

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION BY BUFFALO )	
RIDGE II, LLC, A SUBSIDIARY OF IBERDROLA )	PROPOSED FINDINGS
RENEWABLES, INC., FOR AN ENERGY CONVERSION )	OF FACT AND
FACILITY PERMIT FOR THE CONSTRUCTION OF THE )	CONCLUSIONS OF
BUFFALO RIDGE II WIND FARM AND ASSOCIATED )	LAW
COLLECTION SUBSTATION AND ELECTRIC INTER- )	
CONNECTION SYSTEM )	EL08-031

COME NOW, Sioux Valley Southwestern Electric Cooperative, Inc. (“Sioux Valley”), H-D Electric Cooperative, Inc. (H-D Electric), and South Dakota Rural Electric Association (“SDREA”) and provide the following proposed Findings of Fact and Conclusions of Law for consideration by the South Dakota Public Utilities Commission:

Findings of Fact

**II. Project and Site Description**

The Project will be located on approximately 77 acres dispersed throughout portions of up to 77 sections of land in northeastern Brookings County and southeastern Deuel County, South Dakota near the city of White and containing portions of the towns of Astoria and Toronto. Portions of the Project are located within the assigned service area of Sioux Valley, and portions of the Project are located within the assigned service area of H-D Electric. Sioux Valley and H-D Electric are rural electric cooperatives that provide electric service to customers within their respective assigned service territories.

**I. 115 kV/34.5 kV Overhead System**

1. The Project will utilize both an approximate 13 mile 115 kV Transmission Line (115kV Line) and an approximate 4 mile 34.5 kV overhead collector system (34.5 kV Overhead). Where practicable, these two systems will share support structures (poles) and right-of-way. Final preconstruction design plans shall be submitted to the Commission.

2. Buffalo Ridge II will purchase all of its electric energy and power needs for station power from Sioux Valley and H-D Electric, at prevailing and applicable commercial/industrial rates, for the portions of the wind farm located within the assigned service territories of Sioux Valley and H-D Electric, respectively, except when generating power from the wind farm for the provision of authorized self-

supply of station power. Buffalo Ridge II will interconnect to Sioux Valley and H-D Electric at “Points of Delivery” to be determined from time to time by the parties.

#### **J. Buffalo Ridge II North Substation Collection and Delivery System**

The Buffalo Ridge II North Substation (Section 19 of Oak Lake Township) will collect, via a 34.5 kV underground and overhead collector system, a total of 210 MW of generation. This power will then be transformed to 115 kV at the Buffalo Ridge II North Substation then delivered via the 115 kV Line to the Xcel Energy’s Brookings County substation (Brookings Substation) which is adjacent to the Buffalo Ridge II South Substation (Section 25 of Sherman Township). Buffalo Ridge II will not use its collector circuits or lines to supply or distribute power to existing or new end-user customers within Sioux Valley’s or H-D Electric’s service territories.

#### **K. Buffalo Ridge II South Substation Collection and Delivery System**

The Buffalo Ridge II South Substation will collect a total of 96 MW of generation via the approximate 3.5 mile 34.5 kV overhead collector system. This power will then be transformed to 115 kV at the Buffalo Ridge II South Substation then delivered to the adjacent Brookings Substation. The 34.5 kV Overhead will share structures and rights-of-way with the 115 kV Line running from the Buffalo Ridge II North Substation (see 115 kV Line, above). Buffalo Ridge II will not use its collector circuits or lines to supply or distribute power to existing or new end-user customers within Sioux Valley’s or H-D Electric’s service territories.

### **XV. Reliability and Safety**

All proposed turbine models meet acceptable reliability standards. In other words, all potential turbine types will generate electricity when sufficient wind is available. Construction and operation of the Project will have minimal impacts on the security and safety of the local populace. The following safety measures will be taken to reduce the chance of physical and property damage, as well as personal injury, at the site:

- The towers will be placed at distances away from roadways and homesteads per the applicable county Zoning requirements.
- Security measures will be implemented during the construction and operation of the Project, including temporary (safety) and permanent fencing, warning signs, and locks on equipment and wind power facilities.
- Turbines will sit on solid steel enclosed tubular towers. Access to each tower is only through a solid steel door that will be locked and accessed only by authorized personnel.
- Tower exteriors are designed to be unclimbable.
- Turbines will conform to applicable industry standards, including those of the American National Standards Institute (ANSI).

- A professional engineer will certify that the foundation and tower design of the turbines is within accepted professional standards, given local soil and climate conditions.
- All turbines will be listed in the Brookings County 9-1-1 system and Deuel County's 9-1-1 system, as applicable.

As part of the studies done for Interconnection Agreement with Xcel Energy, the Applicant determined that the proposed 115 kV transmission line system was the optimum method of reliably transmitting the power generated by the proposed wind farm facility into the MISO grid. Factors considered in this decision included energy losses, reliability and cost. In addition, the selected option will accommodate a potential future interconnection of an additional wind project, of 170MW, utilizing the Buffalo Ridge II right of way, and transmission poles.

Proper safeguards will be implemented for construction and operation of the facility. The facility will be designed with the local, state and National Electric Safety Code (NESC) standards. Construction crews will comply with local, state, and NESC standards regarding installation of facilities and standard construction practices. Sioux Valley and H-D Electric have existing transmission and distribution lines within the boundaries of the Site. During and post construction, the parties will have similar facilities which may cross or perhaps be essentially collocated. The party constructing or planning to construct in proximity to facilities of one of the other parties shall bear responsibility to contact the other party(ies) prior to construction and advise of construction plans. Industry safety procedures will be followed during and after installation of the transmission line. This will include clear signage during all construction activities. The proposed transmission line will be equipped with protective devices to safeguard the public from the transmission line should an accident occur and a structure or conductor fall to the ground. The protective devices are breakers and relays located where the transmission line connects to the substation. The protective equipment will de-energize the transmission line should such an event occur. In addition, the substation will be fenced and access limited to authorized personnel. The costs associated with these measures have not been tabulated separately from the overall facility as these measures are standard practice for the Applicant.

### Conclusions of Law

17. The Settlement Stipulations entered among Buffalo Ridge II and Sioux Valley, H-D Electric, and SDREA, approved by the Commission on April 15, 2009, are fully incorporated herein by this reference and are incorporated as Findings of Fact and/or Conclusions of Law as appropriate.

18. Any Finding of Fact inappropriately labeled a Conclusion of Law, or any Conclusions of Law inappropriately labeled a Finding of Fact, shall be construed as if appropriately labeled.

Dated this 20<sup>th</sup> day of April, 2009.

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& NORTHRUP, LLP

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## CERTIFICATE OF SERVICE

I hereby certify that on the 20<sup>th</sup> day of April, 2009, I caused to be served, electronically, a true and correct copy of the PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW to:

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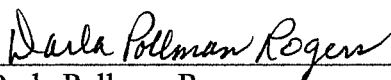
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