

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

**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 PROPOSAL FOR
PROCEDURAL SCHEDULE**

EL17-028

COMES NOW the Public Utilities Commission Staff (Staff) and hereby files this Proposal for Procedural Schedule and respectfully requests that the Public Utilities Commission (Commission) adopt a procedural schedule in this docket.

On July 25, 2017, Crocker Wind Farm, LLC (Crocker) filed an Application with the Commission requesting a permit for a wind energy facility and a 345kV Transmission Line in Clark County, South Dakota, for Crocker Wind Farm. The current parties to this docket are Crocker and Staff. To date, the Commission has received a number of applications for intervention in the docket, which are scheduled to be considered at the September 26, 2017 Commission Meeting.

Under SDCL 49-41B-25, the Commission must issue a decision on this matter within six months of the filing. Given the time constraints of this docket, Staff recommends the Commission adopt a procedural schedule at this time in order to facilitate timely discovery and allow all parties to plan for the proposed evidentiary hearing.

Staff proposes the Commission adopt the following procedural schedule:

Commencement of Discovery Process	July 25, 2017
Applicant’s Initial Testimony Due	September 27, 2017
Staff and Intervenor Testimony Due	October 30, 2017
Applicant’s Rebuttal Testimony Due	November 21, 2017
Final Day to Serve Discovery to all Parties	November 27, 2017
All Responses to Discovery Due	December 4, 2017
File Witness and Exhibit Lists	December 4, 2017
Evidentiary Hearing	December 11-15, 2017

Staff recommends a response deadline for discovery of 10 business days following receipt of discovery, rather than a set date for responses. Given the time constraints of this docket, allowing additional time to respond to discovery requests will significantly interfere with the number of rounds of discovery the parties are able to issue. However, Staff does recognize

that certain discovery requests may take additional time to complete and recommends that the response deadline be flexible to allow additional response time upon agreement by the party issuing and the party answering the discovery request.

Additionally, Staff recommends that the number of rounds of discovery not be limited. This will allow the parties to conduct as many rounds of discovery as they require up to the Final Discovery deadline. Statute does not limit the amount of discover a party can conduct in a contested case.

Dated this 25th day of September, 2017.

Amanda M. Reiss

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