

ADMINISTRATIVE HEARING MINUTES
SOUTH DAKOTA ELECTRICAL COMMISSION
Appeal Hearing Case No. 2023-01
Meeting Via Microsoft Teams
September 8, 2023, 9:00 a.m. CDT

The South Dakota Electrical Commission convened at 9:08 a.m. on Friday, September 8, 2023, via Microsoft Teams.

The purpose of the administrative hearing was to hear the matter of Eric L. Collins, case no. 2023-01.

Members of the Board in Attendance: Sean Lyons (Chair), Dave Eide, Doug Fuerst, Tor Sorlien, Russ VanDerWerff

Others in Attendance: Pamela Scouten— executive director, Kenisha Ewoldt- senior secretary, Jerry McCabe— DLR Sr. staff attorney, Ryan Darling- hearing examiner, Eric Collins, Craig Oedens, Jeff Kirstein, Donna Collins, Mark Collins, Tim Collins, Sally Haring, Marlys Mardian, Dave Costine, and Trisha Collins.

Hearing Examiner Darling began the hearing in the matter of Eric Collins, license number AE 20418, case no. 23-01.

Attorney McCabe presented the Commission office's case. The Commission office called Pamela Scouten to testify. Hearing Examiner Darling swore in Scouten as a witness, and she testified.

During her testimony, Attorney McCabe offered the following pre-marked exhibits, which were received as evidence and marked with a letter as follows: 101 (Ex. A); 102 (Ex. B), 103 (Ex. C), 104 and 106 (Ex. D), and 105 (Ex. E).

Eric Collins presented his case as the licensee. Hearing Examiner Darling swore in Eric Collins, and he testified.

Hearing Examiner Darling swore in witness Craig Oedens. Craig Oedens testified.

Hearing Examiner Darling swore in witness Jeff Kirstein. Jeff Kirstein testified.

Hearing Examiner Darling swore in witness Donna Collins. Donna Collins testified.

Hearing Examiner Darling swore in witness Mark Collins. Mark Collins testified.

Hearing Examiner Darling swore in witness Tim Collins. Tim Collins testified.

Hearing Examiner Darling swore in witness Sally Haring. Sally Haring testified.

Hearing Examiner Darling swore in witness Marlys Mardian. Marlys Mardian testified.

Hearing Examiner Darling swore in witness Dave Costine. Dave Costine testified.

Hearing Examiner Darling swore in witness Trisha Collins. Trisha Collins testified.

Attorney McCabe made a closing statement.

Eric Collins made a closing statement.

Tor Sorlien made a motion to enter executive session for the purpose of deliberation. Dave Eide seconded the motion. **MOTION PASSED**. The commission entered executive session at 10:27 a.m. with Hearing Examiner Darling to deliberate.

The commission came out of executive session at 11:08 a.m.

The Board reversed the decision of the Board office, and Attorney McCabe agreed to send a proposed finding of fact, conclusions of law, and decision to Hearing Examiner Darling and Eric Collins immediately following the hearing.

Hearing Examiner Darling concluded the appeal hearing at 11:12 a.m.