

Groton Daily Independent

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Netters beat Leola-Frederick

It was an exciting match last night as Groton Area needed five games to fend off Leola-Frederick in volleyball action. Game scores were 25-16, 27-25, 17-25, 21-25, 17-15.

We'll have the stats and photos from the match in tomorrow's GDI.

Open: Recycling Trailer in Groton
The recycling trailer is located at 10 East Railroad Ave.

The cardboard/paper
recycling trailer at the school is **Open**

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Wednesday, October 7

MS/HS Picture Day

School Breakfast: Breakfast bagel, fruit, juice, milk.

School Lunch: Cheese sticks, broccoli and dip, fruit, mixed vegetables.

Senior Menu: Roast pork, mashed potatoes and gravy, peas, tomato spoon salad, carrot bar, whole wheat bread.

Birthdays: Allen Walter • Brenda Craig • Lance Fliehs • Ramona Helgeson

7:00am: United Methodist Men's Bible Study

12:00pm: Kiwanis meets at the Community Center

12:30pm: MathCounts at GHS

1:00pm: St. John's Lutheran Ladies Aid LWML

3:45pm: St. John's Lutheran Confirmation

5:00pm: Emmanuel Lutheran Sarah Circle

6:45pm: Emmanuel Lutheran League

7:00pm: Emmanuel Lutheran Confirmation

Thursday, October 8

School Breakfast: Pancake on a stick, fruit, juice, milk.

School Lunch: Lasagna hot dish, romaine salad, corn, tea bun, fruit.

Senior Menu: Ranch chicken, boiled potato, green beans, cake with strawberries, whole wheat bread.

Anniversary: Lars & Kelli Hanson

Birthdays: Christopher Podoll • Gloria Pharis • Scott Vedvei • Shane Reich

9:20am: Juniors to DACAC Career Fair in Aberdeen

1:30pm: St. John's Lutheran Nursery Circle

3:30pm: NEC Cross Country Meet in Webster

4:30pm: 7th/8th VB at Sisseton

6:00pm: C/JV Volleyball match at Sisseton followed by varsity match

Groton Chiropractic Clinic

Carol McFarland-Kutter, D.C.
1205 N 1st St., Groton 397-8204

Groton Coffee Cup League

Team Standings: Kens 11, Ten Pins 9, Jungle Lanes 9, James Valley 3

High Scores: Joyce Walter 173, 159, 156; Gert Erickson 166; Vicki Walter 152; Vickie Kramp 152

High Series: Joyce Walter 488; Vickie Kramp 438; Joyce Sanderson 420

Summertime Climate after an El Niño Winter

BROOKINGS, S.D. - El Niño is here to stay... at least through the winter season, explained Laura Edwards, SDSU Extension Climate Field Specialist.

"It is one of the primary drivers of our climate that affects us on a multi-year scale here in North America," Edwards said. "In South Dakota, very strong El Niño conditions, like we have this year, usually mean warmer than average conditions in the winter season."

But what happens in the growing season following an El Niño winter? "As fall harvest season is upon us, it will soon be time to make some early seed and chemical purchasing decisions for the 2016 crop year, and perhaps some information about those summer seasons will help inform those decisions," Edwards said.

She explained that the current El Niño, as determined by sea surface temperatures in the Pacific Ocean, is ranked as number two or three among the strongest El Niños since 1950. The comparable years are 1982-83 and 1997-98.

Looking back at the May through September growing season following the 82-83 and 97-98 El Niño winters, Edwards said that in general, very strong El Niños tend to dissipate quickly.

"This limited size of just two growing seasons, combined with other variables creates some uncertainty in the summer season forecast," she said. "In both summers of 1983 and 1998, warmer than average conditions affected eastern South Dakota, with the largest temperature anomalies centered on Iowa."

Differences arose in the precipitation for each season. Edwards said that in 1983, near average or wet conditions occurred statewide during the spring season. Then dry conditions prevailed most of the summer, during July, August and September. "At any given time during the 1983 growing season, there was some level of minor to moderate drought conditions somewhere in the state," she said.

In 1998, June and July were notably wet in western/southwestern South Dakota, though the entire growing season ended up above average for rainfall in those areas. July 1998 had some short-term drought in the northern tier counties, and then September was exceptionally dry and warm.

"It is too early to tell for sure what summer 2016 will bring, but after looking at two recent summers following strong El Niños, it may be best to be prepared for some amount of warm and dry conditions," Edwards said.

Edwards said East River counties tend to be more susceptible to drought during summers like those than the western half of the state.



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Sperry Stump Removal

Pump Prices Rise in South Dakota as Refinery Output Slows

The national gasoline price average is holding steady.

Oct. 6, 2015 – South Dakota's pump price average has risen three cents over the last week, AAA reports, primarily due to fall maintenance at regional oil refineries putting a crimp on supplies.

"We're getting late word that spot prices several Midwestern states have seen dramatic price increases in spot markets of as much as 17 cents per gallon because of tighter supplies and unusually strong demand," said Marilyn Buskohl, spokeswoman for AAA South Dakota. "Thankfully, we haven't seen these sharp price increases in South Dakota. However, there are more than a dozen refineries in south central U.S. performing either planned or unplanned maintenance. The hope is that this will be temporary until supplies from places such as the Gulf make it our way."

	Today	Last Week	Change	9-Sep	Change	Last year
Aberdeen	\$2.467	\$2.422	\$0.045	\$2.418	\$0.049	\$3.297
Brookings	\$2.428	\$2.374	\$0.054	\$2.532	-\$0.104	\$3.278
Huron	\$2.452	\$2.512	-\$0.060	\$2.588	-\$0.136	\$3.413
Mitchell	\$2.328	\$2.340	-\$0.012	\$2.488	-\$0.160	\$3.214
Pierre	\$2.638	\$2.580	\$0.058	\$2.667	-\$0.029	\$3.353
Rapid City	\$2.471	\$2.479	-\$0.008	\$2.749	-\$0.278	\$3.395
Sioux Falls	\$2.286	\$2.184	\$0.102	\$2.286	\$0.000	\$3.085
Vermillion	\$2.303	\$2.189	\$0.114	\$2.329	-\$0.026	\$3.229
Watertown	\$2.475	\$2.275	\$0.200	\$2.465	\$0.010	\$3.356
Yankton	\$2.427	\$2.315	\$0.112	\$2.481	-\$0.054	\$3.307
South Dakota	\$2.408	\$2.390	\$0.018	\$2.517	-\$0.109	\$3.288

According to FuelGaugeReport.AAA.com, the national average price for regular gasoline today is holding at \$2.29 per gallon for the 13th consecutive day, exactly a dollar below the price one year ago.

Three states report gas price averages below \$2 per gallon today: New Jersey and South Carolina, both at \$1.96, and Mississippi at \$1.98. California has the highest statewide price average among the 48 contiguous states at \$2.93, followed by Nevada at \$2.89.

"This autumn's refinery maintenance season is expected to be heavier than usual because refineries ran at such high rates during the summer, meeting the demand generated by low pump prices," said Buskohl. "Once this is over, prices should level off and turn lower as we approach the holidays."

The balance between global supply and demand continues to be front page news as a number of factors are expected to influence oil prices in the months ahead. Saudi Arabia, the world's largest exporter of petroleum and the swing member of the Organization of Petroleum Exporting Countries, has announced plans to cut prices even more to Asian markets in an attempt to protect its market share. Russia is reportedly ready to enter talks with OPEC and other producing countries about possible reductions in output, and the country's actions in Syria continue to make headlines that influence the geopolitical instability in the region.

Now that Hurricane Joaquin is no longer an imminent threat, market watchers are focusing attention on domestic supply and demand in light of falling rig counts and the potential impacts of this year's refinery maintenance season. The number of rigs operating in the U.S. fell by 26 last week, its largest drop since April, in reaction to sustained low oil prices.

West Texas Intermediate crude oil opened the trading session on the NYMEX Monday by posting gains for a second consecutive session, finally closing up 72 cents at \$46.26 per barrel.

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Today in Weather History

October 7, 1970: On October 7th through the 9th, 1970 a record breaking early season snow storm hit parts of southern South Dakota. Snowfall of 5 to 9 inches was common across the southwest and south central on the 7th. Late on October 8th and into the 9th of 1970 the southeast portion of the state was hit. Vermillion received 6 inches of snow on the 9th and that is the largest amount ever recorded there for so early in the season. The 5 inches that fell in Sioux Falls is the earliest significant snow on record for the area.

The heavy snows also affected portions of western Iowa and western Minnesota. Amounts of up to 7 inches were recorded in northwest Iowa. The heavy, wet snow snapped many tree branches and downed power lines. Sioux City recorded their heaviest snow for so early in the season. The snow was very wet and heavy, but melted quickly over the next several days.

1970 - Widespread flooding took place across Puerto Rico. Rainfall amounts for the day ranged up to seventeen inches at Aibonito. A slow moving tropical depression was responsible for six days of torrential rains across the island. Totals in the Eastern Interior Division averaged thirty inches, with 38.4 inches at Jayuya. Flooding claimed eighteen lives, and resulted in 62 million dollars damage. (David Ludlum) (The Weather Channel)

1981 - Seattle, WA, received four inches of rain in 24 hours, a record for the city. (The Weather Channel)

1987 - It was another hot day in the southwestern U.S. Tucson, AZ, hit 101 degrees for the second day in a row to again equal their record for the month of October. Phoenix AZ reported a record high of 103 degrees, and Blythe CA and Yuma AZ tied for honors as the hot spot in the nation with afternoon highs of 108 degrees. (The National Weather Summary)

1988 - Morning fog in the central U.S. reduced the visibility to near zero at some locations. Morning lows of 28 degrees at Rockford IL and 24 degrees at Waterloo IA were records for the date. Afternoon highs of 92 degrees at Hollywood FL and Miami FL were records for the date. (The National Weather Summary)

1989 - Morning thunderstorms in central Texas drenched San Antonio with 3.10 inches of rain in six hours causing local flooding in northeastern sections of the city. Temperatures dipped below the freezing mark from the

Northern Rockies to the Upper Mississippi Valley. (The National Weather Summary)

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Today	Tonight	Thursday	Thursday Night	Friday	Friday Night	Saturday
Mostly Sunny then Chance T-storms	Chance T-storms	Partly Sunny	Mostly Clear	Sunny	Partly Cloudy	Mostly Sunny
High: 70 °F	Low: 53 °F	High: 63 °F	Low: 37 °F	High: 67 °F	Low: 47 °F	High: 79 °F



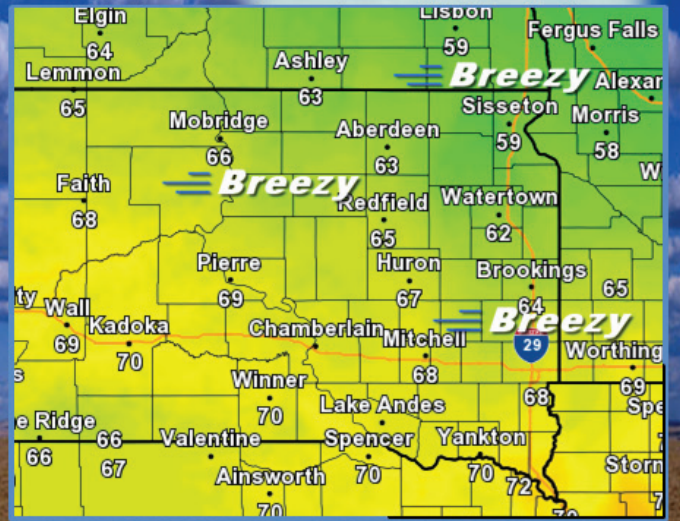
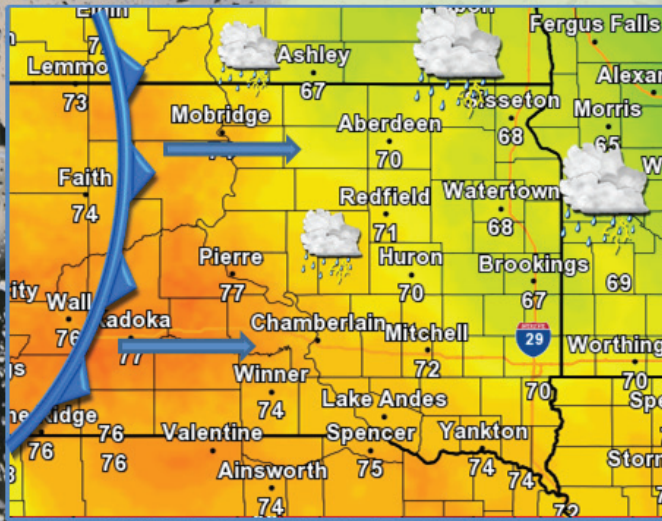
Trending Drier Today, Cooler Thu

Today

Forecast trend is drier than previously anticipated, however, showers and t'storms still possible. Storms will move west to east across the region.

Thursday

Cooler. Breezy northwest winds. Temps in the mid 30s to low 40s late Thursday into Friday morning.



National Weather Service – Aberdeen, SD



weather.gov/Aberdeen



National Weather Service Aberdeen



@NWSAberdeen

Updated: 10/7/2015 4:45 AM Central

Published on: 10/07/2015 at 4:52AM

The forecast has trended drier than originally anticipated, however, showers and isolated thunderstorms are still possible. The highest precipitation chances remain over northeast South Dakota and west central MN. Dry conditions return for Thursday, as well as breezy northwest winds and cool overnight temperatures.

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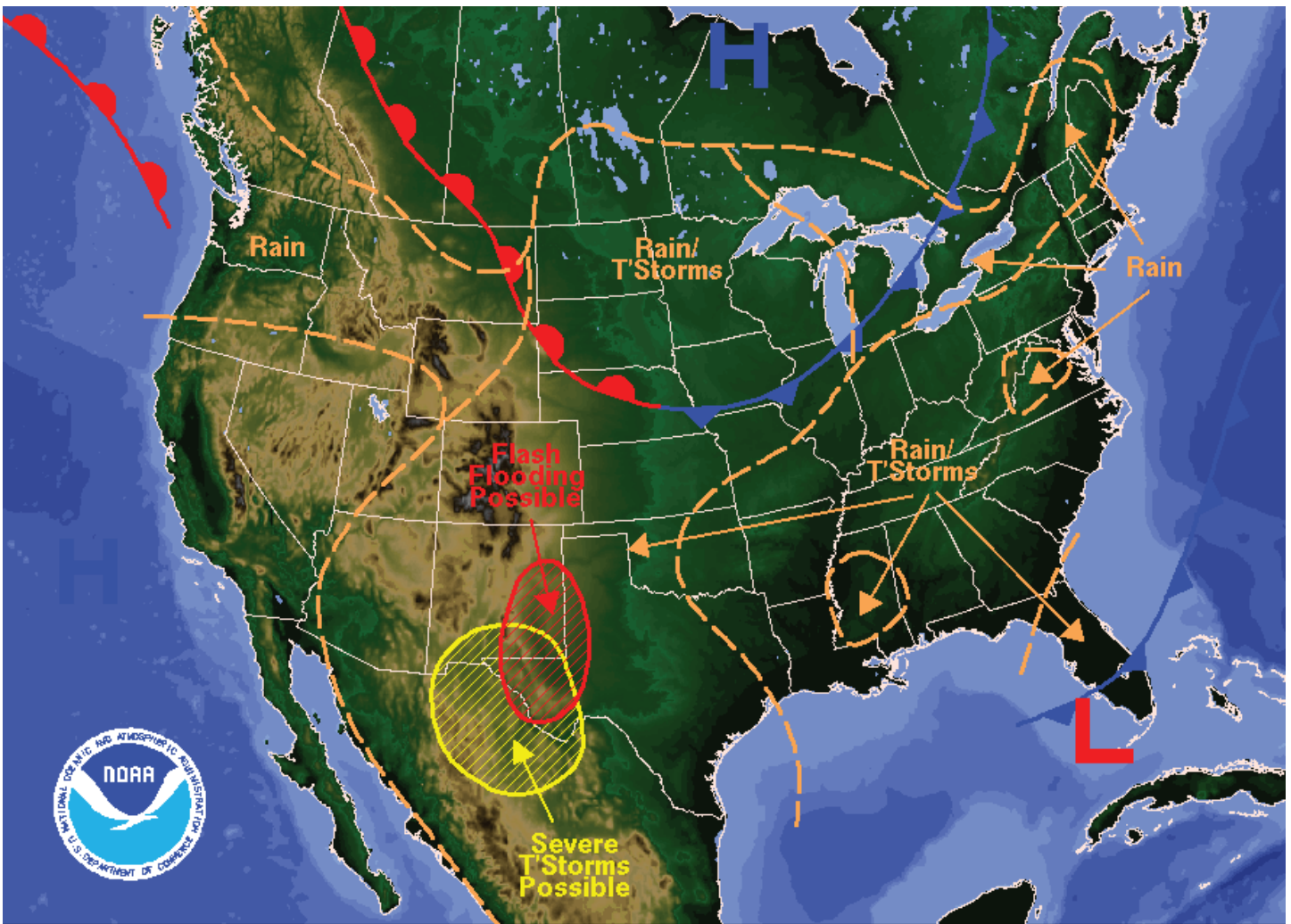
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Yesterday's Weather

High: 66.6
Low: 46.4
High Gust: 12
Precip: 0.00

Today's Info

Record High: 88° in 1966
Record Low: 14° in 1952
Average High: 62°F
Average Low: 33°F
Average Precip in Oct.: 0.54
Precip to date in Oct.: 0.00
Average Precip to date: 19.02
Precip Year to Date: 18.12
Sunset Tonight: 7:03 p.m.
Sunrise Tomorrow: 7:40 a.m.



Weather Forecast for Wed, Oct 07, 2015, issued 4:38 AM EDT
DOC/NOAA/NWS/NCEP/Weather Prediction Center
Prepared by McCreynolds based on WPC, SPC and NHC forecasts



"I CERTAINLY HOPE SO"

He had been dating JoAnn for nearly a year. One evening he decided that it was time he proposed to her and ask her to marry him. His plea was passionate and his voice sincere. After listening to his carefully chosen words she said, "I can't become your wife!"

"Why?" he demanded. "Is there someone else?"

"I certainly hope so," came the reply.

Hope is the confident optimism that comes to Christians who know that God has good things in store for them. Those whose hope is outside of Christ may "hope" for things that disappoint them or lead them into trouble. Some look expectantly for things to change and life to improve "hoping" that it is possible to find joy and peace with what the world has to offer.

If we place our "hope" in ourselves and desire the things of this world we will become frustrated, disappointed and confused. This world, nor the things it has to offer, can ever provide a reason for salvation or security. True "hope" only comes from the Lord. The Psalmist made it clear when he wrote that our "only hope is in You."

Remember: God's character is unchanging, His promises dependable, His love enduring, His care continuous and His faithfulness never waivers.

Prayer: Father, we claim Your Word as the only true and reliable source for hope as the anchor for our lives. In Jesus' Name, Amen.

Scripture for Today: Psalm 39:7 "And now, Lord, what do I wait for? My hope is in You."

News from the Associated Press

Coalition created by Daugaard meeting on Medicaid expansion

PIERRE, S.D. (AP) — A coalition established by Gov. Dennis Daugaard is exploring the potential expansion of Medicaid in South Dakota.

The Health Care Solutions Coalition is set to gather for the first time on Wednesday.

Daugaard recently met in Washington with Health and Human Services Secretary Sylvia Burwell to detail a proposal to expand Medicaid, which provides health coverage to low-income and disabled people.

Daugaard's senior adviser Kim Malsam-Rysdon has said the plan would make about 48,500 South Dakota residents newly eligible for the program.

Starting in 2020 it's expected to cost the state between \$30 and \$33 million, which the measure would offset through state savings.

Federal officials rejected a plan from the state in 2014 to partially expand Medicaid.

School of Mines hosting demography conference

RAPID CITY, S.D. (AP) — The South Dakota School of Mines and Technology is hosting a demography conference this week.

The third annual 2015 South Dakota Demography Conference on Thursday and Friday will focus on forecasting the rural-urban divide in the state.

The event features a mini-conference on the state of South Dakota's economy and sessions on poverty, racial disparities and economic growth. Other presentations will highlight changes in health and education, and hands-on workshops will focus on strategies for finding and working with data for strategic planning, policymaking and grant-writing.

Friday's noon session titled "From Reservation to Rapid City" will discuss how does mobility within the Native American community affects businesses, schools, healthcare and policing.

Laura Ingalls Wilder's memoir wins Midwest Booksellers award

PIERRE, S.D. (AP) — The autobiography of prairie author Laura Ingalls Wilder is being recognized by booksellers in the Midwest.

The South Dakota State Historical Society says "Pioneer Girl: The Annotated Autobiography" has been chosen by the members of the Midwest Independent Booksellers Association as a Midwest Booksellers Choice Award recipient for nonfiction.

The memoir, edited by Pamela Smith Hill, spent six weeks this year on the New York Times best sellers list.

Wilder penned the popular children's series of "Little House on the Prairie" books, but her autobiography gives a grittier view of frontier living.

Members of the booksellers association nominate and vote for their favorite books published each year. To qualify, the book must be pertinent to the region or the author must reside in or have roots in the area.

Tuesday's Scores The Associated Press

Volleyball

Aberdeen Central def. Pierre, 25-12, 25-19, 25-11
Alcester-Hudson def. Centerville, 33-31, 25-14, 25-19
Arlington def. Deuel, 25-11, 25-16, 25-14
Avon def. Burke/South Central, 25-16, 25-19, 25-23
Belle Fourche def. Sturgis, 25-15, 25-11, 25-10
Bison def. Faith, 25-17, 10-25, 25-27, 25-11, 16-14

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Brandon Valley def. Sioux Falls Lincoln, 25-13, 25-12, 25-13
Castlewood def. Florence/Henry, 25-17, 25-19, 25-19
Crow Creek def. Marty Indian, 25-19, 25-23, 25-23
Dakota Valley def. Homer, Neb., 25-12, 25-16, 25-18
Edmunds Central def. Aberdeen Christian, 25-20, 30-28, 25-12
Ethan def. Wessington Springs, 25-13, 25-19, 25-18
Flandreau def. Colman-Egan, 25-23, 23-25, 25-19, 14-25, 15-10
Flasher, N.D. def. McIntosh, 25-15, 25-20, 16-25, 25-8
Groton Area def. Leola/Frederick, 25-16, 27-25, 17-25, 21-25, 17-15
Harrisburg def. Yankton, 25-13, 25-16, 23-25, 25-19
Huron def. Mitchell, 25-15, 25-14, 25-16
Ipswich def. Faulkton, 25-20, 25-22, 25-21
Irene-Wakonda def. Gayville-Volin, 19-25, 25-20, 23-25, 25-22, 15-9
Kimball/White Lake def. Chamberlain, 25-16, 25-12, 25-10
Lead-Deadwood def. Harding County, 27-25, 25-15, 23-25, 25-14
Lemmon def. Timber Lake, 25-12, 29-27, 25-14
Marion def. Bridgewater-Emery, 13-25, 25-20, 25-21, 15-25, 15-13
McCook Central/Montrose def. Howard, 25-17, 25-18, 25-17
Menno def. Canistota, 25-14, 22-25, 25-18, 21-25, 15-11
Miller def. Aberdeen Roncalli, 25-23, 25-22, 20-25, 25-21
Newell def. Dupree, 25-21, 25-14, 18-25, 15-25, 18-16
Northwestern def. Webster, 25-10, 25-8, 25-10
Oldham-Ramona/Rutland def. Great Plains Lutheran, 25-15, 25-8, 25-18
Parker def. Lennox, 25-10, 25-9, 25-11
Platte-Geddes def. Parkston, 25-16, 17-25, 25-15, 25-23
Potter County def. Herreid/Selby Area, 15-25, 19-25, 25-23, 26-24, 15-10
Rapid City Christian def. Takini, 25-12, 25-10, 25-11
Red Cloud def. Bennett County, 25-16, 25-18, 25-22
Sanborn Central/Woonsocket def. Sunshine Bible Academy, 25-19, 25-21, 28-26
Sioux Falls Christian def. Canton, 25-14, 25-8, 25-7
Sioux Falls Roosevelt def. Watertown, 18-25, 25-22, 28-26, 25-17
Sioux Valley def. Hamlin, 25-16, 25-23, 25-17
Sisseton def. Tiospa Zina Tribal, 25-7, 25-7, 25-12
St. Francis Indian def. Lower Brule, 25-21, 25-15, 25-20
St. Thomas More def. Hill City, 18-25, 25-20, 15-25, 25-23, 15-12
Sully Buttes def. Highmore-Harrold, 25-11, 25-16, 25-17
Wagner def. Scotland, 25-9, 25-18, 25-11
Warner def. Langford, 25-7, 25-6, 25-11
Waverly-South Shore def. Estelline, 25-23, 25-18, 25-20
West Central def. Beresford, 25-17, 25-16, 25-19
Wilmot def. Waubay/Summit (VB), 12-25, 27-25, 26-24, 25-16
Winner def. Gregory, 25-13, 25-15, 21-25, 25-16
Wolsey-Wessington def. Iroquois, 25-20, 25-13, 25-17
North Central Double Triangular
Colome def. Ainsworth, Neb., 25-23, 25-15, 24-26, 23-25, 15-6
North Central, Neb. def. Colome, 25-14, 25-13, 25-16

Fishermen find body of Sioux Falls man in Oakwood Lake

BRUCE, S.D. (AP) — Law enforcement authorities in eastern South Dakota say two fishermen found the body of a Sioux Falls man in Oakwood Lake.

The Brookings County Sheriff's Office says the body of 73-year-old Martin Jepson was found floating in the lake around 2:30 p.m. Monday.

The sheriff's office says the men noticed an empty vehicle when they were in the process of going fishing in the public access area on the south side of Oakwood Lakes State Park. They then saw the body about 20 feet from the shoreline.

Jepson was pronounced dead at the scene after first responders were unsuccessful in their attempt to resuscitate him. The sheriff's office says foul play is not suspected, but an autopsy will be conducted to help determine the cause of death.

Police: Man stole bulldozer, used it to damage building

RAPID CITY, S.D. (AP) — A Colorado man is in custody in South Dakota after law enforcement authorities accused him of stealing a bulldozer and using it to damage a building and destroy a pickup truck.

Police in Rapid City say 21-year-old Justin Thornley of Empire, Colorado, was arrested Sunday on felony charges of destruction of property and aggravated grand theft.

Police say officers followed the bulldozer as it crossed a road traveling east into a field. They say Thornley also stuck electrical power poles and damaged concrete curbs while using the bulldozer.

Police say officers had to use a less-lethal beanbag shotgun, pepper spray and a stun gun as they tried to arrest Thornley.

Thornley also faces a misdemeanor count of obstructing a police officer. It's unclear whether Thornley has an attorney.

State waiting on word from feds about GEAR UP program future

JAMES NORD, Associated Press

FLANDREAU, S.D. (AP) — South Dakota is waiting for word from the U.S. Department of Education about the future of a Native American college-readiness program that's under scrutiny in part due to an investigation into an apparent murder-suicide, state Education Secretary Melody Schopp said Tuesday.

Schopp told an advisory panel on Native American student achievement that the state has asked its federal counterpart about transitioning the GEAR UP program to a new administrator.

The state had contracted with Platte-based Mid-Central Educational Cooperative to administer the program in South Dakota, which received \$10.7 million in federal GEAR UP funds over the last four years. Hours after the education department informed Mid-Central that it was losing its contract last month, employee Scott Westerhuis apparently shot his wife and four children and then set the family home near Platte ablaze before shooting himself.

Schopp told the advisory council that the status of funding for this year's school year is unclear.

"We are waiting to hear from the U.S. Department of Education about the future of the grant itself in South Dakota, and that's the best answer I can give you at this point in time," she said of the program's future. A U.S. Department of Education spokesman didn't immediately respond to a request for comment.

Schopp was reluctant to speak at length about the program. The state Division of Criminal Investigation is looking into Westerhuis' personal finances and his management of the cooperative, where he served as business manager, as authorities search for a motive in the deaths.

Mid-Central was notified Sept. 16 that it had lost the GEAR UP contract, and Schopp cited financial problems and failures to follow proper accounting procedures as reasons in a follow-up letter sent five days later.

State officials began seeking other partnership options for the grant when "fiscal accountability and management by (the cooperative) continued to be a concern," Gov. Dennis Daugaard said in a letter last week to the chairman of a legislative oversight committee.

Officials have discussed with the Board of Regents potentially turning over administration of the grant

to Black Hills State University and the South Dakota School of Mines and Technology.

Some schools have signed contracts based on GEAR UP funding, according to Sherry Johnson, education director for the Sisseton Wahpeton Oyate.

"These are adult faults. These are adult problems, and the kids and their programs should not be penalized," Johnson said. "That was for them, it was doing what it should do."

Keystone XL developer seeks different approval for route

GRANT SCHULTE, Associated Press

LINCOLN, Neb. (AP) — The Canadian company that wants to build the Keystone XL pipeline is taking steps to circumvent one of the major roadblocks in Nebraska.

But in seeking approval Monday for the same contentious route through the state, TransCanada could create another round of lengthy delays in an already drawn-out process.

It also indicates a new push for the \$8 billion Canada-to-Texas oil pipeline in a state where opponents have repeatedly thwarted efforts to build the project. President Barack Obama has indicated that he may reject a federal permit for the project, as he did in 2012 when he accused congressional Republicans of setting an arbitrary deadline.

Former Gov. Dave Heineman approved the Nebraska route in 2013 under a state law that allowed TransCanada to use eminent domain against holdout landowners, but opponents sued and the project has been mired in state courts ever since.

The state's Public Service Commission, which regulates pipelines, taxis and other "common carriers" used for transportation, offers another avenue for approval — one opponents have said they would have preferred the company use in the first place because the PSC can impose additional requirements. However, the PSC's eventual decision can be appealed.

TransCanada announced last week that it would withdraw its eminent domain claims to the land on the pipeline's proposed route and instead seek approval through the commission. Legal experts said the company may have decided not to risk a legal battle to try to uphold the 2013 pipeline-siting law, which the Nebraska Supreme Court allowed to stand by default in January. Opponents then filed a nearly identical lawsuit with landowners who were directly affected by TransCanada's use of eminent domain.

The case, which is set to go to trial Oct. 19, is widely expected to return to the state's highest court, and if it sides with the landowners, TransCanada would have to apply to the PSC anyway.

"The writing's kind of on the wall," University of Nebraska law professor Anthony Schutz said. "The prospect of losing was significant enough that they probably looked at the tea leaves and said, 'Why don't we just go forward with that process now?'"

Landowners who sued to block the project are pleased with TransCanada's PSC application, but landowners attorney Dave Domina said they want the pipeline-siting law to be invalidated to eliminate any chance that company officials try to use it again.

Domina said the decision to withdraw its eminent domain claims will delay the project further, pointing to a state law that imposes a two-year waiting period on new eminent domain proceedings if the original one is abandoned.

Attorneys for TransCanada said that law doesn't apply, because the company withdrew their lawsuits against landowners before the proceedings were officially considered "abandoned" under state law.

"Those who believe continuous delay of this project is some kind of victory couldn't be any further from the truth," TransCanada spokesman Mark Cooper said Tuesday, also noting that the company will "reinitiate" eminent domain proceedings "if necessary." Cooper said 91 percent of landowners along the Nebraska section of the route have agreed to easements, and that eminent domain is a "last resort."

The elected, five-member Public Service Commission — currently four Republicans and one Democrat — serves in a role more akin to judges than politicians. Members are forbidden from prejudging any project, and base their decisions on evidence presented by attorneys, such as a project's environmental impact, jobs created and support or opposition from local governments.

TransCanada announced the project in 2008 and has undergone repeated federal and state reviews, including a 10-month examination by the Nebraska Department of Environmental Quality. The pipeline would be built from Canada through Montana, South Dakota and Nebraska, where it would connect with existing pipelines in Steele City to carry more than 800,000 barrels of crude oil a day to refineries along the Texas Gulf Coast.

Utility challenged over charges after coal plant outage

MATTHEW BROWN, Associated Press

BILLINGS, Mont. (AP) — NorthWestern Energy wrongly charged customers at least \$8.5 million after a 2013 power plant outage forced it to buy electricity on the open market, attorneys for Montana consumers and environmental groups argued Tuesday before state regulators.

The case centers on costs incurred by NorthWestern after the huge Colstrip coal plant was partially idled for more than six months for repairs beginning in July 2013.

A hearing on the rate dispute began Tuesday before the state Public Service Commission and could last several days.

Representatives of the South Dakota-based utility said it followed state regulations by passing along electricity replacement costs to its 350,000 Montana customers.

Customers who paid for the replacement power continued to be charged for NorthWestern's investments in Colstrip. NorthWestern is a partial owner of the 2,100 megawatt southeastern Montana coal plant, one of the largest in the West.

Earthjustice attorney Jenny Harbine said NorthWestern should have known about potential problems at the plant.

Instead, it ignored such concerns and falsely portrayed Colstrip as "at least as good as when it was new, if not better" during a prior commission session, according to panel Vice Chairman Travis Kavulla.

Kavulla was the sole commissioner to vote against last year's interim approval of a rate increase to cover the replacement power costs, which commission staff estimated at more than \$11 million.

The Montana Consumer Counsel and Harbine's clients, including the Montana Environmental Information Center and Sierra Club, want the money returned to customers.

They contend that NorthWestern should have taken out insurance against a possible Colstrip outage or sued plant operator PPL Montana and maintenance contractor Siemens to recover the cost of getting power elsewhere.

The outcome of the dispute hinges on whether the utility acted prudently as required under state law when it passed along the outage costs to customers.

NorthWestern spokesman Butch Larcombe said that's just what the company did.

"With any sort of (power) generation facility, you're going to have time when it's not operating," Larcombe said. "You have to go get electricity somewhere else. That's what the laws and regulations provide."

NorthWestern considered purchasing an insurance policy that would have covered the outage, Larcombe said, but decided it would cost too much. The utility's contracts preclude it from suing PPL or Siemens, he added.

PPL has since been spun off to form Talen Energy.

Northwestern customers were left out of decisions about insurance coverage and legal liability but nevertheless ended up footing the bill, said Montana Consumer Counsel attorney Monica Tranel.

NorthWestern "is required to use the same vigor to protect ratepayers as it does to protect its shareholders," Tranel said. "The job of this commission is to make this utility bear the risk of its decisions."

The five-member panel will determine if NorthWestern was entitled to recover its costs from the outage and also how much that should be, commission spokesman Eric Sell said.

The panel is chaired by Republican Brad Johnson, who recently announced he is running for Montana governor.

Former Rapid City mayor takes new job in home state of Iowa

RAPID CITY, S.D. (AP) — Former Rapid City mayor Sam Kooiker (KWAY'-kur) is taking a new job in his home state of Iowa.

Kooiker will become city administrator of Cherokee, Iowa, by January.

Cherokee is a city of about 5,500 people, about 50 miles from where Kooiker grew up in Boyden, Iowa.

Kooiker served two terms as Rapid City's mayor, starting in 2011. He lost his re-election bid in June. He was defeated by former police chief Steve Allender, with whom he had clashed regularly.

Winter wheat harvest in South Dakota ahead of average pace

SIOUX FALLS, S.D. (AP) — The planting of winter wheat in South Dakota continues to progress ahead of the average pace.

The Agriculture Department says in its weekly crop report that 83 percent of the crop is now seeded, up from 72 percent a week earlier and ahead of the long-term average of 72 percent.

About one-third of the crop has emerged, slightly ahead of average. Winter wheat is seeded in the fall, goes dormant over the winter, begins growing again in the spring and is harvested in the summer.

South Dakota's corn harvest is at 12 percent, behind average. The soybean harvest is nearing the half-way point, close to average.

Pasture and range conditions statewide are rated 53 percent good to excellent. Stock water supplies are 76 percent adequate to surplus.

Rapid City Council approves longer mayoral, council terms

RAPID CITY, S.D. (AP) — The Rapid City Council has approved longer office terms for future mayors and council members, though opponents hope the matter will be decided by a public vote.

The mayor's term will go from two years to four years starting in 2019. City council terms will go from two years to three years starting next year. Monday's vote was 6-3 in favor of both ordinances.

Current Mayor Steve Allender made the proposal earlier, saying lengthening the terms of office will promote continuity, political stability and efficiency in city government. Councilman Ritchie Nordstrom said longer terms also will cut down on campaigning.

"It's taking time away from doing the people's work," he said. "For 18 months we're doing work, and then we spend six months out campaigning."

Councilman Steve Laurenti voted against the ordinances, saying longer office terms take power away from residents.

"I have challenged the mayor and I have challenged everybody on this dais to explain how this is not a taking of the people's voice," he said.

Councilman John Roberts said he hopes opponents petition the decision.

"The majority of the people I've talked to were against it because they thought they should be able to vote for it," he said. "I hope there's a group out there. I would support any effort to refer this to a vote of the people."

Two-year terms for local leaders in South Dakota are the shortest allowed by state law. Mayors in other large cities in South Dakota serve from three to five years in office.

Longtime Aberdeen hotel closing, affecting nearly 60 workers

ABERDEEN, S.D. (AP) — A longtime hotel in Aberdeen is closing after more than five decades in business.

The Ramada Aberdeen Hotel and Conference Center has 151 rooms, a restaurant and a bar, along with nearly 11,000 square feet of banquet space. It opened in 1964.

Owner Dakota Lodging says the addition of hotels and convention space in Aberdeen has created "over-supply in a flat market," and business has been slow for years.

The hotel will close after Oct. 26. Nearly 60 full- and part-time employees will be affected.

10 Things to Know for Today

The Associated Press

Your daily look at late-breaking news, upcoming events and the stories that will be talked about today:

1. NUCLEAR SMUGGLERS SOUGHT EXTREMIST BUYERS

Gangs with suspected Russian ties attempted to shop radioactive material in Moldova to buyers from the Middle East, an AP investigation finds.

2. SOUTH CAROLINA SEES SUN BUT WEATHER WOES NOT OVER

Residents are preparing for a second round of expected flooding as rivers swollen from days of devastating rains make their way toward the Atlantic.

3. FIGHTING ERUPTS IN CENTRAL SYRIA

Activists say Syrian troops backed by Russian airstrikes are battling insurgents in the northwestern provinces of Idlib and neighboring Hama.

4. WHAT LINKS OREGON, CONNECTICUT SLAYINGS

Like Adam Lanza, the gunman in the Sandy Hook Elementary School massacre, Christopher Harper-Mercer was living a mostly solitary life with a mom who shared his fascination with firearms.

5. QUESTIONS SWIRL AROUND U.S. STRIKE ON AFGHAN HOSPITAL

Among them is whether the decision to open fire exceeded the authority under which American forces have operated since their combat mission ended nearly a year ago.

6. TOMAS LINDAHL, PAUL MODRICH AND AZIZ SANCAR WIN NOBEL PRIZE IN CHEMISTRY

The Royal Swedish Academy of Sciences cited the researchers for work on "mechanistic studies of DNA repair."

7. WHO FINDS GROWING COMPLICATIONS WITH HER OLD BOSS

As Hillary Clinton looks for ways to distinguish her ideas from those of Obama, the relationship between the man in the White House and the candidate becomes increasingly complicated.

8. A LUCKY FEW SYRIANS CHART OFFICIAL PATH TO EUROPEAN ASYLUM

The recipient of a coveted asylum-seeker visa, Syrian teacher Amena Abomosa is settling into a new life in France with her family — but it's difficult to say what the future holds even for those like her.

9. WHERE LUXURY BIRTHING CLINICS SPUR CESAREAN 'EPIDEMIC'

Cesarean births become de rigueur among Brazil's wealthy, with new mothers enjoying beauty treatments after the operation in a culture that regards births as glamorous events.

10. RECALL OF VOLKSWAGEN CARS TO BEGIN IN JANUARY

The company says 11 million vehicles worldwide contain the diesel engine with the software used to cheat on U.S. emissions tests.

Today in History

The Associated Press

Today is Wednesday, October 7, the 280th day of 2015. There are 85 days left in the year.

Today's Highlight in History:

On October 7, 1985, Palestinian gunmen hijacked the Italian cruise ship Achille Lauro (ah-KEE'-leh LOW'-roh) in the Mediterranean. (The hijackers killed Leon Klinghoffer, a Jewish-American tourist, before surrendering on October 9.)

On this date:

In 1765, the Stamp Act Congress convened in New York to draw up colonial grievances against England.

In 1849, author Edgar Allan Poe died in Baltimore at age 40.

In 1858, the fifth debate between Illinois senatorial candidates Abraham Lincoln and Stephen Douglas took place in Galesburg.

In 1929, former Interior Secretary Albert B. Fall, one of the main figures of the Teapot Dome scandal, went on trial, charged with accepting a bribe from oil tycoon Edward L. Doheny. (Fall was found guilty and

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sentenced to a year in prison; he served nine months. Doheny was acquitted at his own trial of offering the bribe Fall was convicted of taking.)

In 1940, Artie Shaw and his Orchestra recorded Hoagy Carmichael's "Star Dust" (as it was spelled then) for RCA Victor.

In 1949, the Republic of East Germany was formed.

In 1954, Marian Anderson became the first black singer hired by the Metropolitan Opera Company in New York.

In 1960, Democratic presidential candidate John F. Kennedy and Republican opponent Richard Nixon held their second televised debate, this one in Washington, D.C.

In 1979, Pope John Paul II concluded his week-long tour of the United States with a Mass on the Washington Mall.

In 1989, Hungary's Communist Party renounced Marxism in favor of democratic socialism during a party congress in Budapest.

In 1991, University of Oklahoma law professor Anita Hill publicly accused Supreme Court nominee Clarence Thomas of making sexually inappropriate comments when she worked for him; Thomas denied Hill's allegations.

In 2004, President George W. Bush and Vice President Dick Cheney conceded that Saddam Hussein had no weapons of mass destruction as they tried to shift the Iraq war debate to a new issue, arguing that Saddam was abusing a U.N. oil-for-food program.

Ten years ago: The Nobel Peace Prize was awarded to the International Atomic Energy Agency and its chief, Mohamed ElBaradei (eh-LEHR'-uh-day). Actor-comedian Charles Rocket was found dead in a field near his home in Canterbury, Connecticut, an apparent suicide; he was 56.

Five years ago: New Jersey Gov. Chris Christie canceled construction of a decades-in-the-making train tunnel between New Jersey and Manhattan, citing cost overruns that had ballooned the price tag from \$5 billion to \$10 billion or more. A toxic red sludge that had burst out of a Hungarian factory's reservoir reached the mighty Danube after wreaking havoc on smaller rivers and creeks.

One year ago: North Korea publicly acknowledged to the international community the existence of its "reform through labor" camps, a mention that appeared to come in response to a highly critical U.N. human rights report. Two Japanese scientists, Isamu Akasaki and Hiroshi Amano, and a naturalized American, Shuji Nakamura, won the Nobel Prize for physics for inventing a new kind of light-emitting diode (LED) that promised to revolutionize the way the world lighted its offices and homes.

Today's Birthdays: Retired South African Archbishop and Nobel Peace laureate Desmond Tutu is 84. Author Thomas Keneally is 80. Comedian Joy Behar is 73. Former National Security Council aide Lt. Col. Oliver North (ret.) is 72. Rock musician Kevin Godley (10cc) is 70. Actress Jill Larson is 68. Country singer Kieran Kane is 66. Singer John Mellencamp is 64. Rock musician Ricky Phillips is 64. Actress Mary Badham (Film: "To Kill a Mockingbird") is 63. Actress Christopher Norris is 62. Rock musician Tico Torres (Bon Jovi) is 62. Cellist Yo-Yo Ma is 60. Gospel singer Michael W. Smith is 58. Olympic gold medal ice dancer Jayne Torvill is 58. Actor Dylan Baker is 57. Recording executive and TV personality Simon Cowell is 56. Rock musician Charlie Marinkovich (Iron Butterfly) is 56. Country singer Dale Watson is 53. Pop singer Ann Curless (Expose) is 52. Rhythm-and-blues singer Toni Braxton is 48. Rock singer-musician Thom Yorke (Radiohead) is 47. Rock musician-dancer Leeroy Thornhill is 46. Actress Nicole Ari Parker is 45. Actress Allison Munn is 41. Rock singer-musician Damian Kulash (KOO'-lahsh) is 40. Singer Taylor Hicks is 39. Actor Omar Benson Miller is 37. Actor Jake McLaughlin (TV: "Quantico") is 33. Electronic musician Flying Lotus (AKA Stephen Ellison) is 32. MLB player Evan Longoria is 30. Actress Holland Roden is 29. Actress Amber Stevens is 29. Actress Lulu Wilson is 10.

Thought for Today: "Being right half the time beats being half-right all the time." - Malcolm Forbes, American publisher (1919-1990).