

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

IN THE MATTER OF THE FILING BY BASIN)	ORDER GRANTING WAIVER
ELECTRIC POWER COOPERATIVE, INC.)	
REGARDING ITS NOTIFICATION OF INTENT)	EL06-025
TO APPLY FOR A PERMIT FOR AN ENERGY)	
CONVERSION FACILITY)	

On September 22, 2006, the Public Utilities Commission (Commission) received a notification of intent to submit an application for a permit for an energy conversion facility from Basin Electric Power Cooperative, Inc. (Basin Electric). Basin Electric is a consumer-owned, regional cooperative headquartered in Bismarck, North Dakota. Basin Electric proposes to construct an additional 100 MW (nominal) General Electric LMS100 simple-cycle gas turbine in Brown County, approximately five miles south of the city of Groton. The proposed site is located five miles south of the town of Groton, three miles north of the community of Ferney and 18 miles southeast of the city of Aberdeen, all of which is in Brown County. The turbine will be fired by natural gas supplied by the existing natural gas pipeline presently on site. This proposed project location will not require installation of any new pipeline. The proposed site has an existing Western Area Power Administration (Western) 115-kV substation, a Basin Electric 345-kV substation, and a 100 MW GE LMS100 gas turbine. An existing 345-kV transmission line owned by Basin Electric and a 115-kV line owned and operated by Western currently pass within 1/2 mile of the site. This site will be operated remotely with daytime support personnel for operating and maintenance activities. The construction phase of the project will take place over a period of 12-15 months. A maximum of approximately 30-40 construction personnel will be on site at any given time. Basin Electric estimates the cost for this project at sixty-eight million dollars.

On December 6, 2006, the Commission received a letter from Basin Electric requesting that the Commission exercise its authority under SDCL 49-41B-23 to waive a portion of the six-month waiting period imposed by SDCL 49-41B-5 between the filing of a notification of intent and the submission of the application for a permit to construct a generation facility under SDCL 49-41B. The local review committee electronically notified the Commission that it did not object to the waiver.

The Commission has jurisdiction over this matter pursuant to SDCL 49-41B, specifically SDCL 49-41B-6 and ARSD 20:10:22:01 and 20:10:22:02.

At its regularly scheduled meeting of December 19, 2006, the Commission considered this matter. Chairman Rix confirmed that the local review committee did not object to a waiver. The Commission voted unanimously to grant the requested waiver. It is therefore

ORDERED, that the requested waiver is granted.

Dated at Pierre, South Dakota, this 28th day of December, 2006.

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: Melaine Kolbo

Date: 12/29/06

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:


JUSTIN M. JOHNSON, Chairman


GARY HANSON, Commissioner


STEVE KOLBECK, Commissioner