

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

IN THE MATTER OF THE APPLICATION OF)	ORDER GRANTING APPROVAL
BLACK HILLS POWER, INC. FOR A)	OF SECOND MATERIAL
PERMIT TO CONSTRUCT A 230 KV)	DEVIATION FROM THE
TRANSMISSION LINE FROM)	DESCRIBED CENTERLINE
NORTHEASTERN WYOMING TO THE)	
RAPID CITY AREA IN SOUTH DAKOTA)	EL14-061

On June 30, 2014, Black Hills Power, Inc. (BHP), a South Dakota corporation, filed with the South Dakota Public Utilities Commission (Commission) an application for a permit to construct the South Dakota portion of a 230 kV transmission line, which will run from northeastern Wyoming to the Rapid City area in South Dakota and associated modifications to the Lange Substation in Pennington County, South Dakota. The South Dakota portion includes approximately 45.4 miles of transmission line and will cross both private lands and federal lands managed by the Black Hills National Forest Service. Specifically, approximately 9.1 miles of the proposed Facility will cross private land and approximately 36.3 miles will cross National Forest Service lands.

On July 3, 2014, the Commission electronically transmitted notice of the Application and the intervention deadline of August 29, 2014, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On August 25, 2014, the Commission held a public input hearing in Rapid City, S.D. The Commission granted intervention to Ruby B. Matejcek, Victoria Leonard, GCC Dacotah, Inc., Michael Lewis, Stephen Vadney, Dave Riemenschneider, Barbara Anderson Lewis, Robert Varilek/AW LLC, Barton Banks, and James S. Hodgen.

On October 28, 2014, BHP and Commission Staff filed a Joint Motion for Approval of Settlement Stipulation and the Settlement Stipulation. A contested case hearing was held on November 6, 2014. On December 24, 2014, the Commission issued its Final Decision and Order granting the transmission facility permit as requested in the Application, subject to the terms and conditions in the Settlement Stipulation. On October 14, 2015, BHP filed an Amended Notice of Material Deviation from the Described Centerline which the Commission approved on November 3, 2015. On June 16, 2016, BHP filed a Second Notice of Material Deviation from the Described Centerline and requested approval of the deviation pursuant to Condition 22 of the Settlement Stipulation.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B.

At its regularly scheduled meeting on July 5, 2016, the Commission considered BHP's second request for approval of material deviations from the approved centerline in order to comply with Condition 22 of the Settlement Stipulation. Finding that the proposed route changes were in fact material deviations, that the notice requirements set forth in Condition 22 were conformed to, and that no affected land owners objected to the route change, the Commission voted unanimously to approve the request. It is therefore

ORDERED, that BHP's request for approval of material deviations from the described centerline is hereby granted.

Dated at Pierre, South Dakota, this 7th day of July, 2016.

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: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner