

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

IN THE MATTER OF THE APPLICATION BY)	ORDER ASSESSING FILING
BASIN ELECTRIC POWER COOPERATIVE,)	FEE
INC. FOR AN ENERGY CONVERSION)	
FACILITY SITING PERMIT FOR THE DEER)	EL09-015
CREEK STATION PROJECT COMBINED-)	
CYCLE NATURAL GAS ENERGY)	
CONVERSION FACILITY AND ASSOCIATED)	
INFRASTRUCTURE, INCLUDING A WATER)	
SUPPLY SYSTEM AND ELECTRIC)	
TRANSMISSION SYSTEM)	

On July 28, 2009, Basin Electric Power Cooperative, Inc. (Basin) filed an application with the Public Utilities Commission (Commission) for an energy conversion facility permit for the Deer Creek Station project located 12 miles northeast of Brookings, South Dakota. The project consists of a 300 net megawatt combined-cycle natural gas conversion facility and associated 1.25 mile water pipeline and 0.75 mile electric transmission line. Construction of this \$393 million project is anticipated to begin in July 2010 with startup in June 2012. The project will help serve the increased generation demand for electric power in the eastern portion of Basin's service area. An associated siting application for a 13.2 mile natural gas pipeline for the project has been filed separately.

On July 30, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of September 28, 2009, to interested individuals and entities.

SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent of the first one hundred million dollars of estimated construction costs of the facility, plus one-twentieth of one per cent of the estimated construction costs in excess of one hundred million dollars. The minimum total fee chargeable may not be less than eight thousand dollars. The fee shall be deposited in the Commission's regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing.

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-6, 49-41B-7, 49-41B-8, 49-41B-9, 49-41B-10, 49-41B-11, 49-41B-12, 49-41B-13, 49-41B-14, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-19, 49-41B-20, 49-41B-21, 49-41B-22, 49-41B-24, 49-41B-26, 49-41B-33, 49-41B-35, 49-41B-36, 49-41B-38, and ARSD Chapter 20:10:22.

On August 11, 2009, at its regularly scheduled meeting, the Commission, pursuant to SDCL 49-41B-12, unanimously voted to assess Basin a filing fee not to exceed \$396,500, with an initial deposit of \$8,000, the minimum fee allowed by law as requested by the Deputy Executive Director. It is therefore

ORDERED, that Basin shall be assessed a filing fee of not to exceed \$396,500; and it is further

ORDERED, that Basin shall make an initial deposit in the SDPUC regulatory assessment fee fund in the amount of the minimum filing fee of \$8,000 and shall from time to time make such additional deposits up to the total amount of the assessment as requested by the Deputy Executive Director.

Dated at Pierre, South Dakota, this 19th day of August, 2009.

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: <u><i>Christina Gaudin</i></u>
Date: <u>8-19-09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman AG.

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner