

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

**IN THE MATTER OF THE PETITION OF RC)
TECHNOLOGIES FOR RESOLUTION OF)
DISPUTED RAILROAD CROSSING APPLICATION)
)**

**ORDER ASSESSING
COSTS

TC18-059**

On November 2, 2018, the South Dakota Public Utilities Commission (Commission) received a Petition from RC Technologies Inc., requesting resolution of a disputed railroad crossing application pursuant to SDCL Ch. 49-16A. The crossing in dispute involves Sunflour Railroad, Inc. (Sunflour). According to the Petition, RC Technologies Inc. alleges to have sent a crossing application to Sunflour on October 29, 2018, and asserting that the crossing application is now in dispute, seeks Commission resolution of the crossing application. SDCL § 49-16A-100.7 provides for a resolution within 60 days and requires costs associated with a petition be equitably assessed against the parties.

On November 8, 2018, the Commission electronically transmitted notice of the filing to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-16A, specifically 49-16A-100.7.

At its regularly scheduled meeting on November 27, 2018, the Commission considered this matter. Commission staff requested the Commission equitably assess the parties the costs of processing this docket with the final amount to be determined at the conclusion of this docket. The Commission voted unanimously to assess the costs to account for the actual expenses incurred in the processing of the docket with the division of the costs to be determined at the conclusion of the docket. It is therefore

ORDERED, that the costs to account for the actual expenses incurred in the processing of this docket shall be assessed equitably against Sunflour and RC Technologies Inc.

Dated at Pierre, South Dakota, this 29th day of November 2018.

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>11/29/18</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Kristie Fiegen

KRISTIE FIEGEN, Chairperson

Gary Hanson

GARY HANSON, Commissioner

Chris Nelson

CHRIS NELSON, Commissioner