Print or Type

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

Print Form

*This form is **only** for persons who wish to be an active party in this docket. You do NOT need to be a party to submit comments.*

In the Matter of NorthWestern Energy Public Service Corporation, dba NorthWestern Energy, for an Energy Conversion Facility Permit to Construct the Hub City Energy Park Natural Gas Generation Facility, Including a Natural Gas Transmission Pipeline, Near Aberdeen, South Dakota

APPLICATION FOR PARTY STATUS

EL26-031

_____, petitions the Public Utilities Commission to be granted party status in this proceeding.
(Name of Applicant. This will be the person or entity named as a party.)

Place a check mark next to each item below that applies to you, adding a mileage number where requested.

_____ I am a person or organization that received official notification of the project via U.S. mail from the siting permit applicant.

_____ I reside within _____ miles of the proposed project.

Residential address if different from your mailing address:

_____

_____ I own land within_____miles of the proposed project.

Legal description: _____

_____

_____ I officially represent a municipal, city, township, county or other affected governmental agency within _____ miles of the proposed project.

_____ I represent a utility company with facilities within _____ miles of the proposed project.

Explain your interest in applying for party status below.

Deadline:This application must be filed with the Public Utilities Commission on or before **5:00 p.m. CT, Dec. 1, 2026**. File this completed form electronically at puc.sd.gov/EFilingOptions.aspx

This section is to be completed by the person requesting party status. **All fields are required.**

_____
Applicant's Printed/Typed Name

_____
Signature of Applicant — Date Signed

_____
Name of Applicant's Organization (if Applicable)

_____
Applicant's Address (PO Box/St/Ave/Road)

_____
Applicant's Address (City, State, ZIP Code)

_____
Applicant's Phone Number

_____
Applicant's E-mail Address*

The section below is to be completed by the Applicant's attorney, if represented. All fields are required.

_____
Attorney's Printed/Typed Name

_____
Signature of Attorney — Date Signed

_____
Attorney's Phone Number

_____
Attorney's Email Address*

_____
Attorney's Address (PO Box/St/Ave/Road)

_____
Attorney's Address (City, State, ZIP Code)

*The Commission processes its dockets electronically for time and cost efficiencies. Communication on the docket will be done via email to parties to this docket. Failure to provide an email address may result in documents being served upon the county auditor
ather than sent directly to the party, pursuant to SDCL 49-41B-17.1.

If your submitted form is incomplete, you risk not being granted party status.

For approval, party status applications must meet the requirements of SDCL 49-41B-17.

Guide For Participating as An Intervenor
Before the South Dakota Public Utilities Commission

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Obtaining Intervenor Status

To obtain intervenor status (also referred to as party status), you must properly fill out the Application for Party Status and obtain Commission approval. Your party status application will only be granted if you demonstrate that you have a qualified interest pursuant to SDCL 49-41B-17. Completing and submitting the party status application does not guarantee your application will be granted. While the party status application form provided by the Commission is a template that lays out some of the main areas looked at to determine a person's direct interest, the person applying for party status still bears the burden to show that they satisfy at least one of the criteria in SDCL 49-41B-17. In particular, if you reside outside the project area or did not receive the Notice of Application from the Applicant, it is recommended that you provide additional information to establish your direct interest.

Participating in a Contested Case Proceeding

If your Application for Party status has been granted by the Commission, you are now a formal party, or intervenor, to a contested case proceeding that will be conducted in accordance with SDCL Chapter 1-26 and 15-6. You should review the contested case statutes in SDCL Chapter 1-26 and the Rules of Civil Procedure in SDCL chapter 15-6 and other applicable law to understand what is expected of you. Some of the main obligations you now have as an intervenor are listed below.

Example Intervenor Obligations

If your application for party status is granted, you may be required to:

1) Respond to any discovery served upon you (see SDCL 15-6-26). You also have the ability to serve discovery on other parties, including the Applicant.
2) Understand the rules of evidence in contested case proceedings (SDCL 1-26-19 and SDCL Chapter 19).
3) Respond to motions made by other parties (to the extent you choose to).
4) Participate in Commission meetings to support any motions you make to the Commission.
5) Participate in Commission meetings to support or oppose any motions made by other parties (to the extent you choose to).
6) Submit pre-filed written testimony per the procedural schedule.
7) Attend an evidentiary hearing in person and testify before the Commission.
8) Submit post-hearing briefs per the procedural schedule.

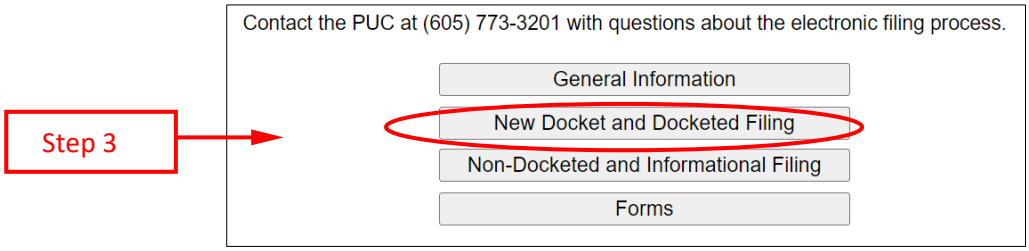
The above is not an inclusive list nor should it be construed as legal advice. The list is provided to give you an idea about what your involvement as an intervenor may entail. If you have legal questions on contested case proceedings, you should talk to your personal attorney.

How to E-File with the Commission

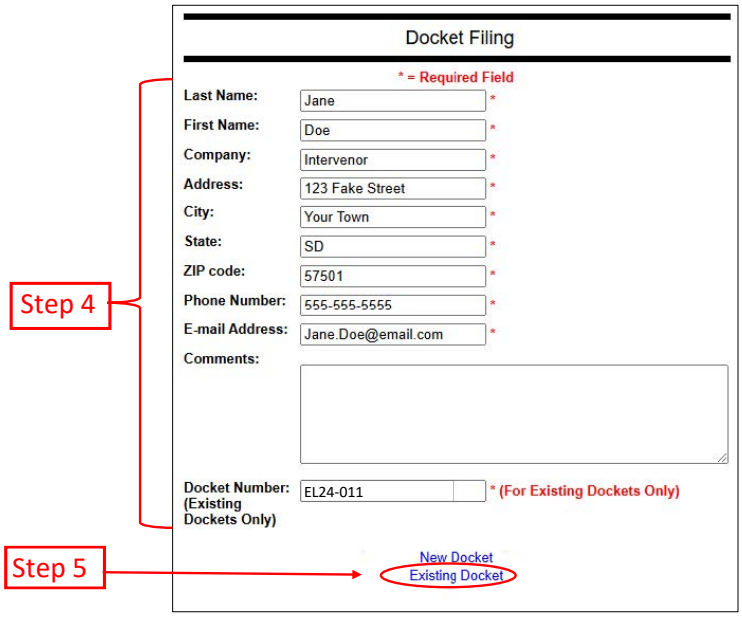
As an intervenor, you **must** file your documents with the commission electronically.

Step 1: Access the PUC's website at https://puc.sd.gov/.
Step 2: Click the "E-filings" tab located on PUC's homepage.

Step 3: Thoroughly read the instructions then click on "New Docket and Docketed Filing" at the bottom of the page.



Step 4: Complete the required fields on the webpage as indicated by the red asterisks. Make sure to note the docket number.
Step 5: Click on "Existing Docket" and an email will automatically be populated.



Step 6: Attach the document(s) you want to file with the Commission to the email.

Note: If a single file size is too large (more than 20 MB), you can either: 1) break up the single large file into multiple smaller files and email each small file using the steps here-in, or, 2) contact the PUC at (605) 773-3201 to discuss an alternative filing method.

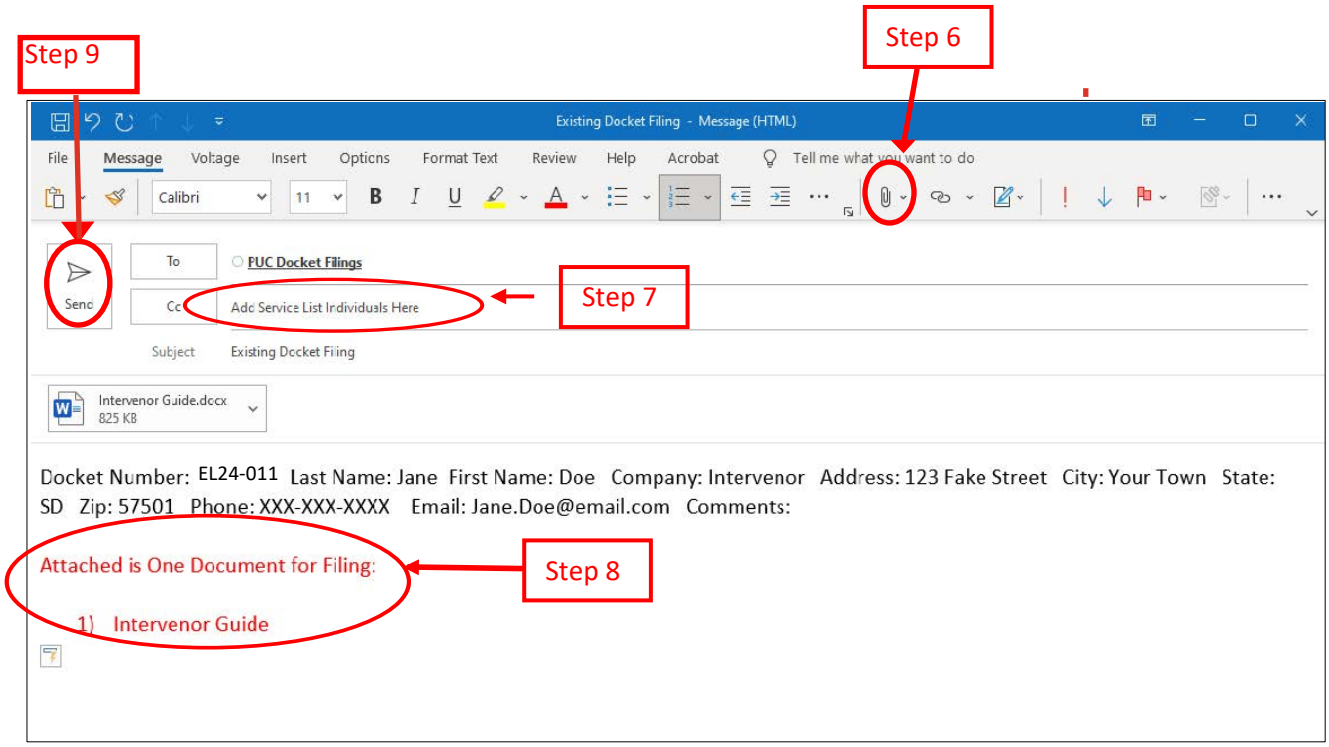
Step 7: Filing through the PUC's e-filing system does not automatically provide the required service upon your fellow parties. All party filings must be served on every party on the service list, found on the docket page. For non-confidential filings make sure to "CC" ***all*** individuals included on the docket's Service List. You can access the Service List through the docket's webpage.

For confidential filings make sure to only "CC" the proper individuals that are allowed to view the confidential information. Be sure to follow the specific filing instructions for submitting confidential documents.

Step 8: If you did not add comments in Step 4 and decide you would like to, you can add comments to the body of the email.

Note: While not required, identifying the title of each document you are filing is ***extremely* helpful** for efficiently processing the filing.

Step 9: Hit "Send" and you are all done! The PUC will send a reply email confirming that your filing was received. If your filing has been submitted incorrectly, you will be notified and advised about how to re-submit according to the e-filing guidelines.



Withdrawing as an Intervenor

You may request to withdraw from being an intervenor at any time during the contested case proceeding; however, the Commission must formally rule on your withdrawal. Pursuant to ARSD 20:10:01:02.04, to properly withdraw from intervention you will need to file a "Motion to Withdraw from Intervention." Once the motion is filed it will be scheduled to be heard by the Commission at one of the Commission's regularly scheduled meetings. You should plan to attend that meeting to answer any questions the Commission may have on your motion. Examples as to why an individual may wish to withdraw as an intervenor are listed below.

Possible Examples for Withdrawing Intervention

1) The proposed project no longer impacts your property and you are no longer interested in the proceedings.
2) You originally intervened in the case but decided to follow the case and offer comments rather than actively participate in all legal filings and formal hearings.
3) You have worked out your concerns with the project developer and no longer need to participate in the contested case to protect your interest.