

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

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

*
*
*
*
*
*
*
*

**APPLICANT’S WITNESS LIST &
EXHIBIT LIST
EL18-026**

COMES NOW, the Applicant Prevailing Wind Park, LLC (“Prevailing Wind Park” or “Applicant”), by and through its attorneys of record, and hereby submits its Witness List and Exhibit List in preparation for the evidentiary hearing in the above-captioned docket.

I. Witness List.

1. Aaron Anderson (will be available on October 9th only);
2. Dr. Mark Roberts (will be available on October 9th only);
3. Peter Pawlowski;
4. Dr. Jeffrey Ellenbogen (will be available on October 9th and 10th only)
5. Chris Howell;
6. Daniel Pardo;
7. Karen Peters (will be available on October 10th only);
8. Dustin Brandt (will be available on October 10th only);
9. Bridget Canty;
10. Michael MaRous;
11. Scott Creech; and
12. Rebuttal Witnesses (as needed).

II. Exhibit List.

Exhibit No.	Description	Stipulated	Offered	Admitted
A1	Application to the South Dakota Public Utilities Commission for a Facility Permit submitted by Prevailing Wind Park, LLC, including Appendices A-T			
A2	Direct Testimony of Aaron Anderson			
A2-1	<i>Exhibit 1: Curriculum Vitae</i>			
A3	Rebuttal Testimony of Aaron Anderson			
A3-1	<i>Exhibit 1: Results of Updated Shadow Flicker Analysis</i>			
A3-2	<i>Exhibit 2: Updated Shadow Flicker Analysis</i>			
A4	Supplemental Direct Testimony of Dr. Mark Roberts			
A4-1	<i>Exhibit 1: Statement of Qualifications</i>			
A4-2	<i>Exhibit 2: Australian National Health and Medical Research Council (2010) – Wind Turbines and Health: A Rapid Review of the Evidence</i>			
A4-2a	<i>Exhibit 2a: Australian National Health and Medical Research Council (2014) – Review of Additional Evidence for NHMRC Information Paper – Evidence on Wind Farms and Human Health – Final Report</i>			
A4-2b	<i>Exhibit 2b: Australian National Health and Medical Research Council (2015) – NHMRC Statement: Evidence on Wind Farms and Human Health</i>			
A4-2c	<i>Exhibit 2c: Australian National Health and Medical Research Council (2015) – Systematic Review of the Human Health Effects of Wind Farms</i>			
A4-3	<i>Exhibit 3: French National Agency for Food Safety, Environment and Labor 100 (“ANSES”) (2017) – ANSES Opinion regarding the Expert Appraisal on the “Assessment of the Health Effects of Low-Frequency Sounds and Infrasonds from Wind Farms”</i>			
A4-4	<i>Exhibit 4: Wisconsin Wind Siting Council (2014) – Wind Turbine Siting – Health Review and Wind Siting Policy Update</i>			

Exhibit No.	Description	Stipulated	Offered	Admitted
A4-5	<i>Exhibit 5: Joseph Rand and Ben Hoen (2017) – Thirty Years of North American Wind Energy Acceptance Research – What have We Learned? Energy Analysis and Environmental Impacts Division, Lawrence Berkeley National Laboratory, Electricity Markets and Policy Group</i>			
A4-6	<i>Exhibit 6: Public Service Commission of Wisconsin (2015) – Review of Studies and Literature Relating to Wind Turbines and Human Health – Prepared for the Wisconsin State Legislature</i>			
A4-7	<i>Exhibit 7: Massachusetts Departments of Environmental Protection and Public Health (2012) – Wind Turbine Health Impact Study – Report of the Independent Expert Panel</i>			
A4-8	<i>Exhibit 8: Letter, Kim Malsam-Rysdon, Secretary of Health, South Dakota Department of Health (Oct. 13, 2017) – 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 – Docket No. EL17-055</i>			
A5	Rebuttal Testimony of Dr. Mark Roberts			
A5-1	<i>Exhibit 1: Ministry for the Environment, Climate and Energy of the Federal State of Baden-Wuerttemberg, Germany (2016). Low-frequency Noise Incl. Infrasound from Wind Turbines and Other Sources. LUBW Landesanstalt für Umwelt, Messungen and Naturschutz Baden-Wuerttemberg.</i>			
A5-2	<i>Exhibit 2: Akira Shimada and Mimi Nameki (2017). Evaluation of Wind Turbine Noise in Japan. Ministry of the Environment of Japan.</i>			
A5-3	<i>Exhibit 3: Danish Energy Agency (2009). Wind Turbines in Denmark.</i>			
A5-4	<i>Exhibit 4: Frits van den Berg, Public Health Service Amsterdam, and Irene van Kamp, National Institute for Public Health and the Environment (2017). Health effects related to wind turbine sound. Swiss Federal Office for the Environment.</i>			

Exhibit No.	Description	Stipulated	Offered	Admitted
A5-5	<i>Exhibit 5: Stephen Chiles (2010). A new wind farm noise standard for New Zealand, NZS 6808:2010. Proceedings of 20th International Congress on Acoustics, ICA 2010.</i>			
A5-6	<i>Exhibit 6: Eja Pedersen, Högskolan i Halmstad (2003). Noise Annoyance from Wind Turbines: A Review. Swedish Environmental Protection Agency.</i>			
A5-7	<i>Exhibit 7: Hitomi Kimura, Yoshinori Momose, Hiroya Deguchi, and Nameki, Mimi (2016). Investigation, Prediction, and Evaluation of Wind Turbine Noise in Japan. Ministry of the Environment of Japan.</i>			
A5-8	<i>Exhibit 8: C. Yan, K. Fu and W. Xu. On Cuba, diplomats, ultrasound, and intermodulation distortion. University of Michigan Tech Report. March 1, 2018.</i>			
A5-9	<i>Exhibit 9: Crichton, F., et al. (2014). The link between health complaints and wind turbines: Support for the nocebo expectations hypothesis. Frontiers in Public Health 2:220.</i>			
A5-10	<i>Exhibit 10: Enck, P., et al. “New Insights Into the Placebo and Nocebo Responses,” Neuron (July 31, 2008): Vol. 59, No. 2, pp. 195–206.</i>			
A5-11	<i>Exhibit 11: Colloca, L. (2017). Nocebo effects can make you feel pain: Negative expectancies derived from features of commercial drugs elicit nocebo effects. Science, 358(6359): 44.</i>			
A6	Supplemental Direct Testimony of Peter Pawlowski			
A6-1	<i>Exhibit 1: Resume</i>			
A6-2	<i>Exhibit 2: Example of a Federal Aviation Administration (“FAA”) Determination of No Hazard for a Project Turbine Location</i>			
A6-3	<i>Exhibit 3: Direct Testimony of James Damon</i>			
A7	Rebuttal Testimony of Peter Pawlowski			
A8	Direct Testimony of Keith Thorstad			
A8-1	<i>Exhibit 1: Resume</i>			
A9	Direct Testimony of Chris Howell			
A9-1	<i>Exhibit 1: Curriculum Vitae</i>			
A10	Rebuttal Testimony of Chris Howell			
A10-1	<i>Exhibit 1: Memorandum Regarding Updated Modeling Results – Prevailing Wind Park</i>			
A10-2	<i>Exhibit 2: Updated Sound Study</i>			

Exhibit No.	Description	Stipulated	Offered	Admitted
A11	Supplemental Direct Testimony of Daniel Pardo			
A11-1	<i>Exhibit 1: Statement of Qualifications</i>			
A11-2	<i>Exhibit 2: Decommissioning Cost Analysis</i>			
A12	Direct Testimony of Bridget Canty			
A12-1	<i>Exhibit 1: Resume</i>			
A13	Supplemental Direct Testimony of Bridget Canty			
A13-1	<i>Exhibit 1: NTIA Correspondence regarding the Project, Dated June 7, 2018</i>			
A14	Rebuttal Testimony of Bridget Canty			
A14-1	<i>Exhibit 1: Burns & McDonnell Memorandum, Potential House Field Review</i>			
A14-2	<i>Exhibit 2: Revised Layout.</i>			
A15	Supplemental Direct Testimony of Michael MaRous			
A15-1	<i>Exhibit 1: Statement of Qualifications & August 10, 2018, Market Impact Analysis</i>			
A15-2	<i>Exhibit 2: Brian Guerin, Jason Moore, Jamie Stata, and Scott Bradfield (2012) – Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario – 2012 Assessment Base Year Study – Municipal Property Assessment Corporation</i>			
A15-3	<i>Exhibit 3: Jason Moore, Jamie Stata, and Scott Bradfield (2016) – Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario – 2016 Assessment Base Year Study. Municipal Property Assessment Corporation</i>			
A15-4	<i>Exhibit 4: Corey Lang and James Opaluch (2013) – Effects of Wind Turbines on Property Values in Rhode Island – Environmental and Natural Resource Economics, University of Rhode Island</i>			
A15-5	<i>Exhibit 5: Richard J. Vyn and Ryan M. McCullough (2013) – The Effects of Wind Turbines on Property Values in Ontario – Does Public Perception Match Empirical Evidence? University of Guelph, Canada</i>			
A15-6	<i>Exhibit 6: Carol Atkinson-Palombo and Ben Hoen (2014) – Relationship between Wind Turbines and Residential Property Values in Massachusetts. University of Connecticut and Lawrence Berkeley National Laboratory</i>			

Exhibit No.	Description	Stipulated	Offered	Admitted
A15-7	<i>Exhibit 7: Surrebuttal Testimony of David Lawrence on Behalf of the Staff of the South Dakota Public Utilities Commission, In Re the Matter of the Application by Dakota Range I, LLC and Dakota Range II, LLC for a Permit of a Wind Energy Facility in Grant County and Codington County, South Dakota, for the Dakota Range Wind Project – Docket No. EL 18-003</i>			
A16	Rebuttal Testimony of Michael MaRous			
A17	Rebuttal Testimony of Scott Creech			
A17-1	<i>Exhibit 1: Resume</i>			
A18	Rebuttal Testimony of Dr. Jeffrey Ellenbogen			
A18-1	<i>Exhibit 1: Statement of Qualifications</i>			
A19	Applicant’s Disclosure of Lay Witnesses			
A20-1	Applicant’s Responses to Staff’s Fifth Set of Data Requests			
A20-2	Applicant’s Responses to Staff’s Sixth Set of Data Requests			
A21-1	Applicant’s Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder’s First Set of Data Requests			
A21-2	Applicant’s Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder’s Second Set of Data Requests			
A21-3	Applicant’s Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder’s Third Set of Data Requests			
A22-1	Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder’s Responses to Applicant’s First Set of Data Requests			
A22-2	Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder’s Responses to Applicant’s Second Set of Data Requests			
A22-3	Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder’s Responses to Applicant’s Third Set of Data Requests			
A23	Intervenor Sherman Fuerniss’ Responses to Applicant’s First Set of Data Requests			
A24	Intervenor Kelli Pazour’s Responses to Applicant’s First Set of Data Requests			

Exhibit No.	Description	Stipulated	Offered	Admitted
A25	Intervenor Karen Jenkins' Responses to Applicant's First Set of Data Requests			
A26	Staff's Responses to Applicant's First Set of Data Requests			
A27	Intervenor Sherman Fuerniss' Responses to Staff's Second Set of Data Requests			
A28	Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Staff's Second Set of Data Requests			
	Cross-Examination Exhibits (as needed)			
	Rebuttal Exhibits (as needed)			

Dated this 1st day of October, 2018.

By /s/ Mollie M. Smith
Mollie M. Smith
Lisa A. Agrimonti
FREDRIKSON & BYRON, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402
Phone: (612) 492-7270
Fax: (612) 492-7077
Attorneys for Prevailing Wind Park, LLC

64863794