

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>NOTICE OF APPLICATION;</b>
<b>EAST RIVER ELECTRIC POWER )</b>	<b>ORDER FOR AND NOTICE</b>
<b>COOPERATIVE, INC. FOR A PERMIT TO )</b>	<b>OF PUBLIC INPUT</b>
<b>CONSTRUCT 9.5 MILES OF 115 KV )</b>	<b>HEARING; NOTICE OF</b>
<b>TRANSMISSION LINE IN LINCOLN AND )</b>	<b>OPPORTUNITY TO APPLY</b>
<b>TURNER COUNTIES )</b>	<b>FOR PARTY STATUS</b>
<b>)</b>	<b>EL08-016</b>

On June 12, 2008, East River Electric Power Cooperative, Inc. (East River) submitted an application for a Construction Permit to build a 9.5 mile 115 kV transmission line between the Virgil Fodness High Voltage Substation located south of Tea in Lincoln County and the Chancellor Substation located east of Chancellor in Turner County. The line is needed to serve the expansion of an ethanol plant served by East River's member system, Southeastern Electric Cooperative, Inc., as well as other loads which continue to grow in Turner and Lincoln Counties.

Pursuant to SDCL 49-41B-15 and 49-41B-16, the Commission will hold a public hearing on East River's application on Thursday, August 7, 2008, at 6:00 p.m. at American Legion Post 283, Main Street, Chancellor, South Dakota. The purpose of the hearing will be to hear public comment regarding East River's application. At the public input hearing, East River will present a brief description of the project, following which interested persons may appear and present their views, comments and questions regarding the application. A copy of the application is on file with the Lincoln and Turner County Auditors pursuant to SDCL 49-41B-15(5) and the Commission's office in Pierre and the application and all other documents in the case may be accessed on the Commission's web site at [www.puc.sd.gov](http://www.puc.sd.gov) under Commission Actions, Commission Dockets, Electric Dockets, 2008 Electric Dockets, EL08-016.

In its Order Assessing Filing Fee and Approving Method of Notice to Landowners dated July 2, 2008, the Commission ordered that notice be given to those owners of real property within one-half mile of the proposed facilities who appear on the list maintained by Lincoln County and Turner County for receipt of notice of real property tax assessments. **PLEASE TAKE NOTICE** that it is the responsibility of the landowner receiving this notice to notify any co-owners of the property regarding the application, the public input hearing and the other matters stated in this notice.

Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, the parties to this proceeding are currently East River and the Commission. Any person residing in the area of the project; 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. Applications for party status will be available at the public input hearing or may be obtained from the Commission's web site or by contacting the Commission. Applications for party status must be received by the Commission on or before August 11, 2008.

Following the public input hearing, the Commission may schedule one or more subsequent formal evidentiary hearings conforming to SDCL Chapter 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, present evidence and cross-examine the other parties' witnesses and exercise all other rights afforded by SDCL Chapters 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 line 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. Based upon these factors, 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 Thursday, August 7, 2008, at 6:00 p.m., at American Legion Post 283, Main Street, Chancellor, South Dakota; and it is

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 August 11, 2008, and 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.

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 2nd day of July, 2008.

<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>Alaine Kalbo</u>
Date:	<u>7/2/08</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Gary Hanson

GARY HANSON, Chairman

Steve Kolbeck

STEVE KOLBECK, Commissioner

Dustin M. Johnson

DUSTIN M. JOHNSON, Commissioner