**CHAPTER 20:10:22**

**ENERGY FACILITY SITING RULES**

Section

20:10:22:01 Definitions.

20:10:22:02 Content of notification of intent.

20:10:22:03 Prefiling conference.

20:10:22:04 General format of application for permit.

20:10:22:05 Application contents.

20:10:22:06 Names of participants required.

20:10:22:07 Name of owner and manager.

20:10:22:08 Purpose of facility.

20:10:22:09 Estimated cost of facility.

20:10:22:10 Demand for facility.

20:10:22:11 General site description.

20:10:22:12 Alternative sites.

20:10:22:13 Environmental information.

20:10:22:14 Effect on physical environment.

20:10:22:15 Hydrology.

20:10:22:16 Effect on terrestrial ecosystems.

20:10:22:17 Effect on aquatic ecosystems.

20:10:22:18 Land use.

20:10:22:19 Local land use controls.

20:10:22:20 Water quality.

20:10:22:21 Air quality.

20:10:22:22 Time schedule.

20:10:22:23 Community impact.

20:10:22:24 Employment estimates.

20:10:22:25 Future additions and modifications.

20:10:22:26 Nature of proposed energy conversion facility.

20:10:22:27 Products to be produced.

20:10:22:28 Fuel type used.

20:10:22:29 Proposed primary and secondary fuel sources and transportation.

20:10:22:30 Alternate energy resources.

20:10:22:31 Solid or radioactive waste.

20:10:22:32 Estimate of expected efficiency.

20:10:22:33 Decommissioning.

20:10:22:33.01 Decommissioning of wind energy facilities and solar energy facilities -- Funding for removal of facilities.

20:10:22:33.02 Information concerning wind energy facilities and solar energy facilities.

20:10:22:34 Transmission facility layout and construction.

20:10:22:35 Information concerning transmission facilities.

20:10:22:36 Additional information in application.

20:10:22:37 Statement required describing gas or liquid transmission line standards of construction.

20:10:22:38 Gas or liquid transmission line description.

20:10:22:39 Testimony and exhibits.

20:10:22:40 Application for party status.

 **Declaratory Ruling:** The Public Utilities Commission has filed a declaratory ruling with the Legislative Research Council in the Matter of the City of Flandreau Proposed Transmission Line. The City has asked if the proposed project is within the SDCL 49-41B-2.1 definition of a transmission line and associated facility, thereby requiring a SDPUC permit. On June 22, 1999, at its regularly scheduled meeting, the commission determined that the proposed 115kV transmission line is exempt from its siting jurisdiction because the entire line will be installed within the existing right-of-way on S.D. Highway 32 and the Industrial Park Road with the exception of the guying equipment for a corner pole. Declaratory Ruling EL99-010 dated June 25, 1999.

 The Public Utilities Commission has filed a declaratory ruling with the Legislative Research Council. West River Electric Association, Inc., requested a ruling from the Commission regarding its jurisdiction over the siting of a new 115 kV transmission line near Rapid City. In the ruling, the Commission ordered that WREA's proposed transmission line is subject to the Commission's siting jurisdiction. Public Utilities Commission Declaratory Ruling EL00-030 dated December 14, 2000.