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THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE APPLICATION EL18-026  
BY PREVAILING WIND PARK, LLC FOR  
A PERMIT OF A WIND ENERGY FACILITY  
IN BON HOMME COUNTY, CHARLES MIX  
COUNTY, AND HUTCHINSON COUNTY,  
SOUTH DAKOTA, FOR THE PREVAILING  
WIND PARK PROJECT ORIGINAL

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Transcript of Proceedings  
October 31, 2018  
1:30 p.m.

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BEFORE THE PUBLIC UTILITIES COMMISSION,  
KRISTIE FIEGEN, CHAIRWOMAN  
GARY HANSON, VICE CHAIRMAN (via teleconference)  
CHRIS NELSON, COMMISSIONER

COMMISSION STAFF  
Adam de Hueck  
Karen Cremer  
Kristen Edwards  
Amanda Reiss  
Greg Rislov  
Joseph Rezac  
Brittany Mehlhaff  
Lorena Reichert  
Patrick Steffensen  
Darren Kearney  
Jon Thurber  
Deb Gregg  
Joy Lashley

A P P E A R A N C E S

Mollie Smith (via teleconference),  
appearing on behalf of Prevailing Wind Park.  
  
Reece Almond (via teleconference),  
appearing on behalf of the Intervenors.  
  
Kelli Pazour (via teleconference),  
appearing pro se.

Reported By Cheri McComsey Wittler, RPR, CRR  
Precision Reporting, 213 S. Main, Onida, South Dakota

1                   The following transcript of proceedings was  
2 held in the above-entitled matter at the South Dakota  
3 State Capitol Building, 500 East Capitol Avenue, Pierre,  
4 South Dakota, on the 31st day of October, 2018,  
5 commencing at 1:30 p.m.

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1           CHAIRWOMAN FIEGEN:  EL18-026, In the Matter of  
2 the Application by Prevailing Wind Park, LLC for a  
3 Permit of a Wind Energy Facility in Bon Homme County,  
4 Charles Mix County, and Hutchinson County, South Dakota  
5 for the Prevailing Wind Park.

6           The question before the Commission is today  
7 shall the Commission admit Exhibit I-1 and I-2 as  
8 redacted?

9           And shall the Commission strike certain oral  
10 testimony from the record?

11           Is there Commission action and/or discussion?

12           COMMISSIONER NELSON:  Madam Chair, I will move  
13 in EL18-026 that the Commission admit Exhibits I-1 and  
14 I-2 as redacted by the Hearing Officer and that the  
15 Commission strike certain oral testimony from the record  
16 as designated by the Hearing Officer.

17           CHAIRWOMAN FIEGEN:  Discussion on the motion.

18           COMMISSIONER NELSON:  The Hearing Officer --  
19 well, just to back up, obviously, when we left the  
20 hearing there was a request that both sides get together  
21 and try to come up with an agreement on what should and  
22 should not be struck.

23           My understanding is that that agreement was not  
24 to happen and that both sides asked the Hearing Officer  
25 to do that job and that he proposed what he thought ought

1 to be struck.

2 I went through it. It looked very, very  
3 reasonable to me. I mean, could I quibble with a word  
4 here or there? Yes. But I don't think quibbling with a  
5 word here or there would be productive and would go down  
6 a rabbit trail we don't want to go down. So I thought he  
7 did a very, very nice job and, hence, my motion.

8 CHAIRWOMAN FIEGEN: Thank you.

9 I will be supporting your motion. And I agree.  
10 There's a few words that I could change and I actually  
11 did try to change maybe according to our discussion.

12 But I wish this would have been done before the  
13 hearing and that we could have discussed this at the  
14 hearing before we started. But that's not the case, and  
15 I appreciate that we saved maybe some time at the hearing  
16 and that our -- Adam de Hueck, as the Hearing Officer,  
17 actually tried to look at both sides and came up with a  
18 very reasonable approach.

19 Other comments or discussion on the motion?

20 Hearing none, all in favor say aye; opposed,  
21 nay.

22 Commissioner Nelson.

23 COMMISSIONER NELSON: Aye.

24 CHAIRWOMAN FIEGEN: Commissioner Hanson.

25 COMMISSIONER HANSON: Aye.

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CHAIRWOMAN FIEGEN: Commissioner Fiegen votes  
aye.  
Motion carries.

1 STATE OF SOUTH DAKOTA)

2 :SS CERTIFICATE

3 COUNTY OF SULLY )

4

5 I, CHERI MCCOMSEY WITTLER, a Registered  
6 Professional Reporter, Certified Realtime Reporter and  
7 Notary Public in and for the State of South Dakota:

8 DO HEREBY CERTIFY that as the duly-appointed  
9 shorthand reporter, I took in shorthand the proceedings  
10 had in the above-entitled matter on the 31st day of  
11 October, 2018, and that the attached is a true and  
12 correct transcription of the proceedings so taken.

13 Dated at Onida, South Dakota this 13th day of  
14 November, 2018.

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18 /s/ Cheri McComsey Wittler  
19 Cheri McComsey Wittler,  
20 Notary Public and  
Registered Professional Reporter  
Certified Realtime Reporter

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