

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE COMPLAINT FILED )</b>	<b>ORDER GRANTING MOTION</b>
<b>BY AMBER CHRISTENSON, LINDA LINDGREN )</b>	<b>IN LIMINE IN PART</b>
<b>AND TIMOTHY LINDGREN AGAINST )</b>	
<b>CROWNED RIDGE WIND LLC REGARDING )</b>	
<b>PROJECT SOUND LEVEL COMPLIANCE )</b>	<b>CE22-001</b>

On September 21, 2022, the South Dakota Public Utilities Commission (Commission) received a Complaint from Amber Christenson, Linda Lindgren, and Timothy Lindgren (Complainants) against Crowned Ridge Wind LLC (Crowned Ridge) alleging Crowned Ridge failed to comply with conditions of the permit issued by the Commission and alleging deficiencies in sound testing previously conducted by Crowned Ridge.

On September 22, 2022, the Commission electronically transmitted notice of the filing and the answer deadline of October 11, 2022, to interested persons and entities on the Commission's PUC Weekly Filings electronic listserv. Notice of the Complaint was sent to Crowned Ridge on October 11, 2022, with a revised answer deadline of October 31, 2022. On October 28, 2022, Crowned Ridge filed a Motion and Brief in Support of Motion to Dismiss Formal Complaint, including attachments. On December 22, 2022, Crowned Ridge filed an Answer to the Complaint. On December 27, 2022, the Commission issued an Order Excluding Attachments; Order Denying Motion to Dismiss Formal Complaint. On April 3, 2023, the Commission issued an Order Granting Request for Procedural Schedule; Order Granting Extension of Time to Respond to Data Request; Order Granting Motion to Require Pre-filed Testimony. On April 19, 2023, the Commission issued an Order Establishing Procedural Schedule and set October 11-12, 2023, as dates for the evidentiary hearing. On May 1, 2023, the Commission issued an Order Granting Motion for Protective Order. On July 5, 2023, Amber Christenson filed prefiled testimony and then supplemented that prefiled testimony on July 7, 2023. On August 7, 2023, Crowned Ridge filed prefiled testimony of Richard Lampeter and Stefan Martinsen. On September 6, 2023, Amber Christenson filed prefiled rebuttal testimony. On September 18, 2023, Crowned Ridge filed a Motion in Limine to exclude certain portions of Amber Christenson's direct, rebuttal, and oral testimony and exhibits. On September 21, 2023, the Commission issued an Order For and Notice of Hearing on Motion in Limine. On October 2, 2023, Amber Christenson filed an Oppositional Response to Motion in Limine. On October 4, 2023, Crowned Ridge filed a Reply to Christenson's Response to Motion in Limine.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26, 15-6, and 49-1, and ARSD Chapter 20:10:01. The Commission may rely upon any or all of these or other laws of this state in making its determination.

At its regularly scheduled meeting on October 10, 2023, the Commission considered the Motion in Limine. After hearing and considering the arguments of the parties received orally during the Commission meeting and in writing prior to the meeting, the Commission voted 2-1, Commissioner Nelson dissenting, to grant Crowned Ridge's Motion in Limine in part, finding that the Motion in Limine should be granted as requested by Crowned Ridge with the exception of Complainant Christenson's Exhibit AC12, AC19, and portions of Complainant Amber Christenson's Prefiled Rebuttal Testimony to include the paragraphs numbered 1 and 2 on Page 2 and the third full paragraph on page 8. It is therefore

ORDERED, that Crowned Ridge's Motion in Limine is granted except as it pertains to Complainant Christenson's Exhibit AC12, AC19, and portions of Complainant Amber Christenson's Prefiled Rebuttal Testimony to include the paragraphs numbered 1 and 2 on Page 2 and the third full paragraph on page 8.

Dated at Pierre, South Dakota, this 13<sup>th</sup> day of October 2023.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically.	
By:	<u><i>Kristie Fiegen</i></u>
Date:	<u>12 Oct 2023</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

*Kristie Fiegen*

KRISTIE FIEGEN, Chairperson

*Gary Hanson*

GARY HANSON, Commissioner

CHRIS NELSON, Commissioner  
Dissenting