BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION OF EAST RIVER ELECTRIC POWER COOPERATIVE, INC. FOR A PERMIT TO CONSTRUCT APPROXIMATELY 22 MILES OF 115 KV TRANSMISSION LINE	)))))	**ORDER GRANTING MOTION TO DISMISS AND CLOSING DOCKET** **EL08-024**

On September 2, 2008, East River Electric Power Cooperative, Inc. submitted an application for a Construction Permit to build a 22 mile 115 kV transmission line between Western Area Power Administration's new 230,000 volt Letcher Substation located in Section 1, Township 104 North, Range 60 West in Davison County (near the intersection of 412th Avenue and 245th Street) and East River's new Roswell Substation located in Section 20, Township 106 North, Range 57 West in Miner County (near the intersection of 426th Avenue and 237th Street). The line is needed to serve a pump station for the TransCanada Keystone Pipeline as well as other future loads that may develop in Central Electric's service area.

On September 4, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of November 1, 2008, to interested individuals and entities. No comments or petitions to intervene were received as of September 23, 2008. On September 11, 2008, the Commission received a Motion to Dismiss from East River.

At its September 23, 2008, meeting, the Commission considered the Motion to Dismiss. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-1, 49-41B-2, 49-41B-2.1, 49-41B-4, 49-41B-11, 49-41B-12, 49-41B-13, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-21, 49-41B-22, 49-41B-25, 49-41B-26, 49-41B-33, 49-41B-38, and ARSD Chapter 20:10:22. Commission Staff recommended granting the Motion to Dismiss and to close the docket. The Commission voted unanimously to grant the Motion to Dismiss, without prejudice, and to close the docket.

It is therefore

ORDERED, that the Motion to Dismiss is hereby granted, without prejudice, and the docket shall be closed.

Dated at Pierre, South Dakota, this 3rd day of October, 2008.

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, electronically.

By: Delaine Kolbo

Date: 10/3/08

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson

GARY HANSON, Chairman

Steve Kolbeck

STEVE KOLBECK, Commissioner

DUSTIN M. JOHNSON, Commissioner