

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

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**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**

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**STAFF'S SECOND SET OF DATA  
REQUESTS TO CROCKER WIND  
FARM, LLC**

**EL17-028**

Below, please find Answers to Staff's Second Set of Data Requests to Crocker Wind Farm, LLC (Applicant).

**2-1) Provide the name and business address of the person answering these questions.**

Melissa Schmit  
7650 Edinborough Way, Suite 725  
Edina, MN 55435

**2-2) Is the Applicant installing an aircraft detection lighting system (ADLS) on the Crocker Wind Farm? If not, please explain.**

Number 19 of the Written Finding of the Clark County Board of Adjustment Hearing for Conditional Use Permit – Crocker Wind Farm, LLC requested a study to determine the feasibility of installing an ADLS. Crocker is in the process of consulting with vendors and the FAA regarding suitability and cost requirements and an analysis will be provided to Clark County.

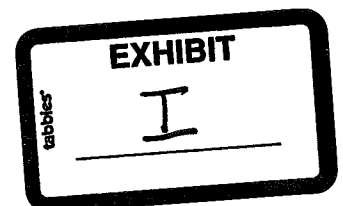
**2-3) Provide all orders issued by the circuit court in any pending litigation to which Applicant is a party in the state of South Dakota. This request is ongoing. Staff requests orders be shared with Staff within ten days of issuance by the court.**

Documentation to date on pending litigation are included in the letter to the Commission dated Sept 5, 2017.

**2-4) Regarding the Clark County Conditional Use Permit for the Crocker Wind Farm discussed on Page 16-1:**

**a. Provide the Clark County Conditional Use Permit obtained in April 2017.**

The Crocker Wind Farm Conditional Use Permit Application and written findings are included in the letter to the Commission dated Sept. 5, 2017.



**b. Identify all sections of the Application that are not in compliance with the Clark County Conditional Use Permit.**

The application is in substantial compliance with the Conditional Use Permit. Crocker has appealed the Clark County Board of Adjustment's decision to determine if the actions and setbacks imposed are legal.

**c. Discuss the impact on the Crocker Wind Farm if the relief sought is not granted in Circuit Court.**

If relief sought is not granted in Circuit Court the Project will suffer impacts to production and construction efficiencies resulting in an increase to the price of energy produced. Further coordination and evaluation will be required to ensure the Project meets the market demand and is economically viable.

**d. Explain how interested parties can evaluate the Crocker Wind Farm project when not all of the project information provided meets the requirement set forth in the Conditional Use Permit.**

The Application as filed complies with all applicable state rules and statutes. If the setbacks imposed by Clark County are upheld, the overall project impacts will decrease. Potential impacts are presented in the Application and associated studies in the appendices. Any outcome from the Conditional Use Permit appeal process will not materially impact the analysis presented in the Application.

**2-5) Please identify the current status on securing a buyer for the project's power.**

Refer to the response of question 1-3 of the PUC staff's first set of data requests to Crocker Wind Farm, LLC.

**2-6) Referring to section 6.1 of the Application, please identify where South Dakota's commitment to growing the renewable energy portfolio of both the State and Country is codified.**

Section 6.2 of the application references Renewable Energy Standards (RES) policies that encourage the development of wind energy projects. In February of 2008, South Dakota enacted legislation establishing an objective that 10 percent of all retail electricity sales in the state be obtained from renewable and recycled energy by 2015 with reporting required through 2017 (SDCL 49-34A-101). In 2009, the policy was amended to allow conserved energy as a component and it was reported in 2016 that a majority of the electricity providers in the state met