

## **EL 17-055 Crocker Wind Conditions Amendments Proposed by Commissioner Nelson**

1. In Section 3, add a new sentence “Participating landowners are free to use the complaint process free from retribution or consequence regardless of any private easement term to the contrary.”
2. In Section 6, delete “of this Stipulation”
3. In Section 23, in the first sentence delete “to the extent practicable”
4. In Section 23, in the last bullet point, after “meeting” insert “subject to notice requirements”
5. In Section 24, delete “to the extent practicable”
6. In Section 25, in the first sentence delete “to the extent practicable”
7. In Section 29 following “weeks” insert “defined by Commission staff”
8. Delete Section 33.
9. In Section 36, in the first sentence after “Prior to” add “the” and after “agencies” add “by”
10. Delete Section 39 and replace with “At least 60 days prior to construction the applicant shall file a plan with the Commission for Commission approval that provides a decommissioning escrow account. The plan shall contain provisions that:
  - a. Is funded by the turbine owner annually at a rate of \$5000 per turbine for a period of 30 years.
  - b. All interest earned by the account remains in the account.
  - c. An account statement is provided annually to the Commission and becomes a public record in this docket.
  - d. The account follows ownership of the wind turbines.
  - e. The account is not subject to foreclosure, lien, judgment, or bankruptcy.
  - f. Beginning in year 10 following the beginning of operation and each fifth year thereafter, the turbine owner shall submit to the Commission an estimated decommissioning date, if established, and estimated decommissioning costs and salvage values. Based on the verification of the information in this filing the Commission may change the annual escrow funding rate to more closely match the estimated amount needed for decommissioning.
  - g. Account funds are to be paid to the turbine owner at the time of decommissioning to be paid out as decommissioning costs are incurred and paid.
  - h. If the turbine owner fails to execute the decommissioning requirement found in Section 38 of the Conditions, the account is payable to the landowner as the landowner incurs and pays decommissioning costs.
11. Add New Section “Applicant shall utilize an Aircraft Detection Lighting System installed and operated as required by Clark County.”