

RECEIVED

March 28, 2004

To: Pennington County Commissioners, Pennington County Planning Office, RC Planning Office, Pennington County Equalization Office, Bill Napoli, Basin Electric, Black Hills Power & Light, WREA, Black Hills Electric Cooperative, SD Public Utilities Commission, Rapid City Growth Management Department

MAR 29 2004

## PETITION

**Filed by:** Duane & Jacki Miller, 7700 Old Folsom Rd, Rapid City, SD 57703 Ph.605-348-6257

**Re:** AC/DC utility substation/Basin Electric and Black Hills Power & Light SW ¼, Section 28. Located off South Hwy 79, Rapid City, South Dakota.

Summer 2002: Permission requested by Basin Electric to search our land for fossils "because of some power lines that were going to be installed near our property".

Summer 2003: Lights left on at the site all night long. Complaint made – some resolution

Fall 2003: Loud humming/ringing noise begins during the day & evening hours. Complaint made to Basin Electric. Jack Holt visits and says the noise should stop once start-up is complete. The day he visits – there is no noise. We agree to give it some time - also that we will contact him via e-mail when it is extremely noisy.

Winter 2003: Noise continues & increases to the point that it wakes us up at night. Email is sent – Mr Holt responds - says he will stop by the house again. No further contact initiated by Mr Holt. Noise continues to be problematic.

March 2004: Awakened by the noise at 3:30 AM. Contacted Basin - informed that they were still "checking into it". During the week of the 20<sup>th</sup> and as of the date of this petition, we are either awakened during the night or kept awake because of the extremely loud humming/ringing noise that begins approx 9:00 PM and continues throughout the night. Informed by Basin that a "study" is being initiated.

March 2004: Contacted Pennington County Planning office for options/resolution suggestions. Told that there had been a number of meetings regarding the sub-station - questioned as to why we hadn't attended any of them. I stated that we were never notified of them. I was then told that it was because we were not within 500 ft of the property. Requested an opportunity to be put on the Agenda Told in no uncertain terms by Scott Anderson that we did not meet any of the conditions on the permit even though # 6 states "To be reviewed on a complaint basis" and we were initiating a complaint. Mr. Anderson also states that "noise" was not an issue nor was it ever addressed as any part of the conditions.

Our concerns are as follows:

1. Loss of sleep & quality of life due to incessant humming/ringing.
2. Possible decrease in property value due to noise, power lines & EMF, livestock concerns.
3. Substation operating at 25% capacity – what happens when that is increased?
4. Lack of professional conduct by Scott Anderson of County Planning office. As taxpayers, we feel that he should have been respectful and responsive to our concerns.
5. Lack of notification of the building of this structure and the meetings regarding it because we were not within 500 feet although the noise & lights far exceed the 500 ft limit and continue to have a negative impact on our home and family.

Duane E. Miller  
3-28-04

Jacki Miller 3/28/2004