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

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| In the Matter of the Application of Otter Tail Power Company) For a Facility Permit for the Big Stone South to Hankinson to ) Bison 345-kV Transmission Line Project ) | APPLICATION FOR PARTY STATUS |

**EL26-028**

RICHARD & HELAINE FONDER, married persons and TRUSTEES of the FONDER LIVING TRUST, dated June 18, 2014, 14183 477th Avenue, Milbank, SD 57252 (the "Trust" or "Applicant"), hereby applies on behalf of the Trust to the Public Utilities Commission for party status in this matter (the "Project").

The Trust received official notification of the project via U.S. mail from the siting permit applicant.

The Trust holds title to **organic** agricultural and residential lands in Township 121 North, Range 48, West of the 5th P.M. Melrose Township, Grant County, South Dakota. These lands include Lots 1 & 3 BLOEM ADDITION N1/2NE1/4 of Section 11 and Lots 4 & 6 BLOEM ADDITION SE1/2SE1/4 of Section 2. The residence in Section 11 is currently "sandwiched in" by an Otter Tail Power transmission line to the south and an East River Electric transmission line to the north. The Project's proposed 345 kV transmission line is approximately a quarter (1/4) of a mile south of the residence.

The Trust also holds title to **organic** agricultural and residential lands in Township 122 North, Range 48, West of the 5th P.M. Geneseo Township, Roberts County, South Dakota. These lands include SE1/4 and SW1/4NE1/4 of Section 34. The Project's proposed 345 kV transmission line is between a half (1/2) and one (1) mile west of the residence.

The Trust's lands are used for **organic cropland, organic hay ground,** and **organic pasture** that supports **organic dairy cows** and **several growing families**. **Electric fencing** is used extensively to move the organic dairy cattle through the various paddocks. We have had issues with **stray voltage** in the past. The Project's imposing presence near the Trust's lands is a clear detriment, hindrance, and danger to the use of those lands.

Applicant further states and alleges: the Project's route, as presently understood by the Trustees, is proposed to pass anywhere from a quarter (1/4) of a mile to less than one (1) mile from the Trust lands.

Applicant submits it is entitled to party status in this matter and that it be afforded all rights of a contested case hearing.

Respectfully submitted,
FONDER LIVING TRUST,
*Applicant for Party Status:*

Date: 11-7-, 2026

By: /s/ Richard Fonder
RICHARD FONDER, TRUSTEE

Date: Nov 7, , 2026

By: /s/ Helaine Fonder
HELAINE FONDER, TRUSTEE

14183 477th Ave, Milbank, SD 57252
(605) 432-4470
fonderfam@hotmail.com

## Certificate of Service

Undersigned, as an *Applicant for Party Status,* certifies, on the date below, a true and correct copy of the foregoing Application for Party Status was served by electronic mail on each of the following known parties of interest in **Docket EL26-028**, namely:

Leah.Mohr@state.sd.us
Logan.Schaefbauer@state.sd.us
Jon.Thurber@state.sd.us
Amuja.Oke@state.sd.us
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Amanda.LaCroix@state.sd.us

Date: 11-7-, 2026

/s/ Richard Fonder
RICHARD FONDER, TRUSTEE

Date: Nov 7, 2026

/s/ Helaine Fonder
HELAINE FONDER, TRUSTEE

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