

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

**IN THE MATTER OF THE)
APPLICATION OF OTTER TAIL)
POWER COMPANY FOR AN)
ENERGY CONVERSION FACILITY)
PERMIT FOR THE CONSTRUCTION)
OF A COMBUSTION TURBINE)
GENERATOR AND ASSOCIATED)
INFRASTRUCTURE INCLUDING A)
NATURAL GAS PIPELINE AND)
ELECTRIC TRANSMISSION LINE)
NEAR ASTORIA, SOUTH DAKOTA)**

**ORDER ASSESSING FILING
FEE; ORDER AUTHORIZING
EXECUTIVE DIRECTOR TO
ENTER INTO CONSULTING
CONTRACTS; ORDER
GRANTING LOCAL REVIEW
COMMITTEE'S REQUEST TO
HIRE CONSULTANT**

EL17-042

On October 5, 2017, the South Dakota Public Utilities Commission (Commission) received a permit application for an energy conversion facility (Application) from Otter Tail Power Company (Otter Tail). Otter Tail proposes to develop, own, and operate an approximate 250 megawatt simple-cycle natural gas fired energy conversion facility and related components known as the Astoria Station Project (Project). Associated facilities include a short segment (less than 1,000 feet long) of approximately 10-inch diameter natural gas pipeline on Otter Tail property necessary to interconnect to the Northern Border Pipeline and a short segment (preliminarily estimated to be less than one-half mile long) of 345-kilovolt (kV) generation-tie electric transmission line necessary to interconnect to the Big Stone South-Brookings County 345-kV electric transmission line. The energy conversion facility, known as Astoria Station, is proposed to be located in the N 1/2 of Section 22, Township 113N, Range 48W, Scandinavia Township, Deuel County, approximately one and one-half miles northwest of Astoria, South Dakota. The Project is expected to be in service by May 2021. Otter Tail estimates the total construction cost to be \$165 million. Otter Tail previously filed its required Notice of Intent to Apply for a Permit for an Energy Conversion Facility in Docket EL17-017.

On October 12, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of December 4, 2017, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On October 12, 2017, the Commission issued a Notice of Application; Order for and Notice of Public Input Hearing; Notice of Opportunity to Apply for Party Status. On October 17, 2017, the Local Review Committee filed a letter requesting \$17,600 to hire a consultant.

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 percent of all additional estimated construction costs of the facility. However, the minimum total fee chargeable may not be less than \$8,000. The fee shall be deposited in a subfund in the Commission's regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon the Application.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B and ARSD Chapter 20:10:22.

At its regularly scheduled meeting on October 24, 2017, the Commission considered these matters. Commission staff requested that the Commission assess a filing fee not to exceed \$282,500 with an initial deposit of \$8,000 and to authorize the executive director to enter into consulting contracts needed for review of the Application. Otter Tail stated it did not object to the filing fee assessment. The Commission voted unanimously to assess Otter Tail a filing fee in an amount not to exceed \$282,500, with a minimum filing fee of \$8,000 to account for actual expenses incurred in review of this filing commencing from the filing date. The Commission further voted unanimously to authorize the executive director to enter into necessary consulting contracts. The Commission further voted unanimously to approve the Local Review Committee's request for \$17,600 to hire a consultant. It is therefore

ORDERED, that Otter Tail shall be assessed a filing fee not to exceed \$282,500. It is further

ORDERED, that Otter Tail shall make an initial deposit with the Commission 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 Commission's Finance Manager. It is further

ORDERED, that the executive director is authorized to enter into necessary consulting contracts. It is further

ORDERED, the Local Review Committee's request to hire a consultant for \$17,600.00 is hereby granted.

Dated at Pierre, South Dakota, this 30th day of October, 2017.

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 or by mail.
By: <u>Adam deHueck</u>
Date: <u>10/30/17</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen

KRISTIE FIEGEN, Chairperson

Gary Hanson

GARY HANSON, Commissioner

Chris Nelson

CHRIS NELSON, Commissioner