

April 22, 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**

Dear Ms. Van Gerpen:

In Condition 40 of the South Dakota Public Utilities Commission's ("Commission") 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. On February 7, 2019, Prevailing Wind Park filed a proposed escrow agreement in accordance with Condition 40. In a February 22, 2019 Order Approving Escrow Agreement and Public Liaison Officer, the Commission approved Prevailing Wind Park's decommissioning escrow account plan and escrow agreement, contingent on Minnwest Bank not making any material changes in its review of the escrow agreement.

Enclosed is the fully-executed decommissioning Escrow Agreement (Confidential). Since the Commission's approval, two non-material changes were made to the Escrow Agreement: First, the "Liability of Escrow Agent" provision, 7(f), was revised to match the language in the Crocker Wind Farm, LLC Escrow Agreement approved by the Commission in Docket EL17-055 on November 29, 2018. Second, the "Successors and Assigns" provision, 11(f), was revised to include a provision to account for the acquisition of the Escrow Agent or its assets.

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Prevailing Wind Park has reviewed these changes with Commission Staff and it is Prevailing Wind Park's understanding that Commission Staff concurs that these changes are not material changes.

If you have any questions, please contact me.

Sincerely,

*/s/ Lisa Agrimonti*

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Enclosure

cc: Certificate of Service/Service List

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