

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

IN THE MATTER OF THE APPLICATION BY)	ORDER GRANTING MOTION
BASIN ELECTRIC POWER COOPERATIVE,)	FOR EXTENSION OF
INC. FOR AN ENERGY CONVERSION)	NOTICE, PUBLIC HEARING
FACILITY SITING PERMIT FOR A NATURAL)	TIME FRAME AND
GAS PIPELINE TO SUPPORT THE DEER)	APPLICATION FOR PARTY
CREEK STATION PROJECT)	STATUS AND ORDER
)	GRANTING WAIVER
)	
)	HP09-002

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.

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.

On August 21, 2009, the Commission received a Motion for Extension of Notice, Public Hearing Time Frame and Application for Party Status from Basin.

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.

At its regularly scheduled meeting of August 25, 2009, the Commission considered the Motion for Extension of Notice, Public Hearing Time Frame and Application for Party Status. Commission Staff recommended approval. Commission Staff requested a waiver of SDCL 49-41B-15 and 49-41B-16. The Commission voted unanimously to grant the Motion for Extension of Notice, Public Hearing Time Frame and Application for Party Status and to grant a waiver of SDCL 49-41B-15 and 49-41B-16. It is therefore

ORDERED, that the Motion for Extension of Notice, Public Hearing Time Frame and Application for Party Status is hereby granted, and it is further

ORDERED, that a waiver of SDCL 49-41B-15 and 49-41B-16 is hereby granted.

Dated at Pierre, South Dakota, this 15th day of September, 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: Aldine Kolbo

Date: 9/16/09

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner