

**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 OF
A WIND ENERGY FACILITY IN BON
HOMME COUNTY, CHARLES MIX
COUNTY AND HUTCHINSON
COUNTY, SOUTH DAKOTA, FOR THE
PREVAILING WIND PARK PROJECT**

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* **INTERVENOR RESPONSE TO**
* **APPLICANT’S MOTION TO EXCLUDE**
* **LAY TESTIMONY, TO QUASH**
* **SUBPOENAS, AND TO REQUIRE**
* **FURTHER LAY DISCLOSURES**
* **EL18-026**
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I, Karen Jenkins, Intervenor, submit this response to the Applicant’s Motion to Exclude Lay Testimony, to Quash Subpoenas and to Require Further Lay Disclosures.

1. Motion to exclude testimony and to Quash Subpoenas

I believe it is in the best interest of the Commissioners, Staff, and the Intervenors to allow the Subpoenas and the Lay testimony regarding the zoning of Charles Mix County, Bon Homme County, and Hutchinson County. I stated in my comments at the Public Hearing for this docket in Avon, SD on July 12, 2018 that as the Commissioners consider “the views of governing bodies of affected local units of government” to please consider this: We have not been represented properly by our local government. When asked by Commissioner Nelson which county I was referring to I responded Bon Homme. After that hearing on July 12, 2018, I began to participate in the zoning process in Charles Mix County and Hutchinson County. I must say again: We have not been represented properly by our local government. I refer to Charles Mix County and Hutchinson County this time.

Whether this Application is approved or denied will have grave effects on all concerned, however in the end it will be the residents and citizens of these Counties that will be most burdened. I will appreciate every effort of the Commission and Staff to insure that the health, safety, and/or welfare of all of the residents and citizens of these Counties will not be substantially impaired, and also that we are given our due process in this matter.

For these reasons I ask the Applicant’s Motion to Exclude Lay Testimony and Quash Subpoenas be denied.

Dated this 20th day of September, 2018

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