

**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 A NATURAL)	HP09-002
GAS PIPELINE TO SUPPORT THE DEER)	
CREEK STATION PROJECT)	

On July 28, 2009, Basin Electric Power Cooperative, Inc. (Basin) filed a siting permit application with the Public Utilities Commission (Commission) for the Deer Creek energy conversion facility (EL09-015) and a natural gas pipeline to support the Deer Creek facility. Basin is proposing to construct, own, and operate a natural gas pipeline to support a proposed 300-megawatt combined-cycle natural gas energy conversion facility called the Deer Creek Station. The proposed 13.2 mile pipeline route will traverse about 18 sections of land located in Brookings and Deuel counties. The proposed pipeline diameter is 10.75 inches with an operating pressure ranging between 475 – 1,435 pounds per square inch gauge (psig). Construction is proposed to begin in July 2010 with start up in June 2012.

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. 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 \$30,000, 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 \$30,000; 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:

Christina Gubler

Date:

8-19-09

(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