

From: Jim Sheehan [REDACTED]
Sent: Thursday, October 15, 2026 8:21 PM
To: PUC-PUC <PUC@state.sd.us>
Subject: [EXT] EL26-026 — Updated public comment on Deuel setback and comparative route impacts

South Dakota Public Utilities Commission,

Thank you for your response today. I discovered that the public comment I prepared on October 8 remained in my Gmail drafts and was not transmitted. Please accept this updated comment for docket EL26-026.

My September 15 comment concerned transmission capacity and benefits. This comment concerns how changes to the proposed 765 kV transmission route distribute protection, costs, and land impacts among South Dakota residents.

A transmission line moved farther from one home must still cross someone's land. The change may affect another residence, a farming operation, an irrigation system, or future use of a property. Understanding those consequences is important when evaluating both the proposed route and county setback requirements.

The applicants' September application establishes several relevant facts:

- Deuel County adopted a 2,000-foot setback measured from transmission structure foundations to inhabited residences.
- The applicants rejected their January preliminary route, which included variations, after identifying 46 residences within the setback distance.
- Two new alternatives were developed in March. The rejected western alternative was 0.15 miles longer and required 10 non-tangent structures compared with five on the eastern alternative.
- The proposed route required nine Deuel County waivers, five obtained at filing.
- Changes in Deuel County affected where the line would cross into Brookings County.
- The applicants acknowledge that modifications for residences, existing infrastructure, and agricultural operations increased project length, structure requirements, and costs.

These findings demonstrate that some comparative routing analysis has been performed. However, I have not located a consolidated comparison showing the residential protection achieved, the burdens shifted to other landowners, and the costs attributable to particular routing decisions. If one exists, a reference to the relevant filing or exhibit would be helpful.

I respectfully ask the Commission and its staff to consider whether the applicants can clarify three matters using existing routing, engineering, and cost records.

1. Residential separation and the baseline

Which January alignment or combination of variations produced the 46-residence count?

Was that count developed using preliminary centerline buffers or anticipated structure-foundation locations?

For the January baseline, the March alternatives through Deuel County, and the September proposed route, can the applicants provide comparable counts of Deuel County residences within the 2,000-foot setback distance, identifying where preliminary structure locations limit the precision of the comparison?

For the affected Brookings County segment, can the applicants likewise describe how residential separation changed between the January and September alignments, using a consistent measurement method? This is a request for a comparable measure of impacts, not an assertion that Deuel County's ordinance applies in Brookings County.

The number of waivers required is not necessarily equivalent to the number of residences protected. Both measures should be explained using consistent definitions.

2. Consequences for landowners and farming operations

Can the applicants compare the January baseline with the September proposed route in each affected county, and also compare the two March alternatives through Deuel County, using available estimates of route mileage, non-tangent structures, crossings, affected parcels, and right-of-way acreage?

Where reasonably available, the comparison should identify material differences in agricultural operations, including field access, irrigation systems, tillage patterns, drainage, and conservation restrictions.

In particular, I ask that the January-to-September comparison include the changes carried into Brookings County rather than ending at the Deuel County boundary.

The analysis should distinguish changes driven by the Deuel County ordinance from those made for individual landowner requests, environmental concerns, or other engineering considerations.

3. Incremental construction costs

Section 8 of the applicants' September application and the October 14 corrected testimony identify estimated total South Dakota project capital costs of \$1.284 billion to \$1.666 billion in 2024 dollars. These are estimates for the project as proposed, not a

calculation of the incremental cost of complying with Deuel County's setback. The correction to testimony should not be mistaken for a reduction in project costs.

What route-specific differences in mileage, structures, crossings, land rights, and construction costs have already been estimated?

Which costs can reasonably be attributed to the ordinance, as distinct from other routing changes?

If no reliable isolated estimate exists, identifying that limitation would help the Commission and the public understand the evidence.

South Dakota law, SDCL 49-41B-28, provides a process by which the Commission may supersede a local land-use restriction after making the required finding concerning unreasonable restrictiveness. I am not asking the Commission to presume that finding or to prejudge the merits of Deuel County's ordinance.

Protecting existing homes is a legitimate public concern. So is protecting the practical ability of neighboring farmers and landowners to use their property.

Before a local restriction is judged too costly or unreasonable, the record should make the resulting trade-offs visible.

Thank you for considering these questions. Please confirm receipt and placement of this comment in docket EL26-026.

Jim Sheehan

[REDACTED]

Dakota Dunes, SD 57049

[REDACTED]