

February 7, 2019

VIA ELECTRONIC FILING

Ms. Patricia Van Gerpen
Executive Secretary
South Dakota Public Utilities Commission
500 E. Capitol Avenue
Pierre, SD 57501-5070

RE: 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 Park Project Docket EL18-026

Compliance Filing, Condition No. 40 – Decommissioning Escrow Account

Dear Ms. Van Gerpen:

In Condition 40 of the South Dakota Public Utilities Commission (“Commission”)’s November 28, 2018 Final Decision and Order Granting Permit to Construct Facilities and Notice of Entry, the Commission directed Prevailing Wind Park, LLC (“Prevailing Wind Park”) to file a plan with the Commission for a decommissioning escrow account. The condition further requires the plan be submitted for approval at least 30 days prior to construction. The requirements for the plan are contained in subparts a-j.

The enclosed proposed decommissioning Escrow Agreement meets all of the plan requirements in subparts a-j and its form has been reviewed by Staff. Also enclosed is a redline comparison of Prevailing Wind Park’s proposed decommissioning Escrow Agreement and the Crocker Wind Farm, LLC Escrow Agreement approved by the Commission in Docket EL17-055 on November 29, 2018.

Prevailing Wind Park requests that the Commission approve the Escrow Agreement and find that Prevailing Wind Park has complied with Condition 40.

Ms. Patricia Van Gerpen
February 7, 2019
Page 2

Thank you for your attention to this matter.

Sincerely,

/s/ Lisa Agrimonti

Lisa Agrimonti
Attorney at Law

Direct Dial: 612.492.7344

Email: lagrimonti@fredlaw.com

Enclosure

cc: Certificate of Service/Service List

65853681.1