

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

IN THE MATTER OF THE PETITION FOR)	ORDER GRANTING
DECLARATORY RULING FILED BY THE CITY)	INTERVENTIONS
OF PIERRE REGARDING A TRANSMISSION)	
LINE)	EL98-004

On March 19, 1998, the South Dakota Public Utilities Commission (Commission) received a Petition for Declaratory Ruling from the city of Pierre, South Dakota. In the Petition, the city of Pierre asks that a determination be made as to whether or not a permit from the Commission is necessary to build a proposed 115 kV transmission line as described in the Petition or whether it may be built under an exception to the permit statute.

On March 26, 1998, at its regularly scheduled meeting, the Commission considered the matter along with comments from attorneys for the city of Pierre, private landowners, and Oahe Electric Cooperative, Inc. The timing restrictions of ARSD 20:10:01:35 were discussed and a procedural schedule was set by the Commission.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, SDCL 1-26-15, and ARSD 20:10:01:34 and 20:10:01:35. The Commission voted to set the procedural schedule which shall be as follows: Parties wishing to intervene shall file a petition to intervene by 5:00 o'clock P.M., on April 8, 1998, and the hearing in this matter shall be April 22, 1998, commencing at 8:15 o'clock A.M., in Room 468 of the State Capitol Building, Pierre, South Dakota.

At its regularly scheduled April 9, 1998, meeting the Commission considered Petitions to Intervene by the following:

1. Harvey Buhl
2. Bernard and Thelma Beastrom
3. Terry Barge
4. Ben Handcock
5. Ron Nagle
6. Monte Leiferman
7. Brian Knox
8. Mark Steiner, D.C.
9. Marie Bellander
10. Blalin Bellander
11. Bruce D. Johnson
12. John Thompson
13. Brian and Mary Puckett

The Commission found that the Petitions to Intervene were timely filed and demonstrated good cause to grant intervention. It is therefore

ORDERED that the Petitions to Intervene of the parties listed above are granted.

Dated at Pierre, South Dakota, this 13th day of April, 1998.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>William Kallo</u>
Date:	<u>4/13/98</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner