

From: PUC
Sent: Friday, August 25, 2023 8:48 AM
To: Julia Fosdick [REDACTED]
Subject: HP22-002

Ms. Fosdick,

This is in response to your email regarding the Navigator Heartland Greenway, LLC docket, [HP22-002](#).

You write about safety concerning this proposed project's application for a siting permit submitted to the South Dakota Public Utilities Commission on Sept. 27, 2022, currently under review by the commission.

It is important that the South Dakota Public Utilities Commission processes this docket in an appropriate, lawful manner. My fellow commissioners and I took an oath to follow the laws of the state of South Dakota after being elected and that is what we are working to do.

Please reference the [Pipeline Siting Info Guide](#) that is posted in this pipeline docket as well as on the commission website home page, explaining the South Dakota Public Utilities Commission's processing of siting dockets such as these. I encourage you to read the state statutes and rules that are referenced and that provide the commission's jurisdiction according to laws passed by the South Dakota Legislature.

My fellow commissioners and I will make a determination on the permit based on facts presented by parties to the docket. Our decision must be based on evidence, not hearsay or emotion. We must make a decision that is within the commission's legal jurisdiction, and one we believe will be upheld should our decision be appealed to circuit court. The Navigator evidentiary hearing was held July 25-August 8, with two additional days of hearing this week. If you have been listening to the hearing or following along by reading the exhibits and other filings, you know safety was and is a key point discussed by the parties with many questions asked by commissioners.

Since commissioners have a decision-making role in docket matters, any communication with us about any open or imminent docket must be done in an open forum, such as a public meeting or hearing, with notice given to all parties or made available via the docket. Thus, your email and my response will be posted under Comments and Responses in the docket.

Thank you for writing to share your concerns and allowing me to explain the commission's jurisdiction and the processing of this CO₂ pipeline's siting permit application.

Kristie Fiegen, Chairperson
South Dakota Public Utilities Commission
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