



Chris Nelson, Chairman
Kristie Fiegen, Vice Chairperson
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South Dakota

PUBLIC UTILITIES COMMISSION

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December 19, 2022

Donald Klassen

██████████
Harrisburg SD 57032

Dear Mr. Klassen,

This is in response to your letter with attachments to the South Dakota Public Utilities Commission regarding the proposed Navigator Heartland Greenway, LLC's Pipeline, docket HP22-002. You can access the docket online at [PUC.sd.gov](https://puc.sd.gov) by clicking on Commission Actions, Commission Dockets, Hydrocarbon and Carbon Dioxide Pipeline Dockets, 2022 Hydrocarbon and Carbon Dioxide Pipeline Dockets, and HP22-002.

The commission received a siting permit application from Navigator on Sept. 27, 2022. The docket is receiving a detailed review by the commission, including public input meetings hosted in November along the route.

The enclosed Information Guide to Siting Pipelines, posted on the commission website home page and in the docket, further explains the commission's processing of this docket, including relevant South Dakota laws and rules. As this document relays, the commission is not involved with eminent domain or easements.

The commission is also not involved in planning or routing any project requesting a siting permit, and does not have the legal authority to change or mandate a route. See South Dakota Codified Law, specifically SDCL 49-41B-36. In past siting dockets involving other projects, routes and layouts have become more firm following the information gathered by the applicant during – and in communications with landowners and others as a result of the – public input meetings.

My fellow commissioners and I are bound by law to fully review and process any siting application legally filed with the commission. We cannot simply refuse to consider such an application, and must do so following criteria and definitions required by law.

You will learn more about the proposed project as further information continues to be requested by commissioners and staff, filed in the online docket, and publicly available in the months ahead. Many questions are being asked and issues are continually being addressed by commission staff working with other state agencies and industry expert witnesses.

Thank you for sharing your concerns and suggestions. Your letter and this response will be posted under Comments and Responses in the online docket.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Nelson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Chris Nelson