Docket Title:

Gerald Pesall vs Montana Dakota Utilities, OtterTail Power, Schuring Farms Inc, Bradley Morehouse, SDPUC

Reopened Date:

Filing Type : Tax ID # : Attorney :

CIV JS

Date Of Final Decision: Memo:

Primary Appeal Information

Appeal Date : Appellant :

Decision Date : Appeal Location :

Current Status:

Description of Above Decision:

Secondary Appeal Information

Appeal Date : Appellant :

Decision Date : Appeal Location :

Current Status:

Description of Above Decision:

Docket Notes:

09/17/14 - Filed and Docketed with Civil Court -

M:/puc/web/internet/commission/dockets/civil/2014/18CIV14000053/file

name.pdf

09/17/14 - Notice of Appeal - M:/noticeofappeal.pdf

09/17/14 - Certificate of Service - M:/certificateofservice.pdf

09/19/14 - 09/19/14 - Amended Certificate of Service (this corrected the Certificate of Service filed

on 9/17/14) - M:/certificateofservice091914.pdf

09/23/14 - Gerald Pesall's Statement of Issues on Appeal

09/23/14 - Request for Transcript - M:/requestfortranscript.pdf

09/23/14 - Certificate of Service - M:/certificateofservice092314.pdf

09/25/14 - Otter Tail Power and Montana-Dakota Utiliites Co.'s Letter to Judge Flemmer regarding Voluntarily

Recuse - M:/ltr092514.pdf

09/29/14 - Judge Flemmer's Letter to Otter Tail Power and Montana-Dakota Utilities Co. regarding Recusal

from the Civil Docket - M:/judgeflemmerltr.pdf

10/09/14 - PUC Staff's Letter to Fifth Judicial Circuit regarding Availability of Documents Filed in

this Appeal on the PUC Commission's Website - M:/ltr100914.pdf

10/06/14 - SD PUC's Letter to Day County Clerk of Courts - M:/ltrclerkofcourts.pdf

10/06/14 - Certification of Record - M:/certificationrecord.pdf

10/06/14 - SD PUC's Letter to Parties - M:/partyletter.pdf

10/06/14 - Certificate of Service - M:/certificateofservice.pdf

10/06/14 - Alphabetical Index - M:/alphaindex.pdf

10/06/14 - Chronological Index - M:/chronologicalindex.pdf

10/06/14 - 1-04/29/13 -Day County Auditor Letter

Farmington Township Board

Highland Township

and Valley Township -1-3- M:/1-3.pdf

10/06/14 - 2 - 08/23/13 - Docket EL13-028 - Electronic Docket Filings (PUC Website -

http://puc.sd.gov/Dockets/Electric/2013/EL13-028.aspx) 4-11- M:/4-11.pdf

10/06/14 -3 - 08/23/13 -Docket EL13-028 - Comments and Responses (PUC Website -

http://puc.sd.gov/Dockets/Electric/2013/el13-028comments.aspx) - 12- M:/12.pdf

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confidential sealed envelope)

and Appendix H - Preliminary Transmission Structure Typical Drawings - 13-851

(Sealed envelope 852-1026)

1027-1032

- M:/13-851.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\852-1026.pdf

M:/ 1027-1032.pdf

10/06/14 - 5 - 08/23/13 - Service List - 1033-1035- M:/1033-1035.pdf

10/06/14 - 6 - 08/23/13 - Motion to Schedule Prehearing Conference - 1036 - M:/1036.pdf

10/06/14 – 7 - 08/23/13 - Notice of Appearance (Thomas Welk, Jason R. Sutton, Jennifer O. Smestad, Daniel S. Kuntz) - 1037- M:/ 1037.pdf

10/06/14 - 08/23/13 - Request for Confidential Treatment of Information - 1038-1039- M:/ 1038-1039.pdf

10/06/14 - 9 - 08/26/13 - Affidavit of Service

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Order for and Notice of Public Input Hearings

Notice of Opportunity to Apply for Party Status1040-1043- M:/1040-1043.pdf

10/06/14 – 10 - 08/29/13 - Weekly Filing for the Period August 22, 2013, through August 28, 2013 – 1044 - M:/ 1044.pdf

10/06/14 - 11 - 09/10/13 - Agenda of PUC Commission Meeting - 1045-1048 - M:/ 1045-1048.pdf

10/06/14 - 12 - 09/10/13 - Minutes of PUC Commission Meeting - 1049-1052- M:/ 1049-1052.pdf

10/06/14 – 13 - 09/11/13 - PUC Staff's Letter to Webster Reporter & Farmer regarding Notice of Public Hearing and Notice of Public of Hearing - 1053-1055- M:/ 1053-1055.pdf

10/06/14 – 14 - 09/11/13 - PUC Staff's Letter to Grant County Review regarding Notice of Public Hearing and Notice of Public of Hearing - 1056-1058 - M:/ 1056-1058.pdf

10/06/14 – 15 - 09/11/13 - PUC Staff's Letter to Aberdeen American News regarding Notice of Public Hearing and Notice of Public of Hearing - 1059-1061 - M:/ 1059-1061.pdf

10/06/14 - 16 - 09/13/13 - Order Assessing Filing Fee - 1062-1063- M:/1062 -1063.pdf

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Notice of Opportunity to Apply for Party Status - 1064-1067- M:/1064-1067.pdf

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Affidavit of Mailing of Landowner Notice Letter

Exhibit A - Letter to Landowners

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10/06/14 - 20 - 10/08/13 - Webster Reporter & Farmer's Affidavit of Publication

Aberdeen American News' Affidavit of Publication

Grant County Review's Affidavit of Publication

and Certificate of Service - 1093-1097- M:/1093-1097.pdf

10/06/14 - 21 - 10/11/13 - Aberdeen American News' Affidavit of Publication - 1098- M:/1098.pdf

10/06/14 - 22 - 10/11/13 - Grant County Review's Affidavit of Publication - 1099- M:/1099.pdf

10/06/14 - 23- 10/17/13 - Aberdeen Public Hearing - Notice of Application

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Notice of Opportunity to Apply for Party Status

Application for Party Status

Sign-in Sheet Confidential (not available to the public)

Presentation by Otter Tail Power Co. and Montana-Dakota Utilities Co.

Valuation Guidelines for Properties with Electric Transmission Lines distributed by Dean Podoll, Aberdeen, S.D.

Comments, photos, maps from Dean Podoll, Aberdeen, S.D.

Transcript of Public Input Hearing

and Exhibit 1 - 1100-1102

(Sealed envelope 1103-1108)

1109-1343 - M:/1100-1102.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\1103-1108.pdf

M:/1100-1102.pdf

10/06/14 - 24 - 10/17/13 - Milbank Public Hearing - Notice of Application

Order for and Notice of Public Input Hearings

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Application for Party Status

Sign-in sheet Confidential (not available to the public)

Presentation

Transcript of Public Input Hearing

and Exhibit 1 - 1344-1346

(Sealed envelope 1347-1351)

1352-1476 - M:/1344-1346.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\1347-1351.pdf

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10/06/14 - 25 - 10/18/13 - Gerald Pesall's Application for Party Status - 1477 - M:/1477.pdf

10/06/14 - 26 - 10/21/13 - Montana-Dakota Utilities Co. and Otter Tail Power Company's Responses to Staff's

First Data Requests Dated September 19, 2013

BSSE 1 - Exhibit 1 of Data Request 2 - Geologic Cross Section Big Stone South to Ellendale 345 kV

Transmission Line Project - Map

BSSE 2 - Exhibit 2 of Data Request 2 - Geologic Cross Section Big Stone South to Ellendale 345 kV

Transmission Line Project - Elevation Chart

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BSSE 4 - Day County Water Supply

BSSE 5 - Grant County Water Supply

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BSSE 7 - Exhibit 1 of Data Request 9 Preliminary Routes Big Stone South to Ellendale 345 kV Transmission Line

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Project
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BSSE 8 - Sample Photograph

and Certificate of Service - 1478-1496 - M:/1478-1496.pdf

10/06/14 – 27 - 11/01/13 - Comments of Parkshill Farms, LLC to Commissioner Hanson

and Comments of Parkshill Farms, LLC to Commissioner Hanson Confidential (not available to the public) - 1497-1498

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N:\Internet\civil\2014\daycountycivil\batenumber\1499-1500.pd

10/06/14 - 28 - 11/05/13 - Agenda to PUC Commission Meeting - 1501-1506- M:/1501-1506.pdf

10/06/14 - 29 - 11/05/13 - Minutes to PUC Commission Meeting - 1507-1512- M:/1507-1512.pdf

10/06/14 - 30 - 11/06/13 - Order Granting Intervention and Party Status (Gerald Pesall) 1513- M:/1513.pdf

10/06/14 - 31 - 01/13/14 - Procedural Scheduling Order - 1514-1515- M:/1514-1515.pdf

10/06/14 - 32 - 01/27/14 - Amendment to Application Dated January 27, 2014

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Amended Pages of Application - Redlined

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10/06/14 - 33 - 03/17/14 - Notice of Application

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10/06/14 - 34 - 03/18/14 - Notice of Public Hearing - 1545-1546- M:/1545-1546.pdf

10/06/14 - 35 -04/14/14 - Wiles & Rylance's Letter regarding Applications for Party Status - 1547- M:/1547.pdf

10/06/14 - 36 - 04/14/14 - Application for Party Status (James R. McKane III) - 1548- M:/1548.pdf

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10/06/14 - 38 - 04/14/14 - Application for Party Status (Schuring Farms, Inc.) - 1550- M:/1550.pdf

10/06/14 - 39 - 04/14/14 - Application for Party Status (Bradley R. Morehouse) - 1551- M:/1551.pdf

10/06/14 - 40 - 04/14/14 - Application for Party Status (Kevin Anderson) - 1552- M:/1552.pdf

10/06/14 – 41 - 04/15/14 - Montana-Dakota Utilities Co. and Otter Tail Power's Request for Confidential Treatment of Information of Documents Produced in Response to Staff's Second Set of Data Requests and Certificate of

and Montana-Dakota Utilities Co. and Otter Tail Power Company's Responses to Staff's Second Data Requests Dated March 10, 2014

Response 2-11 - BSEE 329 - 331 Confidential (not available to the public)

Response 2-11 - BSSE 64-267 Confidential (not available to the public)

Response 2-16 - BSSE 268-332

and Certificate of Service - 1553-1577

(Sealed envelope 1578-1784)

1785-1845 - M:/1553-1577.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\1578-1580.pdf

M:/1785-1845.pdf

10/06/14 - 42 - 04/16/14 - Replacement Page 20 for Montana-Dakota Utilities Co. and Otter Tail Power

Company's Responses to Staff's Second Data Requests Dated March 10, 2014 which was filed on April 15, 2014 and Certificate of Service - 1846-1848 - M:/1846-1848.pdf

10/06/14 – 4304/16/14 - PUC Staff's Letter to Webster Reporter & Farmer regarding Notice of Public Hearing and Notice of Public Hearing - 1849-1851 - M:/1849-1851.pdf

10/06/14 - 44 - 04/16/14 - PUC Staff's Letter to Grant County Review regarding Notice of Public Hearing

and Notice of Public Hearing - 1852-1854- M:/1852-18254.pdf

10/06/14 – 45 - 04/16/14 - PUC Staff's Letter to Aberdeen American News regarding Notice of Public Hearing and Notice of Public Hearing - 1855-1857- M:/1855-1857.pdf

10/06/14 - 46 04/23/14 - Aberdeen American News' Affidavit of Publication - 1858- M:/1858.pdf

10/06/14 – 47 04/25/14 - Direct Testimony of Gerald Pesall

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10/06/14 - 48 04/25/14 - Direct Testimony of Gregory Tylka and Certificate of Service

Gregory Tylka Resume

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10/06/14 - 49 4/25/14 - Certificate of Service

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Map Showing Route Changes

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10/06/14 - 50 - 04/25/14 - Direct Testimony of Henry Ford

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Appendix F - Bald Eagle Stick Nest and Sharp-Tailed Lek Survey Report Confidential (not available to the public)

Appendix G - Cultural Resources Level I Records Search Confidential (not available to the public)

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Request for Confidential Treatment for Ford Exhibit 9

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N:\Internet\civil\2014\daycountycivil\batenumber\2760-2936.pdf

M:/ 2937-3028.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\3029-3031.pdf

10/06/14 - 51 - 04/25/14 - Direct Testimony of Jason Weiers

and Exhibit 10 - Attachment FF - Transmission Expansion Planning Protocol - 3032-3428- M:/3032-3428.pdf

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Exhibit 11 - Affidavit of Mailing of Landowner Notice Letter Dated September 24, 2013

Exhibit 12 - Affidavit of Mailing of Landowner Notice Letter Dated April 22, 2014

and Exhibit 13 - Updated Table 5 - Summary of Public, Agency, and Tribal Involvement Activities - 3429-3474-M:/3429-3474.pdf

10/06/14 – 53 - 04/25/14 - Direct Testimony of Danny Frederick

and Exhibit 14 - Curriculum Vitae - 3475-3493 - M:/3475-3493.pdf

10/06/14 - 54 - 04/25/14 - Direct Testimony of Jon Leman

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10/06/14 - 55 - 04/30/14 - Agenda of PUC Commission Meeting - 3518-3521- M:/3518-3521.pdf

10/06/14 - 56 - 04/30/14 - Minutes of PUC Commission Meeting - 3522-3524- M:/3522-3524.pdf

10/06/14 - 57 - 05/01/14 - Order Granting Intervention and Party Status (James R. McKane III, Clark T. Olson,

Schuring Farms, Inc., Bradley R. Morehouse, and Kevin Anderson) - 3525- M:/3525.pdf

10/06/14 - 58 - 05/09/14 - Henry Ford Rebuttal Testimony

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10/06/14 - 59 - 05/19/14 - Order for and Notice of Hearing - 3531-3533- M:/3531-3533.pdf

10/06/14 - 60 - 05/19/14 - Montana-Dakota Utilities Co. and Otter Tail Power Co.'s Presentation for Public Hearing on May 20, 2014

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10/06/14 - 61 - 05/20/14 - Aberdeen Public Hearing - Notice of Application

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Lyle Podoll's Letter

Transcript

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(Sealed envelope 3564-3566)

3567-3828 - M:/ 3560-3563.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\3564-3566.pdf

M:/ 3567-3828.pdf

10/06/14 - 62 - 05/20/14 - Grant County Review's Affidavit of Publication - 3829- M:/3829.pdf

10/06/14 - 63 - 05/20/14 - Aberdeen American News' Affidavit of Publication - 3830- M:/3830.pdf

10/06/14 - 64 - 05/23/14 - Surrebuttal Testimony of Gregory Tylka

Map - Current Presence of SCN in Eastern South Dakota

Historic, Archived Documents

and Certificate of Service - 3831-3880- M:/3831-3880.pdf

10/06/14 - 65 - 05/23/14 - Supplemental Rebuttal Testimony of Henry Ford

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10/06/14 - 66 - 06/03/14 - Schuring Farms, Inc.'s Prefiled Exhibits

Exhibit 201 - 49-41B-4.4. Trans-State Transmission Facility--Eminent Domain--Acquisition of Fee in Land

Contiguous to Right-Of-Way--Divestiture of Agricultural Land

Exhibit 202 - 49-41B-4.2. Trans-State Transmission Line--Criteria Required

Exhibit 203 - ARSD 20:10:22:12. Alternative Sites

Exhibit 204 - ARSD 20:10:22:18. Land Use

Exhibit 205 - ARSD 20:10:22:23. Community Impact

and Exhibit 206 - ARSD 20:10:22:13. Environmental Information - 3886-3893- M:/3886-3893.pdf

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B.3 - Regional Generation Outlet Study completed during MISO Transmission Expansion Plan 2009 and 2010 (Midwest ISO 2010)

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Appendix D - South Dakota Soil Series Information

Appendix E - Native Habitats Classification Memorandum Confidential (not available to the public)

Appendix F - Bald Eagle Stick Nest and Sharp-Tailed Lek Survey Report Confidential (not available to the public)

Appendix G - Cultural Resources Level I Records Search Confidential (not available to the public)

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Exhibit 9 - Route Change Matrix (BSSE 29- 31) Confidential (not available to the public)

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Exhibit 12 - Affidavit of Mailing for May 20 Public Input Hearing

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Exhibit 16B - Henry Ford Pre-filed Rebuttal Testimony Dated May 9, 2014

Exhibit 16C - Henry Ford Pre-filed Supplemental Rebuttal Testimony Dated May 23, 2014

Exhibit 17 - Jason Weiers Pre-filed Testimony Dated April 25, 2014

Exhibit 18 - Angela Piner Pre-filed Testimony Dated April 25, 2014

Exhibit 19 - Danny Frederick Pre-filed Testimony Dated April 25, 2014

Exhibit 20 - Jon Leman Pre-filed Testimony Dated April 25, 2014

Exhibit 21A - Pesall Property Photograph - Looking North

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Exhibit 21C - Pesall Aerial Map

Exhibit 22 - Morehouse and Schuring Aerial Map

Exhibit 23 - June 3, 2014 Draft of Soybean Cyst Nematode Prevention Plan

Exhibit 24 - Power Point Presentation for October 17, 2013, Public Input Hearing

Exhibit 25 - Route Map Dated June 10, 2014

Exhibit 50 - Power Point Presentation from May 20, 2014, Public Input Hearing

and Exhibit 50A - Revised Maps of Route Changes - 3894-4735

(Sealed envelope 4736-4912)

4913-5002

(Sealed envelope 5003-5005)

5006-5566 - M:/ 3894-4735.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\4736-4912.pdf

M:/ 4913-5002.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\5003-5005.pdf

M5006-5566.pdf

10/06/14 - 68 -06/05/14 - Gerald Pesall's Exhibit List

Certificate of Service

Exhibit 101 - Gerald Pesall Prefiled Direct Testimony

Exhibit 102 - Gregory Tylka Prefiled Direct Testimony

Exhibit 103 - Gregory Tylka CV

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Exhibit 105 - 2014 SCN Distribution Map
Exhibit 106 - 1956 USDA Special Report on SCN
Exhibit 107 - 1998 Soybean Digest Special Report on SCN
Exhibit 108 - 1996 First Report of SCN in South Dakota
Exhibit 109 - 2007 SCN University Fact Sheet
and Exhibit 110 - 1955 SCN Plant Disease Reporter - 5567-5639 - M:/5567-5639.pdf
10/06/14 - 69 - 06/05/14 - Prehearing Conference Order - 5640-5642 - M:/ 5640-5642.pdf
10/06/14 - 70 - 06/06/14 - Montana-Dakota Utilities Co. and Otter Tail Power Co.'s Letter regarding Commissioner
Nelson's Inquiry During the May 20, 2014 Public Input Hearing
and Henry Ford's Letter to Lyle and Catherine Podoll dated June 6, 2014 - 5643-5644 - M:/5643-5644.pdf
10/06/14 - 71 - 06/09/14 - Order Changing Hearing Location - 5645 - M:/5645.pdf
10/06/14 - 72 - 06/09/14 - Joint Motion for Approval of Settlement Stipulation (Montana-Dakota Utilities Co. and
Otter Tail Power Company, and the Staff of the South Dakota Public Utilities Commission)
Settlement Stipulation
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10/06/14 - 73 -06/10/14 - Evidentiary Hearing - Sign-In Sheet
and Transcript - 5662-5828 - M:/5662-5828.pdf
10/06/14 – 74 - 06/11/14 - Evidentiary Hearing - Sign-In Sheet
and Transcript - 5829-6133- M:/5829-6133.pdf
10/06/14 - 75 - 06/11/14 - Docket EL13-028 - Exhibits (PUC Website -
http://puc.sd.gov/Dockets/Electric/2013/EL13-028exhibits.aspx) - 6134-6135- M:/6134-6135.pdf
10/06/14 - 76 - 06/11/14 - Montana-Dakota Utilities and Otter tail Power Company's Exhibits (Evidentiary
Hearing) - Exhibit 1 - Application and Attachments (Exhibit 1 - 10 and Appendix A, B, C, D, and H)
Appendix E - Native Habitats Classification Memorandum Confidential (not available to the public)
Appendix F - Bald Eagle Stick Nest and Sharp-Tailed Lek Survey Report Confidential (not available to the public)
and Appendix G - Cultural Resources Level I Records Search Confidential (not available to the public) - 6136-6979
(Sealed envelope 6980-7154) - M:/6136-6979.pdf
N:\Internet\civil\2014\daycountycivil\batenumber\6980-7154.pdf
10/06/14 - 77 - 06/11/14 - Exhibit 1A - Amendment to Application - 7155-7169 - M:/7155-7169.pdf
10/06/14 - 78 - 06/11/14 - Exhibit 2 - Responses to First Set of Staff Data Requests - 7170-7178 - M:/7170-
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10/06/14 - 79 - 06/11/14 - Exhibit 3 - Responses to Second Set of Staff Data Requests - 7179-7202 - M:/7179-
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10/06/14 - 80 - 06/11/14 - Exhibit 4 - Answers to First Set of Pesall Discovery - 7203-7224 - M:/7203-7224.pdf
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10/06/14 - 83 - 06/11/14 - Exhibit 7 - Route Change Request Form - 7237 - M:/7237.pdf
10/06/14 - 84 - 06/11/14 - Exhibit 8 - Pesall's First Requested Route Change - 7238 - M:/7238.pdf
10/06/14 - 85 - 06/11/14 - Exhibit 9 Route Change Matrix (BSSE 29- 31) Confidential (not available to the public) -
Sealed envelope (7239-7241) -N:\Internet\civil\2014\daycountycivil\batenumber\7239-7241.pdf
10/06/14 - 86 - 06/11/14 - Exhibit 10 - MISO Tariff Attachment FF - 7242-7604 - M:/7242-7604.pdf
10/06/14 - 87 - 06/11/14 - Exhibit 11 - Affidavit of Mailing for October 17 Public Input Hearing - 7605-7626 -
M:/7605-7626.pdf
10/06/14 - 88 - 06/11/14 - Exhibit 12 - Affidavit of Mailing for May 20 Public Input Hearing - 7627-7636 - M:/7627-
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10/06/14 - 114 - 06/11/14 - Exhibit 106 - 1956 USDA Special Report on SCN - 7888-7904 - M:/7888-7904.pdf
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7923.pdf
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10/06/14 - 122 - 06/16/14 - Comments of Grant Manhart

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10/06/14 – 123 - 06/20/14 - Amended Settlement Stipulation (Montana-Dakota Utilities Co. and Otter Tail Power Company, and the Staff of the South Dakota Public Utilities Commission)

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10/06/14 – 124 - 06/20/14 - Schuring Farms' Email regarding Crop Insurance Policy

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10/06/14 - 125 - 06/26/14 - Schuring Farms' Insurance Policy Provisions - 7977-7980 - M:/7977-7980.pdf

10/06/14 - 126 - 06/27/14 - Exhibit 111 - Pesall's Insurance Policy Provisions

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10/06/14 - 127 - 07/11/14- Schuring Farms' RCIS - MPCI Policy Review/Change Form - 8032-8034 - M:/8032-8034.pdf

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10/06/14 - 129 - 07/18/14 - Gerald Pesall's Post-Hearing Initial Brief

and Certificate of Service - 8075-8093- M:/8075-8093.pdf

10/06/14 – 130 - 07/18/14 - Montana-Dakota Utilities Co. and Otter Tail Power Proposed Findings of Fact and Conclusions of Law

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Montana-Dakota Utilities Co. and Otter Tail's Motion for Leave to Submit Documentary Evidence

Exhibit 26 - Big Stone South to Ellendale 345kV Transmission Line Project Route Change Request Denial Exhibit 26A - Map

Exhibit 301A - Amended Settlement Stipulation

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10/06/14 – 131 - 07/18/14 - PUC Staff's Letter regarding Initial Post-Hearing Brief and Proposed Findings of Fact and Conclusions of Law - 8145 - M:/8145.pdf

10/06/14 - 132 - 07/18/14 - Webster Reporter and Farmer's Affidavit of Publication - 8146-8147 - M:/8146-8147.pdf

10/06/14 - 133 - 07/29/14 - Comments of Arnold and Darlene Dennert

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(Sealed envelope 8150-8151) - M:/8148-8149.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\8150-8151.pdf

10/06/14 - 134 - 07/31/14 - PUC Staff's Response to Arnold and Darlene Dennert

and PUC Staff's Response to Arnold and Darlene Dennert Confidential (not available to the public)- 8152-8155 (Sealed envelope 8156-8159) - M:/8152-8155.pdf

N:\Internet\civil\2014\daycountycivil\batenumber\8156-8159.pdf

10/06/14 - 135 - 08/01/14 - Gerald Pesall's Post-Hearing Rebuttal Brief

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10/06/14 - 136 - 08/01/14 - Montana-Dakota Utilities Co. and Otter Tail Power Company Post-Hearing Reply Brief

and Certificate of Service - 8169-8186 M:/8169-8186.pdf

10/06/14 - 137 - 08/04/14 - Lyle Podoll's Email regarding Public Hearing on May 20, 2014

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and Lyle Podoll's Email regarding Public Hearing on May 20, 2014 Confidential (not available to the public)
PUC Staff's Response to Lyle Podell
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10/06/14 - 146 08/13/14 - Transcript of PUC Ad Hoc Commission Meeting - 8296-8323 - M:/8296-8323
10/06/14 - 147 08/22/14 - Final Decision and Order
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10/06/14 - 148 09/19/14 -Pesall's Email
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10/06/14 - 149 - 09/19/14 - Amended Certificate of Service - 8345-8346 - M:/ 8345-8346.pdf
10/06/14 - SD PUC's Letter to Day County Clerk of Courts - M:/transcriptEL13-028101713.pdf
10/06/14 - Transcript of October 17, 2013, Public Input Hearing, held in Aberdeen, S.D. -
M:/puc/web/internet/commission/minutes/2013/transcript/transcriptEL13-028101713.pdf
10/06/14 - Exhibit 1- M:/transcriptEL13-028101713.pdf
10/06/14 - Transcript of October 17, 2013, Public Input Hearing, held in Milbank, S.D. - M:/
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milbankpublichearingtranscript.pdf

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10/06/14 - Exhibit 1 - M:/ publichearingexhibit1.pdf
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10/06/14 - Transcript of May 20, 2014, Public Hearing M:/transcript052014.pdf

10/06/14 - Exhibit 50 - Presentation by Otter Tail Power Co. and Montana-Dakota Utilities Co. - M:/50.pdf

10/06/14 - Exhibit 50A - Revised Potential Route Changes - M:/50a.pdf

10/06/14 - 10/06/14 - Transcript of June 10, 2014, Evidentiary Hearing, held in Pierre, S.D. -

M:/puc/web/internet/commission/minutes/2014/transcriptel13-028061014.pdf

10/06/14 - Transcript of June 11, 2014, Evidentiary Hearing held in Pierre, S.D. -

M:/puc/web/internet/commission/minutes/2014/transcriptel13-028061114.pdf

10/06/14 – Exhibits - http://puc.sd.gov/Dockets/Electric/2013/EL13-028exhibits.aspx (all original exhibits were mailed)

10/06/14 - Transcript of August 6, 2014 Commission Meeting (EL13-028) -

M:/puc/web/internet/commission/minutes/2014/transcriptel13028080614.pdf

10/06/14 - Transcript of August 13, 2014, Ad Hoc Commission Meeting (EL13-028) -

M:/puc/web/internet/commission/minutes/2014/transcriptel13028081314.pdf

10/09/14 - PUC Staff's Letter to Fifth Judicial Circuit regarding Availability of Documents Filed in this Appeal on the PUC Commission's Website – M:ltr100914.pdf

11/04/14 - Order Designating Judge to Preside - M:/order.pdf

11/04/14 - Appellant's Brief - M:/appellantbrief.pdf

11/04/14 - Appendix - M:/appendix.pdf

11/04/14 - Certificate of Service - M:/certificateofservice110414.pdf

12/04/14 - Brief of Appellee South Dakota Public Utilities Commission - M:/pucbrief.pdf

12/04/14 - Appendix - M:/appendix.pdf

12/04/14 - Appendix 1 - Midwest Independent Transmission System Operator, Inc.'s Compliance Filing Reporting on Multi-Value Project Process Under the Open Access Transmission, Energy and Operating Reserve Markets Tariff - M:/appendix1.pdf

12/04/14 - Appendix 2 - FERC - Order Denying In Part and Granting In Part Rehearing, Conditionally Accepting Compliance Filing, and Directing Further Compliance Filings (Issued October 21, 2011) - M:/appendix2.pdf

12/04/14 - Appendix 3 - South Dakota Public Utilities Commission - Final Decision and Order- Notice

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12/04/14 - Certificate of Service - M:/certificateofservice120414.pdf

12/05/14 - Appellees' Letter to Clerk of Court - M:/ltr120814.pdf

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12/05/14 - Appellees' Letter to Parties - M:/ltr120814c.pdf

12/05/14 - Certificate of Service - M:/certificateofservice120814.pdf

12/05/14 - Brief of Appellees - M:/brief.pdf

12/18/14 - Appendix - M:/appendix4.pdf

12/15/14 - Appellant's Reply Brief - M:/replybrief.pdf

12/15/14 - Certificate of Service - M:/certificateofservice121814.pdf

12/30/14 - Appellees' Letter to Clerk of Court - M:/ltr123014.pdf

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12/31/14 - Notice of Entry - M:/noticeofentry.pdf

12/31/14 - Judgment - M:/judgment.pdf

01/05/15 - Transcript of Oral Agrument Hearing - Administrative Appeal on December 23, 2014 - M:/transcript.pdf

01/20/15 - Notice of Appeal - M:/scnoticeofappeal.pdf

01/20/15 - Order for Transcripts - M:/orderfortranscripts.pdf

01/20/15 - Appellant's Docketing Statement - M:/docketingstatement.pdf

- 01/20/15 Final Decision and Order- Notice of Entry M:/finalorder.pdf
- 01/20/15 Fifth Judicial Circuit's Judgment M:/scjudgement.pdf
- 01/20/15 Certificate of Service- M:/certificateofservice012015.pdf
- 01/26/15 Certificate of Service M:/certificateofservice012615.pdf
- 01/29/15 Appellant's Amended Docketing Statement M:/amendeddocketingstatement.pdf
- 01/29/15 Final Decision and Order- Notice of Entry M:/order2.pdf
- 01/29/15 Judgment S:/judgement.pdf
- 01/29/15 Certificate of Service M:/certificateofservice012915.pdf
- 02/09/15 Fifth Judicial Circuit's Letter to Parties regarding Alphabetical and Physical Exhibit Indexes
- M:/ltr020915.pdf
- 11/09/15 Docket Closed M:/close.pdf

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