

From: PUC
Sent: Friday, December 9, 2022 12:28 PM
To: [REDACTED]
Subject: HP22-002

Mr. Heynen,

This is in response to your email to the South Dakota Public Utilities Commission regarding the proposed Navigator Heartland Greenway, LLC's Pipeline, docket [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, following the public input meetings hosted in November along the route, as you are aware having attended one of these.

The [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 state laws and rules. You will see from reading this that the state jurisdiction in South Dakota is quite different from that in Iowa. The South Dakota 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.

I suggest you reach out to Navigator contacts with your suggested alternate route and reasons for this. You will find these contacts in the docket's Service List.

You will learn more about the proposed project and find answers to your questions 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 email and this response will be posted under Comments and Responses in the docket.

Chris Nelson, Chairman
South Dakota Public Utilities Commission
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