

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

IN THE MATTER OF THE APPLICATION BY)	ORDER GRANTING PARTY
BASIN ELECTRIC POWER COOPERATIVE,)	STATUS
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.

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. Commission Staff requested a waiver of SDCL 49-41B-15 and 49-41B-16. At its regularly scheduled meeting of August 25, 2009, 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. On August 31, 2009, the Commission received a Petition for Intervention from Iberdrola Renewables (Iberdrola). At its regularly scheduled meeting of September 8, 2009, the Commission granted intervention to Iberdrola. On September 30, 2009, the Commission received an Application for Party Status from the Brookings County Commission (Brookings).

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 October 20, 2009, the Commission found that the Application for Party Status was timely filed and demonstrated good cause to grant intervention. It is therefore

ORDERED, that the Application for Party Status of Brookings is hereby granted.

Dated at Pierre, South Dakota, this 3rd day of November, 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: Delaine Kolbo

Date: 11/4/09

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner