

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA



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IN THE MATTER OF THE  
APPLICATION BY PREVAILING  
WIND PARK, LLC FOR A PERMIT OF  
A WIND ENERGY FACILITY IN BON  
HOMME COUNTY, CHARLES MIX  
COUNTY AND HUTCHINSON  
COUNTY, SOUTH DAKOTA, FOR THE  
PREVAILING WIND

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RESPONSE TO  
STAFF'S FIRST SET OF DATA  
REQUESTS TO INTERVENORS  
EL18-026

Below, please find my response to Staff's First Set of Data Requests to Intervenor. Thank you for allowing me the extension to submit my response by August 24, 2018, at 5:00 pm.

- 1-1) Provide copies to Staff of all data requests served on Applicant at the time of service.  
**I will provide this information.**
- 1-2) Provide copies to Staff of all of your answers to data requests from Applicant at the time they are served on Applicant.  
**I will provide this information.**
- 1-3) Refer to SDCL 49-41B-22. Please specify particular aspect/s of the applicant's burden that the individuals granted party status intend to personally testify on.  
**I am in the process of reviewing the Application to find if it is sufficient to provide for the conditions set forth SDCL 49-41B-22. I have not decided if I will testify or not.**
- 1-4) Refer to SDCL 49-41B-25. Identify any "terms, conditions, or modifications of the construction, operation, or maintenance" that the Intervenor would recommend the Commission order. Please provide support and explanation for any recommendations.

**To be clear, I recommend that the Commission deny this application. I recommend this from my experience of the Beethoven Wind Farm from permitting, construction, to the operation of it, to date.**

**If the Commission will not deny the application, I recommend the condition of a 4-mile setback. My support is the fact that I live 3 miles from six Beethoven Wind Farm Industrial Wind Turbines and the height of 586 foot turbines as the Applicant has chosen is unprecedented and I believe will negatively impact my husband and myself without the 4 mile setback.**

**I request the ALDS which eliminates the alarming red blinking lights at night. If the FAA does not approve them, I recommend the application be denied.**

**The red blinking lights are meant to alarm. The red blinking lights on the Beethoven Wind Farm are a nuisance. To have an additional 57 turbines, many with the alarming red blinking lights will result in a much bigger nuisance. The Applicant should be prevented from creating a nuisance.**

**I request a Bat Detection and Shutdown System be installed on all Industrial Wind Turbines in this project. Bat fatalities negatively affect agriculture and the environment.**

**I request a decommissioning bond, paid for up front. Once the Industrial Wind Turbines are up, they are up. Whether or not the proposed Industrial Wind Farm will be lucrative enough to produce the income to provide for a bond in ten years is not and cannot be proven.**

**I request a liaison person to monitor the project as it is being built to insure compliance and an avenue for those in the footprint to voice concerns and complaints. A project of this size must have a liaison.**

**I request a liaison person to monitor the project from the commencing of operation through the decommissioning. I have not been able to reach anyone to assist me when I have had concerns with the existing Beethoven Wind Farm.**

**I request there be no shadow flicker on non-participating residences, as shadow flicker presents a nuisance and the Applicant should be prevented from creating a nuisance.**

**I request a Guarantee of Property Value to be funded and developed by the Applicant, subject to approval of the Property Owner to protect residents in the footprint and buffer zone from financial loss should the residence become unlivable and / or unmarketable. The Applicants project will have serious financial implications on many of the residents in the footprint and the buffer zone.**

**1-5) Is there a specific objection (example health, blinking lights, sound) you have with respect to the Project? Please briefly explain.**

**The nuisance of red blinking lights as mentioned above in section 1-4. If the FAA will not approve the use of the ALDS the application should be denied.**

**Most concerning is sound, both audible and infrasound. There are many complaints about both audible and inaudible noise from Industrial Wind Turbines, they are well documented. The result of negative health effects to some residents from both audible and inaudible noise is also well documented.**

**Health, again the size of the Industrial Wind Turbines the Applicant has chosen is unprecedented. The area and range they will impact is unknown and will likely cause the loss of enjoyment of property, loss of use of property, loss of the residence to be inhabitable, and the marketability of property will be greatly diminished.**

What, if anything, do you feel could be done to remedy that issue?

**Deny the Application.**

**If the Commissioners will not deny the application, the Commission must then approve the Application with conditions that will truly protect the health, safety, and welfare of all of the residents living in and near the footprint.**

**Sound should not exceed 35 decibels for non-participating residences.**

**Setbacks should be 4-miles from a non-participating residence.**

**An ALDS must be installed. If the FAA does not approve an ALDS the application should be denied.**

**1-6)** Please list with specificity the witnesses the Intervenors intend to call. Please include name, address, phone number, credentials and area of expertise.

**I am still reviewing the Application and have not decided if I will call witnesses.**

**1-7)** Do the you intend to take depositions? If so, of whom? **Not at this time.**

Dated this 24<sup>th</sup> day of August, 2018

Karen Jenkins

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