant as a six-mile radius); EL24-026 (designating the affected area of the Lange 2 Power Plant in Rapid City as a five-mile radius).

Staff would also encourage any such entity that may be interested in this project to submit comments to this docket or participate in the impending docket regarding the application for a permit to construct the proposed facility, expected to be filed in 2026.

NorthWestern's filing also includes a request for the Commission to shorten timelines associated with the application process. NorthWestern intends to submit an additional filing which addresses this matter.

Sincerely,
Logan Schaeffbauer
Staff Attorney

Enc.

Cc/enc. Service List EL25-038