

## Individual Report for Docket Number : CIV18-084

### Docket Title:

Gregg Hubner, Marsha Hubner vs. South Dakota Public Utilities Commission, Prevailing Wind Park, LLC, South Dakota Public Commission Staff, Paul Schoenfelder, Lisa Schoenfelder, Sherman Fuerniss, Kelli Pazour, Karen Jenkins, Charles Mix County, South Dakota

**Open Date :** 12/26/2018

**Close Date :** 05/17/2019

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CIV

**Tax ID # :**

**Attorney :**

AD

**Staff :**

**Date Of Final Decision :**

**Memo :**

### Primary Appeal Information

**Appeal Date :**

**Appellant :**

**Decision Date :**

**Appeal Location :**

**Current Status :**

**Description of Above Decision :**

### Secondary Appeal Information

**Appeal Date :**

**Appellant :**

**Decision Date :**

**Appeal Location :**

**Current Status :**

**Description of Above Decision :**

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### **Docket Notes :**

12/26/18 - Filed and Docketed - M:/puc/web/internet/commission/dockets/civil/2018/civ18-084/file name.pdf  
12/26/18 - Notice of Appeal - M:/noticeofappeal.pdf  
12/28/18 - Notice of Appearance (SD PUC - Adam de Hueck) - M:/noticeofappearance.pdf  
01/04/19 - Appellants' Statement of Issues on Appeal and Certificate of Services - M:/statementofissues.pdf  
01/10/19 - Notice of Appearance (SD PUC - Lisa M. Agrimonti & Mollie M. Smith) - M:/noticeofappearance2  
01/10/19 - Certificate of Service - M:/certificateofservice011019.pdf  
01/10/19 - Prevailing Wind Park, LLC's Request for Transcript of Additional Parts fo the Proceedings  
- M:/transcript2.pdf  
01/10/19 - Certificate of Service - M:/certificateofservice011019.pdf

01/11/19 - PUC's Letter to Bon Homme County Clerk of Court – M:/batenumber/ltr011119.pdf  
01/11/19 - Certification – M: /batenumber/certification.pdf  
01/11/19 - Letter regarding Original Transcripts – M: /batenumber/transcriptltr.pdf  
01/11/19 - Letter to Parties – M: /batenumber/partiesltr.pdf  
01/11/19 - Alphabetical Index – M: /batenumber/alphabeticalindex.pdf  
01/11/19 - Certificate of Service – M: /batenumber/certificateofservice.pdf  
01/11/19 Chronological Index (see table below for bate numbering sections) – M:/chronologicalindex.pdf  
the bate number is the administrative record are filed: M:/bate number/ followed by the number if not confidential if confidential it is N:/Internet/civil/2018/civ18-84/. 1. - 05/30/18- Docket EL18-026 – Electronic Docket Filings (PUC Website) <http://puc.sd.gov/Dockets/Electric/2018/EL18-026.aspx> -1-6  
2. - 05/30/18-Docket EL18-026 – Comments and Responses (PUC Website) <http://puc.sd.gov/Dockets/Electric/2018/EL18-026comments.aspx> - 7-14  
3. - 05/30/18 - Prevailing Wind Park, LLC's Letter regarding Application  
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Appendix B - Grasslands Analysis  
Appendix C - Wetland Desktop Determination  
Appendix D - Tiers 1 And 2 Wildlife Report  
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4. - 05/30/18 - Pre-Filed Direct Testimony of James Damon

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5. - 05/30/18 - Pre-Filed Direct Testimony of Bridget Canty  
and Exhibit 1 - Resume - 1159-1180
6. - 05/30/18 - Pre-Filed Direct Testimony of Keith Thorstad  
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7. - 05/30/18 - Pre-Filed Direct Testimony of Aaron Anderson  
and Exhibit 1 - Curriculum Vitae - 1191-1199
8. - 05/30/18 - Pre-Filed Direct Testimony of Chris Howell  
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9. - 05/31/18 - Docket EL18-026 – Weekly Filings – (PUC Website) <http://puc.sd.gov/WeeklyFiling/2018/053118-060618.aspx> - 1211
10. - 06/01/18 - Notice of Application  
Order for and Notice of Public Input Hearing  
Notice of Opportunity to Apply for Party Status - 1212-1213
11. - 06/05/18 - PUC Staff's Corrected Letter to SD Newspaper Association regarding Notice of Public Hearing  
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12. - 06/12/18 - PUC Commission Meeting Agenda - 1217-1219
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14. - 06/19/18 - Land Ownership Map Confidential (not available to the public)  
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16. - 06/21/18 - Prevailing Wind Park, LLC's Application to Bon Homme, Charles Mix and Hutchison County  
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18. - 06/22/18 - Commissioner Fiegen's Response to Susanne Plooster  
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19. - 06/27/18 - Comments of Dr. Jamin Hubner  
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20. - 06/28/18 - Comments of Karen Jenkins  
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21. - 06/29/18 - Amended Order Assessing Filing Fee  
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22. - 06/29/18 - Comments of Phyllis Hubner  
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24. - 07/03/18 - Commissioner Fiegen's Response to Mike Hubner  
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25. - 07/05/18 - Comments of Greg Whiteley  
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Commissioner Fiegen's Response to Dr. Jamin Hubner Confidential (not available to the public)  
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26. - 07/06/18 - Comments of Rosemary Draeger  
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27. - 07/09/18 - Comments of Gregg C. Hubner  
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28. - 07/10/18 - Comments of Herb and Nance Teal  
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1367, 1368-1375 Confidential  
29. - 07/11/18 - Comments of Alan Case, President, Nine Quarter Circle, Inc.  
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30. - 07/12/18 - Comments of Dale Christensen  
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31. - 7/12/18 - Public Input Hearing at the Avon School, 210 Pine St., Avon, S.D. - Notice of Application

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Party Status Application

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Comments of Ed Van Gerpen

Comments of George L. Holborn

Comments of Ruby L. Holborn

Comments of James and Julie Kaufman

Comments of Erik Johnson

Comments of Jeff Haverly, S.D. Governor's Office of Economic Development

Comments of Julie Freier

Comments of Ronnie Hornstra

Comments of Amber Christenson

Comments of Kelly Pazour

Comments of Dave Adam

Comments of Katie Bartunek

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Comments of Marsha Hubner

Comments of Darci Adam

Comments of Kristi Mogen

Comments of Lori Fuerniss Confidential (not available to the public)

Comments of George L. Holborn Confidential (not available to the public) Comments of Ruby L. Holborn Confidential (not available to the public)

Comments of James and Julie Kaufman Confidential (not available to the public)

Comments of Julie Freier Confidential (not available to the public)

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Comments of Marsha Hubner Confidential (not available to the public)

Comments of Darci Adam Confidential (not available to the public)

and Transcript of Public of Input Meeting - 1405-1540, 1541-1597 Confidential, 1598-1715

32. - 07/13/18 - Additional Comments of Gregg C. Hubner

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and Attachment Confidential (not available to the public) - 1716-1719, 1720-1723 Confidential

33. - 07/16/18 - Comments of Albert Tieche

Commissioner Fiegen's Response to Albert Tieche

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Additional Comments of Gregg C. Hubner

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Commissioner Fiegen's Response to Michael Bollweg, Bollweg Farms

Additional Comments of Michael Bollweg, Bollweg Farms

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Commissioner Fiegen's Response to Albert Tieche Confidential (not available to the public)

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Additional Comments of Gregg C. Hubner Confidential (not available to the public)

and Attachment Confidential (not available to the public) - 1724-1740, 1741-1746 Confidential

34. - 07/17/18 - Comments of Denis L. Meiers

Commissioner Fiegen's Response to Denis L. Meiers

Comments of Denis L. Meiers Confidential (not available to the public)

and Commissioner Fiegen's Response to Denis L. Meiers Confidential (not available to the public) - 1747-1749, 1750-1752 Confidential

35. - 07/18/18 - Comments of William Hopkins

Commissioner Fiegen's Response to William Hopkins

Comments of Keith Raysby

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Commissioner Fiegen's Response to Keith Raysby

Comments of William Hopkins Confidential (not available to the public)

Commissioner Fiegen's Response to William Hopkins Confidential (not available to the public)

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Attachment Confidential (not available to the public)

and Commissioner Fiegen's Response to Keith Raysby Confidential (not available to the public) - 1753-1758, 1759-1764 Confidential

36. - 07/19/18 - Comments of Bruce Razor, Chris Graber, Travis Razor, Bart Best, Jason Razor, Sam Best, and Luke Best

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Commissioner Fiegen's Response to Bruce Razor, Chris Graber, Travis Razor, Bart Best, Jason Razor, Sam Best, and Luke Best

Comments of Dan Nagowski, President, Wings & Things, Inc.

Commissioner Fiegen's Response to Dan Nagowski, President, Wings & Things, Inc.

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Attachment Confidential (not available to the public)

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and Comments of Dan Nagowski, President, Wings & Things, Inc. Confidential (not available to the public) - 1765-1771, 1772-1777 Confidential

37. - 07/19/18 - Prevailing Wind Park, LLC's Affidavits of Publication (Tripp Star Ledger, Yankton Daily Press & Dakotan, Scotland Journal, Avon Clarion and The Wagner Post)- 1778-1785

38. - 07/20/18 - Comments of Bernie Fineman, Caldwell Tanks, Inc.

and Comments of Bernie Fineman, Caldwell Tanks, Inc. Confidential (not available to the public) - 1786-1787, 1788-1789 Confidential

39. - 07/20/18 - Staff's Letter regarding Motion for Adoption of Procedural Schedule

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Motion for Adoption of Procedural Schedule  
and Certificate of Service - 1790-1795

40. - 07/20/18 - PUC Staff's First Set of Data Requests to Applicant Certificate of Service - 1796-1797

41. - 07/24/18 - Additional Comments of Denis L. Meiers

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Additional Comments of Denis L. Meiers Confidential (not available to the public)  
and Attachment Confidential (not available to the public) - 1798-1801, 1802-1805 Confidential

42. - 07/25/18 - Commissioner Fiegen's Response to Bernie Fineman, Caldwell Tanks, Inc.

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Comments of Douglas Kozel

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43. - 07/25/18 - EL18-026 - Party Status Applications (PUC Website) <http://puc.sd.gov/Dockets/Electric/2018/EL18-026partystatus.aspx> - 1812

44. - 07/25/18 - Gregg C. Hubner's Party Status Application – 1813

45. - 07/25/18 - Marsha Hubner's Party Status Application – 1814

46. - 07/25/18 - Paul M. Schoenfelder's Party Status Application – 1815

47. - 07/25/18 - Lisa A. Schoenfelder's Party Status Application – 1816

48. - 07/26/18 - Additional Comments of Wanda Oorlog

Commissioner Fiegen's Response to Wanda Oorlog

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Additional Comments of Wanda Oorlog Confidential (not available to the public)

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49. - 07/27/18 - Commissioner Hanson's Response to David Brouwer, President, We-Care – 1823

50. - 07/30/18 - Comments of Julie Freier

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Comments of Marlene Skorpik

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Additional Comments of Karen Jenkins

Commissioner Hanson's Response to Karen Jenkins

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Comments of Lori Cerny

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Comments of Paul Schoenfelder

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Additional Comments of Karen Jenkins Confidential (not available to the public)

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Comments of Karen Brown Confidential(not available to the public)

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51. - 07/30/18 - Charles Mix County, Keith Mushitz's Party Status Application – 1888

52. - 07/30/18 - Sherman Fuerniss' Party Status Application – 1889

53. - 07/30/18 - Karen D. Jenkins' Party Status Application – 1890

54. - 07/31/18 - Commissioner Fiegen's Response to Paul Schoenfelder

Commissioner Fiegen's Response to Sherman Fuerniss

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Commissioner Fiegen's Response to Karen Brown

Commissioner Fiegen's Response to Lisa Schoenfelder

Commissioner Fiegen's Response to Kevin Andersh, Tiny Acres Farm

Commissioner Fiegen's Response to Marlene Skorpik

Commissioner Fiegen's Response to Julie Freier

Additional Comments of Gregg Hubner

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Commissioner Fiegen's Response to Sherman Fuerniss Confidential (not available to the public)

Commissioner Fiegen's Response to Lori Cerny Confidential (not available to the public)

Commissioner Fiegen's Response to Karen Brown Confidential (not available to the public)

Commissioner Fiegen's Response to Lisa Schoenfelder Confidential (not available to the public)

Commissioner Fiegen's Response to Marlene Skorpik Confidential (not available to the public)

and Commissioner Fiegen's Response to Julie Freier Confidential (not available to the public) - 1891-1901, 1902-1908 Confidential

55. - 08/02/18 - Comments of Erik Johnson

Comments of George Meyer

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Commissioner Fiegen's Response to George Meyer

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and Commissioner Fiegen's Response to George Meyer Confidential (not available to the public) - 1909-1914,  
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56. - 08/02/18 - Prevailing Wind Park, LLC's Response to the Motion for Adoption of Procedural Schedule – 1921

57. - 08/07/18 - PUC Commission Meeting Agenda - 1922-1927

58. - 08/07/18 - PUC Commission Meeting Minutes - 1928-1932

59. - 08/07/18 - Transcript of PUC Commission Meeting for Docket EL18-026 - 1933-1944

60. - 08/08/18 - PUC's Affidavits of Publication - The Wagner Post's Affidavit of Publication (June 20, 2018 and July 11, 2018)  
Yankton Daily Press & Dakotan's Publication (June 20, 2018 and July 11, 2018)  
Avon Clarion's Affidavit of Publication (June 20, 2018)  
Avon Clarion's Affidavit of Publication (July 11, 2018)  
The Tripp Star Ledger's Affidavit of Publication (June 20, 2018)  
and The Tripp Star Ledger's Affidavit of Publication (July 11, 2018) - 1945-1954

61. - 08/08/18 - PUC Staff's First Set of Data Requests to Charles Mix County Certificate of Service - 1955

62. - 08/08/18 - PUC Staff's First Set of Data Requests to Intervenors Certificate of Service- 1956-1957

63. - 08/09/18 - Order Granting Party Status and Establishing Procedural Schedule (Gregg Hubner, Marsha Hubner, Paul Schoenfelder, Lisa Schoenfelder, Charles Mix County, Sherman Fuerniss and Karen Jenkins) - 1958-1959

64. - 08/10/18 - EL18-026 - Pre-filed Testimonies and Exhibits  
Supplemental Testimonies and Exhibits  
Disclosure of Lay Witnesses  
and Rebuttal Testimonies and Exhibits (PUC Website) <http://puc.sd.gov/Dockets/Electric/2018/EL18-026testimony.aspx> - 1960-1963

65. - 08/10/18 - Prevailing Wind Park, LLC's Letter regarding Supplemental Testimonies and Exhibits  
Bridget Canty's Supplemental Direct Testimony  
and Exhibit 1 - NTIA Correspondence regarding the Project, Dated June 7, 2018 - 1964-1971

66. - 08/10/18 - Dr. Mark Roberts Supplemental Direct Testimony  
Exhibit 1 - Statement of Qualifications  
Exhibit 2 - Australian National Health and Medical Research Council (2010) - Wind Turbines and Health: A Rapid Review of the Evidence  
Exhibit 2a - Australian National Health and Medical Research Council (2014) - Review of Additional Evidence for NHMRC Information Paper - Evidence on Wind Farms and Human Health - Final Report  
Exhibit 2b - Australian National Health and Medical Research Council (2015) - NHMRC Statement: Evidence on Wind Farms and Human Health  
Exhibit 2c - Australian National Health and Medical Research Council (2015) - Systematic Review of the Human Health Effects of Wind Farms  
Exhibit 3 - French National Agency for Food Safety, Environment and Labor 100 ("ANSES") (2017) - ANSES Opinion regarding the Expert Appraisal on the "Assessment of the Health Effects of Low-Frequency Sounds and Infrasonds from Wind Farms"  
Exhibit 4 - Wisconsin Wind Siting Council (2014) - Wind Turbine Siting - Health Review and Wind Siting Policy Update  
Exhibit 5 - Joseph Rand and Ben Hoen (2017) - Thirty Years of North American Wind Energy Acceptance Research - What have We Learned? Energy Analysis and Environmental Impacts Division, Lawrence Berkeley

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National Laboratory, Electricity Markets and Policy Group

Exhibit 6 - Public Service Commission of Wisconsin (2015) - Review of Studies and Literature Relating to Wind Turbines and Human Health - Prepared for the Wisconsin State Legislature

Exhibit 7 - Massachusetts Departments of Environmental Protection and Public Health (2012) - Wind Turbine Health Impact Study - Report of the Independent Expert Panel

and Exhibit 8 - Letter, Kim Malsam-Rysdon, Secretary of Health, South Dakota Department of Health (Oct. 13, 2017) - In the Matter of the Application by Crocker Wind Farm, LLC for a Permit of a Wind Energy Facility and a 345 kV 118 Transmission Line in Clark County, South Dakota, for Crocker Wind Farm -Docket No. EL17-055 - 1972-2780

67. - 08/10/18 - Michael MaRous' Supplemental Direct Testimony

Exhibit 1 - Statement of Qualifications & August 10, 2018, Market Impact Analysis

Exhibit 2 - Brian Guerin, Jason Moore, Jamie Stata, and Scott Bradfield(2012) - Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario - 2012 Assessment Base Year Study – Municipal Property Assessment Corporation

Exhibit 3 - Jason Moore, Jamie Stata, and Scott Bradfield (2016) - Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario -2016 Assessment Base Year Study. Municipal Property Assessment Corporation

Exhibit 4 - Corey Lang and James Opaluch (2013) - Effects of Wind Turbines on Property Values in Rhode Island - Environmental and Natural Resource Economics, University of Rhode Island

Exhibit 5 - Richard J. Vyn and Ryan M. McCullough (2013) - The Effects of Wind Turbines on Property Values in Ontario - Does Public Perception Match Empirical Evidence? University of Guelph, Canada

Exhibit 6 - Carol Atkinson-Palombo and Ben Hoen (2014) – Relationship between Wind Turbines and Residential Property Values in Massachusetts. University of Connecticut and Lawrence Berkeley National Laboratory  
and Exhibit 7 - Surrebuttal Testimony of David Lawrence on Behalf of the Staff of the South Dakota Public Utilities Commission, In Re the Matter of the Application by Dakota Range I, LLC and Dakota Range II, LLC for a Permit of a Wind Energy Facility in Grant County and Codington County, South Dakota, for the Dakota Range Wind Project - Docket No. EL 18-003 - 2781-3238

68. - 08/10/18 - Daniel Pardo's Supplemental Direct Testimony

Exhibit 1 - Statement of Qualifications

and Exhibit 2 - Decommissioning Cost Analysis - 3239-3273

69. - 08/10/18 - Peter Pawlowski's Supplemental Direct Testimony

Exhibit 1 – Resume

Exhibit 2 - Example of a Federal Aviation Administration ("FAA") Determination of No Hazard for a Project Turbine Location

and Certificate of Service - 3274-3286

70. - 08/10/18 - Comments of Mary Bauder

Commissioner Fiegen's Response to Mary Bauder

Comments of Mary Bauder Confidential (not available to the public)

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71. - 08/16/18 - PUC Staff's Second Set of Data Requests to Applicant Certificate of Service- 3293-3294

72. - 08/17/18 - Notice of Appearance (Reece M. Almond)

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73. - 08/22/18 - Comments of Janet Wagner

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- and Commissioner Fiegen's Response to Janet Wagner Confidential (not available to the public) - 3298-3299, 3300-3301 Confidential
74. - 08/23/18 - PUC Staff's Third Set of Data Requests to Applicant Certificate of Service - 3302-3303
75. - 08/28/18 - Kelli Pazour's Party Status Application – 3304
76. - 09/10/18 - Comments of Lyla Roth  
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77. - 09/10/18 - Staff's Letter regarding Staff's Testimonies and Exhibits  
Direct Testimony of David M. Hessler  
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78. - 09/10/18 - Direct Testimony of Darren Kearney  
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Exhibit\_DK-2 - Prevailing Wind Park, LLC's Responses to Staff Data Requests  
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Exhibit\_DK-3 - Intervenors' Responses to Staff Data Requests  
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79. - 09/10/18 - Direct Testimony of David Lawrence  
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80. - 09/10/18 - Intervenors' Disclosure of Lay Witnesses (Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder)- 3975-3978
81. - 09/10/18 - Reece M. Almond, Davenport, Evans, Hurwitz & Smith LLP - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder - Pre-filed Testimony of Richard R. James  
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Exhibit 2 - Noise: Windfarms  
Exhibit 3 - A Possible Criterion for Wind Farms  
Exhibit 4 - A Theory to Explain Some Physiological Effects of the Infrasonic Emissions at Some Wind Farm Sites  
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and Exhibit 6 - Shirley Wind Study Infrasound Graphs - 3979-4040
82. - 09/11/18 - Pre-filed Testimony of Jerry L. Punch  
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83. - 09/11/18 - Pre-filed Testimony of Prof. Mariana Alves-Pereira  
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Exhibit 2 - Pictorial Explanation of the dBA Metric  
Exhibit 3 - Neurological Manifestations Among US Government Personnel Reporting Directional Audible and Sensory Phenomena in Havana, Cuba  
Exhibit 4 - Occupational and Residential Exposures to Infrasound and Low Frequency Noise in Aerospace Professionals: Flawed Assumptions, Inappropriate Quantification of Acoustic Environments, and the Inability to Determine Dose-Response Values

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Exhibit 5: Infrasound and Low Frequency Noise - Shall We Measure It Properly?

Exhibit 6 - An Evaluation of Environmental, Biological and Health Data From the Island of Vieques, Puerto Rico

Exhibit 7 - Vibroacoustic Disease: Biological Effects of Infrasound and Low-Frequency Noise Explained by Mechanotransduction Cellular Signalling

Exhibit 8 - Vibroacoustic Disease I: The Personal Experience of a Motorman

Exhibit 9 - Vibroacoustic Disease and Respiratory Pathology III - Tracheal and Bronchial Lesions

Exhibit 10 - Vibroacoustic Disease in a Ten Year Old Male

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84. - 09/11/18 - Order For and Notice of Evidentiary Hearing - 4690-4691

85. - 09/11/18 - Karen D. Jenkins' Letter regarding Testimony – 4692

86. - 09/13/18 - Intervenors' Motion to Have Witnesses Appear Telephonically

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87. - 09/14/18 - Prevailing Wind Park, LLC's Letter regarding Answer to the Application for Party Status of Kelli Pazour

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88. - 09/14/18 - Prevailing Wind Park, LLC's Letter regarding Motion to Exclude Lay Testimony, to Quash

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Applicant's Motion to Exclude Lay Testimony, to Quash Subpoenas and to Require Further Disclosures

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89. - 09/14/18 - Staff's Response to Late Intervention

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90. - 09/14/18 - Order For and Notice of Ad Hoc Motions Hearing - 4741-4742

91. - 09/18/18 - PUC Commission Meeting Agenda - 4743-4747

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95. - 09/19/18 - PUC Staff's Second Set of Data Requests to Intervenors Mr. Reece M. Almond - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder Certificate of Service - 4782

96. - 09/19/18 - Prevailing Wind Park, LLC's Letter regarding Applicant's Response to Intervenors' Motion to Have Witnesses Appear Telephonically

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97. - 09/19/18 - Intervenors' Response to Applicant's Motion to Exclude Lay Testimony, to Quash Subpoenas and to Require Further Lay Disclosures (Reese Almond - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder )

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98. - 09/20/18 - PUC Staff's Fourth and Fifth Set of Data Requests to Applicant Certificate of Service – 4801

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99. - 09/20/18 - Intervenor Response to Applicant's Motion to Exclude Lay Testimony, to Quash Subpoenas, and to Require Further Lay Disclosures (Karen Jenkins) - 4802-4803
100. - 09/21/18 - Order Granting Late Party Status (Kelli Pazour) – 4804
101. - 09/21/18 - PUC Commission Meeting Agenda - 4805-4806
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103. - 09/21/18 - Transcript of PUC Commission Meeting for Docket EL18-026 - 4808-4847
104. - 09/26/18 - Intervenor's Subpoena for Testimony at Evidentiary Hearing to Michael Soukup (Reese Almond - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder) and Certificate of Service - 4848-4851
105. - 09/26/18 - Intervenor's Subpoena for Testimony at Evidentiary Hearing to Keith Mushitz (Reese Almond - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder) and Certificate of Service - 4852-4855
106. - 09/26/18 - Sherman Fuerniss - Response of Sherman Fuerniss to Direct Testimonies  
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107. - 09/26/18 - Prevailing Wind Park, LLC's Letter regarding Rebuttal Testimonies and Exhibits and Applicant's Lay Witness Disclosures  
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108. - 09/26/18 - Pre-Filed Rebuttal Testimony of Bridget Canty  
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and Exhibit 2 - Revised Layout - 4891-4902
109. - 09/26/18 - Pre-Filed Rebuttal Testimony of Dr. Jeffrey Ellenbogen  
and Exhibit 1 - Curriculum Vitae - 4903-4922
110. - 09/26/18 - Pre-Filed Rebuttal Testimony of Aaron Anderson  
and Exhibit 1 - Results of Updated Shadow Flicker Analysis - 4923-4940
111. -- Pre-Filed Rebuttal Testimony of Dr. Mark Roberts  
Exhibit 1 - Ministry for the Environment, Climate and Energy of the Federal State of Baden-Wuerttemberg, Germany (2016) - Low-frequency Noise Incl. Infrasound from Wind Turbines and Other Sources - LUBW Landesanstalt Fur Umwelt, Messungen and Naturschutz Baden-Wuerttemberg  
Exhibit 2 - Akira Shimada and Mimi Nameki (2017) - Evaluation of WindTurbine Noise in Japan - Ministry of the Environment of Japan  
Exhibit 3 - Danish Energy Agency (2009) - Wind Turbines in Denmark  
Exhibit 4 - Frits van den Berg, Public Health Service Amsterdam, and Irenevan Kamp, National Institute for Public Health and the Environment (2017) - Health Effects Related to Wind Turbine Sound - Swiss Federal Office for the Environment  
Exhibit 5 - Stephen Chiles (2010) - A New Wind Farm Noise Standard for New Zealand, NZS 6808:2010 - Proceedings of 20th International Congress on Acoustics, ICA 2010  
Exhibit 6 - Eja Pedersen, Höskolan I Halmstad (2003) - Noise Annoyance 116 from Wind Turbines - A Review. Swedish Environmental Protection Agency  
Exhibit 7 - Hitomi Kimura, Yoshinori Momose, Hiroya Deguchi, and Nameki, Mimi (2016) - Investigation, Prediction, and Evaluation of Wind Turbine Noise in Japan. Ministry of the Environment of Japan  
Exhibit 8 - C. Yan, K. Fu and W. Xu. On Cuba, Diplomats, Ultrasound, and Intermodulation Distortion - University of Michigan Tech Report. March 1,2018

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- Exhibit 9 - Crichton, F., et al. (2014) - The Link Between Health Complaints and Wind Turbines - Support for the Nocebo Expectations Hypothesis - *Frontiers in Public Health* 2:220
- Exhibit 10 - Enck, P., et al. "New Insights Into the Placebo and Nocebo Responses," *Neuron* (July 31, 2008) - Vol. 59, No. 2, pp. 195-206
- and Exhibit 11 - Colloca, L. (2017) - Nocebo Effects Can Make You Feel Pain -Negative Expectancies Derived From Features of Commercial Drugs Elicit Nocebo Effects - *Science*, 358(6359): 44 - 4941-5240
112. - 09/26/18 - Pre-Filed Rebuttal Testimony of Peter Pawlowski - 5241-5247
113. - 09/26/18 - Pre-Filed Rebuttal Testimony of Chris Howell  
and Exhibit 1 - Memorandum Regarding Updated Modeling Results - Prevailing Wind Park - 5248-5267
114. - 09/26/18 - Pre-Filed Rebuttal Testimony of Michael MaRous - 5268-5273
115. - 09/26/18 - Pre-Filed Rebuttal Testimony of Scott Creech  
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116. - 09/28/18 - PUC Staff's Sixth Set of Data Requests to Applicant Certificate of Service – 5282
117. - 09/28/18 - PUC Staff's Second Set of Data Requests to Intervenor Sherman Fuerniss Certificate of Service-5283
118. - 10/01/18 - Order Granting Motion for Telephonic Testimony and Order Denying Motion to Exclude Lay Testimonies and Quashing Subpoenas - 5284-5285
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and Certificate of Service - 5286-5289
120. - 10/01/18 - EL18-026 - Pre-filed Exhibits and Witness Lists for Evidentiary Hearing (PUC Website) <http://puc.sd.gov/Dockets/Electric/2018/el18-026prefiledexhibits.aspx> - 5290-5295
121. - 10/01/18 - Staff's Letter regarding Witness and Exhibits List  
Staff's Witness List and Exhibit List  
Exhibit S1 - Darren Kearney Pre-filed Testimony and Exhibits  
Exhibit S1 - Darren Kearney Pre-filed Testimony and Exhibits Confidential (not available to the public)  
Exhibit S2 - David Lawrence Pre-filed Testimony and Exhibits  
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Exhibit S4 - Additional Data Requests  
and Certificate of Service - 5296-5684, 5685-6070 Confidential, 6071-6147
122. - 10/01/18 - Sherman Fuerniss Exhibits - Exhibit 1 - Dr. Visit 1  
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Exhibit 3 - PV Map 4-2018 Red on Green 1  
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Exhibit 5 - WHO-Noise-2015-Open-Letter  
Exhibit 6 - NHMRC Review  
Exhibit 7 - Low Frequency Noise-From-Large-Wind-Turbines  
Exhibit 8 - Colin Hansen Correspondence  
Exhibit 9 - Vesta Operation Manual  
Exhibit 10 - B&McD Response to Noise Peer Review 7-3-2018  
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123. - 10/01/18 - Prevailing Wind Park, LLC's Letter regarding Witness and Exhibits List  
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Appendix R - Cultural Resources Literature Search Confidential (not available to the public)

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Exhibit A2 - Direct Testimony of Aaron Anderson  
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Exhibit A4 - Supplemental Direct Testimony of Dr. Mark Roberts  
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Exhibit A4-2a - Exhibit 2a - Australian National Health and Medical Research Council (2014) - Review of Additional Evidence for NHMRC Information Paper - Evidence on Wind Farms and Human Health - Final Report  
Exhibit A4-2b - Exhibit 2b - Australian National Health and Medical Research Council (2015) - NHMRC Statement: Evidence on Wind Farms and Human Health  
Exhibit A4-2c - Exhibit 2c - Australian National Health and Medical Research Council (2015) - Systematic Review of the Human Health Effects of Wind Farms  
Exhibit A4-3 - Exhibit 3 - French National Agency for Food Safety, Environment and Labor 100 ("ANSES") (2017) - ANSES Opinion regarding the Expert Appraisal on the "Assessment of the Health Effects of Low-Frequency Sounds and Infrasonics from Wind Farms"  
Exhibit A4-4 - Exhibit 4 - Wisconsin Wind Siting Council (2014) - Wind Turbine Siting - Health Review and Wind Siting Policy Update  
Exhibit A4-5 - Exhibit 5 - Joseph Rand and Ben Hoen (2017) - Thirty Years of North American Wind Energy Acceptance Research - What Have We Learned? - Energy Analysis and Environmental Impacts Division, Lawrence Berkeley National Laboratory, Electricity Markets and Policy Group  
Exhibit A4-6 - Exhibit 6 - Public Service Commission of Wisconsin (2015) - Review of Studies and Literature Relating to Wind Turbines and Human Health - Prepared for the Wisconsin State Legislature  
Exhibit A4-7 - Exhibit 7 - Massachusetts Departments of Environmental Protection and Public Health (2012) - Wind Turbine Health Impact Study - Report of the Independent Expert Panel  
Exhibit A4-8 - Exhibit 8 - Letter, Kim Malsam-Rysdon, Secretary of Health, South Dakota Department of Health (Oct. 13, 2017) - In the Matter of the Application by Crocker Wind Farm, LLC for a Permit of a Wind Energy Facility and a 345 kV Transmission Line in Clark County, South Dakota, for Crocker Wind Farm - Docket No. EL17-055  
Exhibit A5-1 - Exhibit 1 - Ministry for the Environment, Climate and Energy of the Federal State of Baden-Wuerttemberg, Germany (2016) - Low-frequency Noise Incl. Infrasound from Wind Turbines and Other Sources - LUBW Landesanstalt Fur Umwelt, Messungen und Naturschutz Baden- Wuerttemberg  
Exhibit A5-2 - Exhibit 2 - Akira Shimada and Mimi Nameki (2017) - Evaluation of Wind Turbine Noise in Japan - Ministry of the Environment of Japan  
Exhibit A5-3 - Exhibit 3 - Danish Energy Agency (2009) - Wind Turbines in Denmark  
Exhibit A5-4 - Exhibit 4 - Frits van den Berg, Public Health Service Amsterdam, and Irene van Kamp, National Institute for Public Health and the Environment (2017) - Health Effects Related to Wind Turbine Sound - Swiss Federal Office for the Environment  
Exhibit A5-5 - Exhibit 5 - Stephen Chiles (2010) - A New Wind Farm Noise Standard for New Zealand, NZS 6808:2010 - Proceedings of 20th International Congress on Acoustics, ICA 2010  
Exhibit A5-6 - Exhibit 6 - Eja Pedersen, Höghskolan I Halmstad (2003) - Noise Annoyance from Wind Turbines - A Review - Swedish Environmental Protection Agency  
Exhibit A5-7 - Exhibit 7 - Hitomi Kimura, Yoshinori Momose, Hiroya Deguchi, and Nameki, Mimi (2016) - Investigation, Prediction, and Evaluation of Wind Turbine Noise in Japan - Ministry of the Environment of Japan  
Exhibit A5-8 - Exhibit 8 - C. Yan, K. Fu and W. Xu - On Cuba, Diplomats, Ultrasound, and Intermodulation Distortion - University of Michigan Tech Report - March 1, 2018

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Exhibit A5-9 - Exhibit 9 - Crichton, F., Et Al. (2014) - The Link Between Health Complaints and Wind Turbines - Support for the Nocebo Expectations Hypothesis - *Frontiers in Public Health* 2:220

Exhibit A5-10 - Exhibit 10 - Enck, P., Et Al. "New Insights Into the Placebo and Nocebo Responses," *Neuron* (July 31, 2008) - Vol. 59, No. 2, pp. 195-206

Exhibit A5-11 - Exhibit 11 - Colloca, L. (2017) - Nocebo Effects Can Make You Feel Pain - Negative Expectancies Derived From Features of Commercial Drugs Elicit Nocebo Effects - *Science*, 358(6359): 44

Exhibit A6 - Supplemental Direct Testimony of Peter Pawlowski

Exhibit A6-1 - Exhibit 1 – Resume

Exhibit A6-2 Exhibit 2 - Example of a Federal Aviation Administration ("FAA") Determination of No Hazard for a Project Turbine Location

Exhibit A6-3 - Exhibit 3 - Direct Testimony of James Damon

Exhibit A7 - Rebuttal Testimony of Peter Pawlowski

Exhibit A8 - Direct Testimony of Keith Thorstad

Exhibit A8-1 - Exhibit 1 – Resume

Exhibit A9 - Direct Testimony of Chris Howell

Exhibit A9-1 - Exhibit 1 - Curriculum Vitae

Exhibit A10 - Rebuttal Testimony of Chris Howell

Exhibit A10-1 - Exhibit 1 - Memorandum Regarding Updated Modeling Results - Prevailing Wind Park

Exhibit A11 - Supplemental Direct Testimony of Daniel Pardo

Exhibit A11-1 - Exhibit 1 - Statement of Qualifications

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Exhibit A12 - Direct Testimony of Bridget Canty

Exhibit A12-1 - Exhibit 1 – Resume

Exhibit A13 - Supplemental Direct Testimony of Bridget Canty

Exhibit A13-1 - Exhibit 1 - NTIA Correspondence regarding the Project, Dated June 7, 2018

Exhibit A14 - Rebuttal Testimony of Bridget Canty

Exhibit A14-1 - Exhibit 1- Burns & McDonnell Memorandum, Potential House Field Review

Exhibit A14-2 - Exhibit 2 - Revised Layout

Exhibit A15 - Supplemental Direct Testimony of Michael MaRous

Exhibit A15-1 - Exhibit 1 - Statement of Qualifications & August 10, 2018, Market Impact Analysis

Exhibit A15-2 - Exhibit 2 - Brian Guerin, Jason Moore, Jamie Stata, and Scott Bradfield (2012) - Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario - 2012 Assessment Base Year Study - Municipal Property Assessment Corporation

Exhibit A15-3 - Exhibit 3 - Jason Moore, Jamie Stata, and Scott Bradfield (2016) - Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario - 2016 Assessment Base Year Study - Municipal Property Assessment Corporation

Exhibit A15-4 - Exhibit 4 - Corey Lang and James Opaluch (2013) - Effects of Wind Turbines on Property Values in Rhode Island - *Environmental and Natural Resource Economics*, University of Rhode Island

Exhibit A15-5 - Exhibit 5 - Richard J. Vyn and Ryan M. McCullough (2013) - The Effects of Wind Turbines on Property Values in Ontario - Does Public Perception Match Empirical Evidence? - University of Guelph, Canada

Exhibit A15-6 - Exhibit 6 - Carol Atkinson-Palombo and Ben Hoen (2014) - Relationship between Wind Turbines and Residential Property Values in Massachusetts - University of Connecticut and Lawrence Berkeley National Laboratory

Exhibit A15-7 - Exhibit 7 - Surrebuttal Testimony of David Lawrence on Behalf of the Staff of the South Dakota Public Utilities Commission, In Re the Matter of the Application by Dakota Range I, LLC and Dakota Range II, LLC for a Permit of a Wind Energy Facility in Grant County and Codington County, South Dakota, for the Dakota

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Exhibit A16 - Rebuttal Testimony of Michael MaRous

Exhibit A17 - Rebuttal Testimony of Scott Creech

Exhibit A17-1 - Exhibit 1 – Resume

Exhibit A18 - Rebuttal Testimony of Dr. Jeffrey Ellenbogen

Exhibit A18-1 - Exhibit 1 - Statement of Qualifications

Exhibit A19 - Applicant's Disclosure of Lay Witnesses

Exhibit A21-1 - Applicant's Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's First Set of Data Requests

Exhibit A21-2 - Applicant's Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Second Set of Data Requests

Exhibit A22-1 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's First Set of Data Requests

Exhibit A23 - Intervenor Sherman Fuerniss' Responses to Applicant's First Set of Data Requests and Certificate of Service - 6241-9198

124. - 10/01/18 - Reece M. Almond, Davenport, Evans, Hurwitz & Smith LLP - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder - Intervenors' Witness List and Exhibit List and Certificate of Service - 9199-9204

125. - 10/02/18 - Reece M. Almond, Davenport, Evans, Hurwitz & Smith LLP - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder - Exhibit I-1 - Pre-filed Testimony of Richard James

Exhibit I-1a - Exhibit 1 - Bio Materials

Exhibit I-1b - Exhibit 2- Noise – Windfarms

Exhibit I-1c - Exhibit 3 - A Possible Criterion for Wind Farms

Exhibit I-1d -Exhibit 4- A Theory to Explain Some Physiological Effects of the Infrasonic Emissions at Some Wind Farm Sites

Exhibit I-1e -Exhibit 5 - Summary of Wind Turbine Blade Pass Frequency and Effects

Exhibit I-1f - Exhibit 6 - Shirley Wind Study Infrasound Graphs

Exhibit I-2 - Pre-filed Testimony of Jerry Punch

Exhibit I-2a -Exhibit 1 - Curriculum Vitae

Exhibit I-2b -Exhibit 2 - Wind Turbine Noise and Human Health: A Four-Decade History of Evidence that Wind Turbines Pose Risks

Exhibit I-3 - Pre-filed Testimony of Mariana Alves-Pereira

Exhibit I-3a - Exhibit 1 - Curriculum Vitae

Exhibit I-3b - Exhibit 1a - List of Publications

Exhibit I-3c - Exhibit 2 - Pictorial Explanation of the dBA Metric

Exhibit I-3d - Exhibit 3 - Neurological Manifestations Among US Government Personnel Reporting Directional Audible and Sensory Phenomena in Havana, Cuba

Exhibit I-3e - Exhibit 4 - Occupational and Residential Exposures to Infrasound and Low Frequency Noise in Aerospace Professionals - Flawed Assumptions, Inappropriate Quantification of Acoustic Environments, and the Inability to Determine Dose Response Values

Exhibit I-3f - Exhibit 5 - Infrasound and Low Frequency Noise - Shall We Measure It Properly?

Exhibit I-3g - Exhibit 6 - An Evaluation of Environmental, Biological and Health Data from the Island of Vieques, Puerto Rico

Exhibit I-3h - Exhibit 7 - Vibroacoustic Disease: Biological Effects of Infrasound and Low Frequency Noise Explained by Mechanotransduction Cellular Signaling

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- Exhibit I-3i - Exhibit 8 - Vibroacoustic Disease I - The Personal Experience of a Motorman
  - Exhibit I-3j - Exhibit 9 - Vibroacoustic Disease and Respiratory Pathology III-Tracheal and Bronchial Lesions
  - Exhibit I-3k -Exhibit 10 - Vibroacoustic Disease in a Ten Year Old Male
  - Exhibit I-4 - Google Maps View of Vicki May's Residence and Turbines
  - Exhibit I-5 - Decibel Readings Taken in 2016 and 2017 By Vicki May-Lynch, NE
  - Exhibit I-6 - 5 Videos Taken by Vicki May on 9/25/2018 Around Her Residence (Exhibits 1-6a through 1-6e) -  
Exhibit I-6a - May Video 1
  - Exhibit I-6b - Vicki May Video 2
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  - Exhibit I-7 - Audio Clip Recording Taken By Vicki May on 7/28/2018
  - Exhibit I-8 - Google Maps View of Scott Rueter's Former Residence (1341 Yew Ave., Harris, IA) and Turbines
  - Exhibit I-9 - Video of Turbines Located Around Scott Rueter's Farmhouse (Previous Residence) Taken on November 22, 2016
  - Exhibit I-10 - Video of Malfunctioning Turbine on Scott Rueter's Property (Section 21, Fairview Township, Osceola County, Iowa) Taken on June 5, 2017
  - Exhibit I-11 - Google Maps View of Sherm and Lori Fuerniss Residence
  - Exhibit I-12 - Photo of Malfunctioned/Burnt Turbine on Scott Rueter's Property
  - Exhibit I-13 - Google Maps View of Kevin Andersh's Residence
  - Exhibit I-14 - Bon Homme County Zoning Ordinance
  - Exhibit I-15 - GE Publication - Ice Shedding and Ice Throw Risk and Mitigation
  - Exhibit I-18 - sPower Brochure
  - Exhibit I-20 - Bon Homme Wind Ordinance Explained
  - Exhibit I-21 - Google Earth - Beethoven and PWP
  - Exhibit I-22 - 8/22/2018 Letter From Charles Mix County Along with Affidavit of Peter Pawlowski
  - Exhibit I-23 - PUC Draft Model Ordinance
  - Exhibit I-24 - 10/28/2015 Email from Roland Jurgens to Eric Elsberry
  - Exhibit I-25 -Rebuttal Exhibits for Mariana Alves-Pereira (Exhibits I-25a through I-25f)
  - Exhibit I-25a -In-Home Wind Turbine Noise Is Conducive to Vibroacoustic Disease
  - Exhibit I-25b - Family With Wind Turbines in Close Proximity to Home - Follow-up of the Case Presented in 2007
  - Exhibit I-25c -Low Frequency Noise-Induced Pathology: Contributions Provided by the Portuguese Wind Turbine Case
  - Exhibit I-25d -Clinical Protocol for Evaluating Pathology Induced by Low Frequency Noise Exposure
  - Exhibit I-25e -Case Report - Cross-Sensitisation to Infrasound and Low Frequency Noise
  - Exhibit I-25f - Letter to the Editor Re - 'How the Factoid of Wind Turbines Causing Vibroacoustic Disease Came to be Irrefutably Demonstrated'
  - Exhibit I-26 -Applicant's Responses to Intervenors' 1st Set of Data Requests
  - Exhibit I-27 -Applicant's Responses to Intervenors' 2nd Set of Data Requests
  - Exhibit I-31 -WHO Night Noise Guidelines for Europe (2009)
  - Exhibit I-32 -Guidelines for Community Noise (1999)
  - and Exhibit I-33 -The Environment and Disease - Association or Causation? - 9205-10446
126. - 10/02/18 - Karen Jenkins Exhibits - Amended Response to Staff's First Set of Data Requests to Intervenors Wind Turbine Noise 2013Provisional Programme  
South Dakota Game, Fish and Parks' Siting Guidelines for Wind Power Projects in South Dakota

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Seventh International Conference on Wind Turbine Noise - Rotterdam 2nd to 5th May 2017 - Post Conference Report

and Response to Applicant's First Set of Data Request to Intervenor - 10447-10485, Pages Bate Number are audio and video clips located at M/Media/2018/civ18-084/bate number – 9938, 9939, 9940, 9941, 9942, 9943, 9945, 9946

127. - 10/03/18 - Exhibit I-34 -Intervenors' Responses to Staff's 2nd Set of Data Requests - 10486-10499

128. - 10/04/18 - Prevailing Wind Park, LLC's Letter regarding Corrected Exhibit A5

Exhibit A5 - Rebuttal Testimony of Dr. Mark Roberts

and Certificate of Service - 10500-10533

129. - 10/04/18 - Intervenor's Subpoena for Testimony at Evidentiary Hearing to Eric Elsberry (Reese Almond - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder)

and Certificate of Service - 10534-10537

130. - 10/04/18 - Eric Elsberry's Admission of Service of Subpoena – 10538

131. - 10/04/18 - Charles Mix County Sheriff Office's Return of Service for Keith Mushitz- 10539

132. - 10/04/18 - Michael Soukup's Admission of Service of Subpoena – 10540

133. - 10/04/18 - Karen Jenkins Additional Exhibits - DR1 Response to Applicant Email to Cliff Tjaden 8-15-2018

With Questions

DR1 Response to Applicant Email to Cliff Tjaden to Forward to Zoning Board

DR1 Response to Applicant Email to Cliff Tjaden 8-15-2018

DR1 Response to Applicant Hutchinson County Public Hearing 9-4-2018 - My Comments Given

DR1 Response to Applicant Email from Cliff Tjaden 9-15-2018

DR1 Response to Applicant - 8-6-2018 Hutchinson County Regular Meeting Minutes

DR1 Response to Applicant Comments Presented to Bon Homme County Zoning 9-17-2017

Amended Response to Applicants First Set of Data Requests to Intervenors

and Response to Staff's First Set of Data Requests to Intervenors - 10541-10560

134. - 10/05/18 - Intervenors' Corrected Exhibit I-16

and Additional Exhibit I-17 (Reece M. Almond, Davenport, Evans, Hurwitz & Smith LLP - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder)- 10561-10581

135. - 10/05/18 - Sherman Fuerniss Additional Exhibits - Staff's First Set of Data Requests to Sherman Fuerniss and Staff's Second Set of Data Requests to Sherman Fuerniss - 10582-10588

136. - 10/05/18 - PUC Staff's Response to Intervenors' First Data Request Certificate of Service- 10589

137. - 10/09/18 - Intervenors' Opposition to Having Exhibits I-16 and I-17 be Confidential

and Certificate of Service - 10590-10595

138. - 10/09/18 - Exhibit I-16 - Lease Payment Calculations and Land Use Area - Provided to Gregg Hubner to Entice Him to Sign Up for the Project

Exhibit I-17 - Wind Energy Lease and Wind Easement Agreement - Blank Form

Corrected Exhibit I-19 - How Does PW Decide Where Turbines Will Go?

Exhibit I-28 -Applicant's Responses to Intervenors' 3rd Set of Data Requests

Exhibit I-29 - Applicant's Responses to Intervenors' 4th Set of Data Requests

Exhibit I-30 - PUC Staffs Responses to Intervenors' 1st Set of Data Requests

and Exhibit I-35 - Wind Turbines - Is There a Human Health Risk? - 10596-10651

139. - 10/09/18 - Prevailing Wind Park, LLC's Letter regarding Exhibits A3-2

A10-2

A20-1

A20-2

A22-2

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A22-3

A24

A25

A27

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Certificate of Service Exhibits A3-2

A10-2

A20-1

A20-2

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A22-3

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Exhibit A3-2 - Exhibit 2 - Updated Shadow Flicker Analysis

Exhibit A10-2 - Exhibit 2 - Updated Sound Study

Prevailing Wind Park, LLC's Letter regarding Exhibits A16R

Exhibit A16R - Revised Rebuttal Testimony of Michael MaRous

Certificate of Service Exhibit A16R

Exhibit A20-1 - Applicant's Responses to Staff's Fifth Set of Data Requests

Exhibit A20-2 - Applicant's Responses to Staff's Sixth Set of Data Requests

Exhibit A22-2 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's Second Set of Data Requests

Exhibit A22-3 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's Third Set of Data Requests

Exhibit A23 - Intervenor Sherman Fuerniss' Responses to Applicant's First Set of Data Requests

Exhibit A24 - Intervenor Kelli Pazour's Responses to Applicant's First Set of Data Requests

Exhibit A25 - Intervenor Karen Jenkins' Responses to Applicant's First Set of Data Requests

Exhibit A27 - Intervenor Sherman Fuerniss' Responses to Staff's Second Set of Data Requests

Exhibit A28 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Staff's Second Set of Data Requests

Exhibit A29 - Figure 10

Exhibit A30 - Applicant's Supplemental Responses to Staff's Data Requests

Exhibit A31 - Applicant's Updated Responses to Intervenors' Data Requests

Exhibit A32 - Permit Conditions Jointly Proposed by Applicant and Staff

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Exhibit A33 - Applicant's Proposed Conditions  
and Certificate of Service - 10652-11119

140. - 10/09/18 - Staff's Letter regarding Exhibit S5  
and Exhibit S5 - Additional Data Requests - 11120-11147

141. - 10/09/18 - Evidentiary Hearing – Sign In Sheets  
and Transcript - 11148-11528

142. - 10/10/18 - Prevailing Wind Park, LLC's Letter regarding Exhibits 34 and 35  
Exhibit A34 - Safety Manual Confidential (not available to the public)

Exhibit A35 - Operating Manual Confidential (not available to the public)  
and Certificate of Service - 11529-11530, 11531-11637 Confidential, 11638-11639

143. - 10/10/18 - Evidentiary Hearing – Sign In Sheets  
and Transcript - 11640-12002

144. - 10/10/18 - Sherman Fuerniss Additional Exhibits - Applicant's First Set of Data Requests to Intervenor  
Sherman Fuerniss  
and Response of Sherman Fuerniss to Direct Testimonies - 12003-12012

145. - 10/11/18 - Evidentiary Hearing – Sign In Sheets  
and Transcript - 12013-12413

146. - 10/11/18 - Reece M. Almond, Davenport, Evans, Hurwitz & Smith LLP - Representing: Gregg C. Hubner,  
Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder - Exhibit I-36 - 12-12-24 Team Report from Wis  
PSC Infrasound Study at Shirley Wind

and Exhibit I-37 - Hessler publication - Wind Turbine Noise-Recommended Design Goals - 12414-12433

147. - 10/11/18 - Comments of Dave and Carol Eggers

Attachment

Commissioner Fiegen's Response to Dave and Carol Eggers

Comments of David Mogck

Attachment

Commissioner Fiegen's Response to David Mogck

Comments of Dave and Carol Eggers Confidential(not available to the public)

Attachment Confidential (not available to the public)

Commissioner Fiegen's Response to Dave and Carol Eggers Confidential (not available to the public)

Comments of David Mogck Confidential (not available to the public)

Attachment Confidential (not available to the public)

and Commissioner Fiegen's Response to David Mogck Confidential (not available to the public) - 12434-12440,  
12441-12447 Confidential

05/17/19 - Docket Closed - M:/close.pdf

**Individual Report for Docket Number : CIV18-084**

**Docket Synopsis :**

## Individual Report for Docket Number : CIV18-084b

**Docket Title:**

04CIV18-000084 - Gregg Hubner, Marsha Hubner vs. South Dakota Public Utilities Commission, Prevailing Wind Park, LLC, South Dakota Public Commission Staff, Paul Schoenfelder, Lisa Schoenfelder, Sherman Fuerniss, Kelli Pazour, Karen Jenkins, Charles Mix County, South Dakota

**Open Date :** 12/26/2018**Close Date :** 05/17/2019**Days Open :** 142**Reopened Date :****Filing Type :**

CIV

**Tax ID # :****Attorney :**

AD

**Staff :****Date Of Final Decision :****Memo :**

### Primary Appeal Information

**Appeal Date :****Appellant :****Decision Date :****Appeal Location :****Current Status :****Description of Above Decision :**

### Secondary Appeal Information

**Appeal Date :****Appellant :****Decision Date :****Appeal Location :****Current Status :****Description of Above Decision :**

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### **Docket Notes :**

This is part 2 of CIV 18-084 cont. - 148. - 10/12/18 - Evidentiary Hearing – Sign In Sheets and Transcript - 12448-12678

149. - 10/12/18 - Prevailing Wind Park, LLC's Letter regarding Exhibits A36, A37, A38, A39, A40 and Updated Exhibit I-29, Attachment 4-2 Project Layout  
Exhibit A36: Williams v. Invenergy, LLC, 2016 WL 1275990 (D. Oregon, April 28, 2016) Exhibit A37: Ownership Structure of Prevailing Wind Park, LLC  
Exhibit A38: Turbine Number Key  
Exhibit A39: Michaud et al., Effects of Wind Turbine Noise on Self-Reported and Objective Measures of Sleep (2016)  
Exhibit A40: Hearing and Vibrotactile Thresholds Table and Certificate of Service - 12679-12719

150. - 10/12/18 - Prevailing Wind Park, LLC's Letter regarding Exhibit A41: Rueter v. Osceola Windpower, LLC, Case No. 16-2088 (Iowa Ct. App, Nov. 8, 2017)  
Exhibit A41: Rueter v. Osceola Windpower, LLC, Case No. 16-2088 (Iowa Ct. App, Nov. 8, 2017) and Certificate of Service - 12720-12727

151. - 10/12/18 - Prevailing Wind Park, LLC's Letter regarding Revised Exhibit I-29, Attachment 4-2 Project Layout Updated Exhibit I-29, Attachment 4-2 Project Layout and Certificate of Service - 12728-12731

152. - 10/12/18 - EL18-026 - Evidentiary Hearing Exhibits (PUC Website) - <http://puc.sd.gov/Dockets/Electric/2018/el18-026evidentiaryexhibits.aspx> - 12732-12735

153. - 10/12/18 - Evidentiary Hearing Exhibits - Prevailing Wind Park, LLC - Exhibit A1 - Application to the South Dakota Public Utilities Commission for a Facility Permit Submitted by Prevailing Wind Park, LLC, Including Appendices A-T  
Appendix R - Cultural Resources Literature Search Confidential (not available to the public)  
Exhibit A2 - Direct Testimony of Aaron Anderson  
Exhibit A2-1 - Exhibit 1 - Curriculum Vitae  
Exhibit A3 - Rebuttal Testimony of Aaron Anderson  
Exhibit A3-1 - Exhibit 1- Results of Updated Shadow Flicker Analysis  
Exhibit A3-2 - Exhibit 2 - Updated Shadow Flicker Analysis  
Exhibit A4 - Supplemental Direct Testimony of Dr. Mark Roberts  
Exhibit A4-1 - Exhibit 1 - Statement of Qualifications  
Exhibit A4-2 - Exhibit 2 - Australian National Health and Medical Research Council (2010) - Wind Turbines and Health - A Rapid Review of the Evidence  
Exhibit A4-2a - Exhibit 2a - Australian National Health and Medical Research Council (2014) - Review of Additional Evidence for NHMRC Information Paper - Evidence on Wind Farms and Human Health - Final Report  
Exhibit A4-2b - Exhibit 2b - Australian National Health and Medical Research Council (2015) - NHMRC Statement: Evidence on Wind Farms and Human Health  
Exhibit A4-2c - Exhibit 2c - Australian National Health and Medical Research Council (2015) - Systematic Review of the Human Health Effects of Wind Farms  
?Exhibit A4-3 - Exhibit 3 - French National Agency for Food Safety, Environment and Labor 100 (“ANSES”) (2017) - ANSES Opinion regarding the Expert Appraisal on the “Assessment of the Health Effects of Low-Frequency Sounds and Infrasonics from Wind Farms”  
Exhibit A4-4 - Exhibit 4 - Wisconsin Wind Siting Council (2014) - Wind Turbine Siting - Health Review and Wind Siting Policy Update  
Exhibit A4-5 - Exhibit 5 - Joseph Rand and Ben Hoen (2017) - Thirty Years of North American Wind Energy

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Acceptance Research - What Have We Learned? - Energy Analysis and Environmental Impacts Division, Lawrence Berkeley National Laboratory, Electricity Markets and Policy Group

Exhibit A4-6 - Exhibit 6 - Public Service Commission of Wisconsin (2015) - Review of Studies and Literature Relating to Wind Turbines and Human Health - Prepared for the Wisconsin State Legislature

Exhibit A4-7 - Exhibit 7 - Massachusetts Departments of Environmental Protection and Public Health (2012) - Wind Turbine Health Impact Study - Report of the Independent Expert Panel

Exhibit A4-8 - Exhibit 8 - Letter, Kim Malsam-Rysdon, Secretary of Health, South Dakota Department of Health (Oct. 13, 2017) - In the Matter of the Application by Crocker Wind Farm, LLC for a Permit of a Wind Energy Facility and a 345 kV Transmission Line in Clark County, South Dakota, for Crocker Wind Farm - Docket No. EL17-055

Exhibit A5 - Rebuttal Testimony of Dr. Mark Roberts

Exhibit A5-1 - Exhibit 1 - Ministry for the Environment, Climate and Energy of the Federal State of Baden-Wuerttemberg, Germany (2016) - Low-frequency Noise Incl. Infrasound from Wind Turbines and Other Sources - LUBW Landesanstalt Fur Umwelt, Messungen and Naturschutz Baden- Wuerttemberg

Exhibit A5-2 - Exhibit 2 - Akira Shimada and Mimi Nameki (2017) - Evaluation of Wind Turbine Noise in Japan - Ministry of the Environment of Japan

Exhibit A5-3 - Exhibit 3 - Danish Energy Agency (2009) - Wind Turbines in Denmark

Exhibit A5-4 - Exhibit 4 - Frits van den Berg, Public Health Service Amsterdam, and Irene van Kamp, National Institute for Public Health and the Environment (2017) - Health Effects Related to Wind Turbine Sound - Swiss Federal Office for the Environment

Exhibit A5-5 - Exhibit 5 - Stephen Chiles (2010) - A New Wind Farm Noise Standard for New Zealand, NZS 6808:2010 - Proceedings of 20th International Congress on Acoustics, ICA 2010

Exhibit A5-6 - Exhibit 6 - Eja Pedersen, Höghskolan I Halmstad (2003) - Noise Annoyance from Wind Turbines - A Review - Swedish Environmental Protection Agency

Exhibit A5-7 - Exhibit 7 - Hitomi Kimura, Yoshinori Momose, Hiroya Deguchi, and Nameki, Mimi (2016) - Investigation, Prediction, and Evaluation of Wind Turbine Noise in Japan - Ministry of the Environment of Japan

Exhibit A5-8 - Exhibit 8 - C. Yan, K. Fu and W. Xu - On Cuba, Diplomats, Ultrasound, and Intermodulation Distortion - University of Michigan Tech Report - March 1, 2018

Exhibit A5-9 - Exhibit 9 - Crichton, F., Et Al. (2014) - The Link Between Health Complaints and Wind Turbines - Support for the Nocebo Expectations Hypothesis - Frontiers in Public Health 2:220

Exhibit A5-10 - Exhibit 10 - Enck, P., Et Al. "New Insights Into the Placebo and Nocebo Responses," Neuron (July 31, 2008) - Vol. 59, No. 2, pp. 195-206

Exhibit A5-11 - Exhibit 11 - Colloca, L. (2017) - Nocebo Effects Can Make You Feel Pain - Negative Expectancies Derived From Features of Commercial Drugs Elicit Nocebo Effects - Science, 358(6359): 44

Exhibit A6 - Supplemental Direct Testimony of Peter Pawlowski

Exhibit A6-1 - Exhibit 1 - Resume

Exhibit A6-2 Exhibit 2 - Example of a Federal Aviation Administration ("FAA") Determination of No Hazard for a Project Turbine Location

Exhibit A6-3 - Exhibit 3 - Direct Testimony of James Damon

Exhibit A7 - Rebuttal Testimony of Peter Pawlowski

Exhibit A8 - Direct Testimony of Keith Thorstad

Exhibit A9 - Direct Testimony of Chris Howell

Exhibit A9-1 - Exhibit 1 - Curriculum Vitae

Exhibit A10 - Rebuttal Testimony of Chris Howell

Exhibit A10-1 - Exhibit 1 - Memorandum Regarding Updated Modeling Results - Prevailing Wind Park

Exhibit A10-2 - Exhibit 2 - Updated Sound Study

Exhibit A11 - Supplemental Direct Testimony of Daniel Pardo

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Exhibit A11-1 - Exhibit 1 - Statement of Qualifications  
Exhibit A11-2 - Exhibit 2 - Decommissioning Cost Analysis  
Exhibit A12 - Direct Testimony of Bridget Canty  
Exhibit A12-1 - Exhibit 1 – Resume  
Exhibit A13 - Supplemental Direct Testimony of Bridget Canty  
Exhibit A13-1 - Exhibit 1 - NTIA Correspondence regarding the Project, Dated June 7, 2018  
Exhibit A14 - Rebuttal Testimony of Bridget Canty  
Exhibit A14-1 - Exhibit 1- Burns & McDonnell Memorandum, Potential House Field Review  
Exhibit A14-2 - Exhibit 2 - Revised Layout  
Exhibit A15 - Supplemental Direct Testimony of Michael MaRous  
Exhibit A15-1 - Exhibit 1 - Statement of Qualifications & August 10, 2018, Market Impact Analysis  
Exhibit A15-2 - Exhibit 2 - Brian Guerin, Jason Moore, Jamie Stata, and Scott Bradfield (2012) - Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario - 2012 Assessment Base Year Study - Municipal Property Assessment Corporation  
Exhibit A15-3 - Exhibit 3 - Jason Moore, Jamie Stata, and Scott Bradfield (2016) - Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario - 2016 Assessment Base Year Study - Municipal Property Assessment Corporation  
Exhibit A15-4 - Exhibit 4 - Corey Lang and James Opaluch (2013) - Effects of Wind Turbines on Property Values in Rhode Island - Environmental and Natural Resource Economics, University of Rhode Island  
Exhibit A15-5 - Exhibit 5 - Richard J. Vyn and Ryan M. McCullough (2013) - The Effects of Wind Turbines on Property Values in Ontario - Does Public Perception Match Empirical Evidence? - University of Guelph, Canada  
Exhibit A15-6 - Exhibit 6 - Carol Atkinson-Palombo and Ben Hoen (2014) - Relationship between Wind Turbines and Residential Property Values in Massachusetts - University of Connecticut and Lawrence Berkeley National Laboratory  
Exhibit A15-7 - Exhibit 7 - Surrebuttal Testimony of David Lawrence on Behalf of the Staff of the South Dakota Public Utilities Commission, In Re the Matter of the Application by Dakota Range I, LLC and Dakota Range II, LLC for a Permit of a Wind Energy Facility in Grant County and Codington County, South Dakota, for the Dakota Range Wind Project - Docket No. EL 18-003  
Exhibit A16R - Revised Rebuttal Testimony of Michael MaRous  
Exhibit A17 - Rebuttal Testimony of Scott Creech  
Exhibit A17-1 - Exhibit 1 – Resume  
Exhibit A18 - Rebuttal Testimony of Dr. Jeffrey Ellenbogen  
Exhibit A18-1 - Exhibit 1 - Statement of Qualifications  
Exhibit A19 - Applicant's Disclosure of Lay Witnesses  
Exhibit A20-1 - Applicant's Responses to Staff's Fifth Set of Data Requests  
Exhibit A20-2 - Applicant's Responses to Staff's Sixth Set of Data Requests  
Exhibit A21-1 - Applicant's Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's First Set of Data Requests  
Exhibit A21-2 - Applicant's Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Second Set of Data Requests  
Exhibit A22-1 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's First Set of Data Requests  
Exhibit A22-2 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's Second Set of Data Requests  
Exhibit A22-3 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's Third Set of Data Requests

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Exhibit A23 - Intervenor Sherman Fuerniss' Responses to Applicant's First Set of Data Requests  
Exhibit A24 - Intervenor Kelli Pazour's Responses to Applicant's First Set of Data Requests  
Exhibit A25 - Intervenor Karen Jenkins' Responses to Applicant's First Set of Data Requests  
Exhibit A27 - Intervenor Sherman Fuerniss' Responses to Staff's Second Set of Data Requests  
Exhibit A28 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Staff's Second Set of Data Requests  
Exhibit A29 - Figure 10  
Exhibit A30 - Applicant's Supplemental Responses to Staff's Data Requests  
Exhibit A31 - Applicant's Updated Responses to Intervenors' Data Requests  
Exhibit A32 - Permit Conditions Jointly Proposed by Applicant and Staff  
Exhibit A33 - Applicant's Proposed Conditions  
Exhibit A34 - Safety Manual Confidential (not available to the public)  
Exhibit A35 - Operating Manual Confidential (not available to the public)  
Exhibit A36: Williams v. Invenergy, LLC, 2016 WL 1275990 (D. Oregon, April 28, 2016)  
Exhibit A37: Ownership Structure of Prevailing Wind Park, LLC  
Exhibit A38: Turbine Number Key  
Exhibit A39: Michaud et al., Effects of Wind Turbine Noise on Self-Reported and Objective Measures of Sleep (2016)  
Exhibit A40: Hearing and Vibrotactile Thresholds Table  
Exhibit A41: Rueter v. Osceola Windpower, LLC, Case No. 16-2088 (Iowa Ct. App, Nov. 8, 2017)  
Exhibit A42: Distance from Each Residence to the Nearest Wind Turbine, Modeled Shadow Flicker and Sound Pressure Levels  
PUC Staff - Exhibit S1 - Darren Kearney Pre-filed Testimony and Exhibits  
Exhibit S1 - Darren Kearney Pre-filed Testimony and Exhibits Confidential (not available to the public)  
Exhibit S3 - David M. Hessler Pre-filed Testimony and Exhibit  
Exhibit S4 - Additional Data Requests  
Exhibit S5 - Additional Data Requests  
Intervenors - Reece M. Almond, Davenport, Evans, Hurwitz & Smith LLP - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder - Exhibit I-1 - Pre-filed Testimony of Richard James (redacted yellow highlighted)  
Exhibit I-1a - Exhibit 1 - Bio Materials  
Exhibit I-1b - Exhibit 2- Noise – Windfarms  
Exhibit I-1c - Exhibit 3 - A Possible Criterion for Wind Farms  
Exhibit I-1d - Exhibit 4- A Theory to Explain Some Physiological Effects of the Infrasonic Emissions at Some Wind Farm Sites  
Exhibit I-1e - Exhibit 5 - Summary of Wind Turbine Blade Pass Frequency and Effects  
Exhibit I-1f - Exhibit 6 - Shirley Wind Study Infrasound Graphs  
Exhibit I-2 - Pre-filed Testimony of Jerry Punch (redacted yellow highlighted)  
Exhibit I-2a -Exhibit 1 - Curriculum Vitae  
Exhibit I-2b -Exhibit 2 - Wind Turbine Noise and Human Health: A Four-Decade History of Evidence that Wind Turbines Pose Risks  
Exhibit I-4 -Google Maps View of Vicki May's Residence and Turbines  
Exhibit I-6 - 5 Videos Taken by Vicki May on 9/25/2018 Around Her Residence (Exhibits 1-6a through 1-6e) -  
Exhibit I-6a - May Video 1  
Exhibit I-6b - Vicki May Video 2  
Exhibit I-6c - Vicki May Video 3

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Exhibit I-6d - Vicki May Video 4  
Exhibit I-6e - Vicki May Video 5  
Exhibit I-8 - Google Maps View of Scott Rueter's Former Residence (1341 Yew Ave., Harris, IA) and Turbines  
Exhibit I-10 - Video of Malfunctioning Turbine on Scott Rueter's Property (Section 21, Fairview Township, Osceola County, Iowa) Taken on June 5, 2017  
Exhibit I-11 - Google Maps View of Sherm and Lori Fuerniss Residence  
Exhibit I-12 - Photo of Malfunctioned/Burnt Turbine on Scott Rueter's Property  
Exhibit I-13 - Google Maps View of Kevin Andersh's Residence  
Exhibit I-14 - Bon Homme County Zoning Ordinance  
Exhibit I-15 - GE Publication - Ice Shedding and Ice Throw Risk and Mitigation  
Exhibit I-16 - Lease Payment Calculations and Land Use Area - Provided to Gregg Hubner to Entice Him to Sign Up for the Project  
Exhibit I-17 - Wind Energy Lease and Wind Easement Agreement - Blank Form  
Exhibit I-18 - sPower Brochure  
Exhibit I-21 - Google Earth - Beethoven and PWP  
Exhibit I-22 - 8/22/2018 Letter From Charles Mix County Along with Affidavit of Peter Pawlowski  
Exhibit I-23 - PUC Draft Model Ordinance  
Exhibit I-26 - Applicant's Responses to Intervenors' 1st Set of Data Requests  
Exhibit I-27 - Applicant's Responses to Intervenors' 2nd Set of Data Requests  
Exhibit I-28 - Applicant's Responses to Intervenors' 3rd Set of Data Requests  
Exhibit I-29 - Applicant's Responses to Intervenors' 4th Set of Data Requests  
Exhibit I-30 - PUC Staffs Responses to Intervenors' 1st Set of Data Requests  
Exhibit I-31 - WHO Night Noise Guidelines for Europe (2009)  
Exhibit I-32 - Guidelines for Community Noise (1999)  
Exhibit I-33 - The Environment and Disease - Association or Causation?  
Exhibit I-34 - Intervenors' Responses to Staff's 2nd Set of Data Requests  
Exhibit I-35 - Wind Turbines - Is There a Human Health Risk?  
Exhibit I-36 - 12-12-24 Team Report from Wis PSC Infrasound Study at Shirley Wind  
Exhibit I-37 - Hessler Publication - Wind Turbine Noise-Recommended Design Goals  
Exhibit I-38 - List of Landowners with Turbines  
Intervenors - Sherman Fuerniss - Sherm 1 - Dr. Visit 1  
Sherm 2 - Dr. Visit 2  
Sherm 3 - PV Map 4-2018 Red on Green 1  
Sherm 4 - PV Map 4-2018 Red on Green 2  
Sherm 12 - Staff's First Set of Data Requests to Sherman Fuerniss  
Sherm 13 - Staff's Second Set of Data Requests to Sherman Fuerniss  
Sherm 14 - Applicant's First Set of Data Requests to Intervenor Sherman Fuerniss  
Intervenors - Karen Jenkins - KJ4 - South Dakota Game, Fish and Parks' Siting Guidelines for Wind Power Projects in South Dakota  
KJ5 - Response to Applicant's First Set of Data Request to Intervenor  
KJ6 - Amended Response to Staff's First Set of Data Requests to Intervenors  
and KJ15 - Response to Staff's First Set of Data Requests to Intervenors - 12736-1382, 13827-13860  
Confidential, 13861-16182, 16183-16289 Confidential, 16290-16717, 16718-17103 Confidential, 17104-17986,  
Pages Bate Number are audio and video clips located at M/Media/2018/civ18-084/bate number – Pages Bate  
Number 17387-17392, 17394  
154. - 10/15/18 - Comments of Roger Roth

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Commissioner Fiegen's Response to Roger Roth  
Comments of Roger Roth Confidential (not available to the public)  
and Commissioner Fiegen's Response to Roger Roth Confidential (not available to the public) - 17987-17988,  
17989-17990 Confidential

155. - 10/22/18 - Comments of Jerry and Lori Heumiller  
Commissioner Fiegen's Response to Jerry and Lori Heumiller  
Comments of Jerry and Lori Heumiller Confidential (not available to the public)  
and Commissioner Fiegen's Response to Jerry and Lori Heumiller Confidential (not available to the public) -  
17991-17992, 17993-17994 Confidential

156. - 10/23/18 - Additional Comments of Mary Walkes  
and Additional Comments of Mary Walkes Confidential (not available to the public) - 17995-17996, 17997-17998  
Confidential

157. - 10/24/18 - Patricia Van Gerpen's Response to Mary Walkes  
and Patricia Van Gerpen's Response to Mary Walkes Confidential (not available to the public) - 17999-18000,  
18001-18002 Confidential

158. - 10/29/18 - Comments of Ed Van Gerpen  
Patricia Van Gerpen's Response to Ed Van Gerpen  
Comments of Ed Van Gerpen Confidential (not available to the public)  
and Patricia Van Gerpen's Response to Ed Van Gerpen Confidential (not available to the public) - 18003-18005,  
18006-18008 Confidential

159. - 10/29/18 - Prevailing Wind Park, LLC's Letter regarding Exhibit A42  
Exhibit A42: Distance from Each Residence to the Nearest Wind Turbine, Modeled Shadow Flicker and Sound  
Pressure Levels  
and Certificate of Service - 18009-18017

160. - 10/29/18 - Hearing Examiner's Redacted Exhibits I-1 and I-2, and Evidentiary Hearing Transcript for October  
11, 2018 - Exhibit I-1 - Pre-filed Testimony of Richard James  
Exhibit I-2 - Pre-filed Testimony of Jerry Punch  
and October 11, 2018, Transcript - 18018-18172

161. - 10/31/18 - PUC Commission Meeting Agenda - 18173-18175

162. - 10/31/18 - PUC Commission Meeting Minutes - 18176-18178

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164. - 11/01/18 - Order Redacting Exhibits and Testimonies - 18185-18186

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168. - 11/07/18 - Order For and Notice of Ad Hoc Hearing and Decision Date on Less Than 10 Days' Notice -  
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172. - 11/13/18 - Sherman Fuerniss' Post-Hearing Brief - 18263-18265  
173. - 11/13/18 - Intervenors' Post-Hearing Brief  
and Certificate of Service (Reece M. Almond, Davenport, Evans, Hurwitz & Smith LLP - Representing: Gregg C.  
Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder) - 18266-18286  
174. - 11/13/18 - PUC Staff's Letter regarding Post-Hearing Brief  
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175. - 11/13/18 - Prevailing Wind Park, LLC's Letter regarding Post-Hearing Brief  
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176. - 11/13/18 - Karen Jenkins' Post-Hearing Brief - 18406-18407  
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178. - 11/14/18 - Comments of Julie Kaufman  
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179. - 11/15/18 - Commissioner Fiegen's Response to Julie Kaufman  
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181. - 11/19/18 - Prevailing Wind Park, LLC's Letter regarding Applicant's and Staff's Revised Joint Proposed Condition 29 and New Joint Proposed Condition  
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182. - 11/20/18 - PUC Ad Hoc Commission Meeting Agenda – 18444  
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185. - 11/20/18 - Comments of Elouise Meyer  
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186. - 11/21/18 - Commissioner Fiegen's Response to Elouise Meyer  
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187. - 11/30/18 - Comments of Michelle Powers Olson to Commissioner Fiegen  
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189. - 12/10/18 - Additional Comments of Wanda Oorlog  
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190. - 12/11/18 - PUC Staff's Response to Wanda Oorlog  
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191. - 12/26/18 - Comments of Ruby and George Holborn  
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01/15/19 - Notice of Appearance (Sherman Fuerniss - Steven K. Huff and Nicholas G. Moser) and Certificate of Service - M:/noticeofappearance3.pdf  
01/18/19 - Sherman Fuerniss, Kelli Pazour, and Karen Jenkins' Statement of Issues on Appeal and Certificate of Service - M:/statementofissues2.pdf  
02/11/19 - Appellants' Opening Brief and Certificate of Service - M:/appellantbrief.pdf  
02/12/19 - Appendix (Attachments 1 through 19) - M:/appellantappendix.pdf  
02/21/19 - Withdrawal of Appearance (South Dakota Public Utilities Commission) - M:/withdrawalofappearance.pdf  
02/21/19 - Certificate of Service - M:/certificateofservice022119.pdf  
03/06/19 - Notice of Appearance (Kelli Pazour, and Karen Jenkins - Steven K. Huff and Nicholas G. Moser)

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and Certificate of Service - M:/noticeofappearance4.pdf  
03/08/19 - Notice of Appearance (Prevailing Wind Park, LLC - Lee Schoenbeck and Joe Erickson) and Certificate of Service - M:/noticeofappearance.pdf  
03/08/19 - Prevailing Wind Park, LLC's Response Brief and Certificate of Service - M:/responsebrief.pdf  
03/18/19 - Nicholas G. Moser for Sherman Fuerniss, Kelli Pazour, and Karen Jenkins' Notice of Withdrawal of Appeal and Certificate of Service - M:/withdrawal.pdf  
03/18/19 - Nicholas G. Moser for Sherman Fuerniss, Kelli Pazour, and Karen Jenkins' Notice of Withdrawal of Appeal and Certificate of Service - M:/withdrawal.pdf  
03/22/19 - Appellants' Reply Brief with Attachments and Certificate of Service - M:/appellantsreplybrief.pdf  
04/02/19 - Order Dismissing Appeals and Judgment of Affirmance - M:/order.pdf  
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**Docket Synopsis :**