



Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, the parties to this proceeding are currently East River and the Commission. Xcel has filed a motion to intervene and a request to receive all filings in the case. Further, each municipality, county, and governmental agency in the area where the facility is proposed to be sited; any non-profit organization, formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the facility is to be sited; or any interested person, may be granted party status in this proceeding by making written application to the Commission.

Following the public input hearing, the Commission may schedule one or more subsequent formal evidentiary hearings conforming to SDCL 1-26 to consider any issues raised by any intervening party, Commission Staff or the Commission itself. At such formal hearing, all parties will have the opportunity to appear and present evidence and cross-examination of the other parties' witnesses and exercise all other rights afforded by SDCL 1-26, 49-1 and 49-41B and ARSD 20:10:01 and 20:10:22. Absent a contested issue, the Commission will schedule the matter for decision at a regular or special meeting of the Commission.

For approval, East River must show that the proposed transmission upgrade project will comply with all applicable laws and rules, will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety or welfare of the inhabitants, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. The Commission will decide whether the permit should be granted, denied or granted upon such terms, conditions or modifications of the construction, operation or maintenance as the Commission finds appropriate.

It is therefore

ORDERED, that the Commission will hold a public input hearing on Monday, April 12, 2004, at 8:00 p.m. CDT, in the Meeting Room of the Ronning Branch Library, 3100 E. 49th St. (east of Southeastern on 49th St.), Sioux Falls, SD; and it is

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FURTHER ORDERED, that pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, applications for party status must be filed on or before April 27, 2004; and it is

FURTHER ORDERED, that pursuant to SDCL 49-41B-17.1, a party who wishes to receive personal service of all material filed in this matter shall make a specific request to the Commission for personal service, which may be included in the application for party status. Absent such a specific request, the County Auditors for Minnehaha and Lincoln

Counties are designated by law as the agents for service of process upon all parties to this proceeding residing in Minnehaha and Lincoln Counties, respectively.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 25th day of March, 2004.

<b>CERTIFICATE OF SERVICE</b>	
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>Tina Douglas</u>
Date:	<u>3-25-04</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Gary Hanson  
GARY HANSON, Commissioner

James A. Burg  
JAMES A. BURG, Commissioner

