

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

<b>IN THE MATTER OF THE APPLICATION OF )</b>	<b>ORDER ASSESSING FILING</b>
<b>NAVITAS ENERGY, INC. FOR AN ENERGY )</b>	<b>FEE</b>
<b>CONVERSION FACILITY PERMIT FOR THE )</b>	
<b>CONSTRUCTION OF THE WHITE WIND FARM )</b>	<b>EL06-020</b>
<b>AND ASSOCIATED COLLECTION )</b>	
<b>SUBSTATION AND ELECTRIC )</b>	
<b>INTERCONNECTION SYSTEM )</b>	

On July 11, 2006, White Wind Farm, LLC, a wholly owned subsidiary of Navitas Energy, Inc. (Navitas) filed an application with the Public Utilities Commission (Commission) seeking an energy conversion facility permit to construct and operate the White Wind Farm. The White Wind Farm is a proposed 200 MW wind energy electricity generating facility and ancillary services located on approximately 93 acres in Sherman Township, southeast of White, South Dakota in Brookings County. The project consists of up to 105 2 MW wind turbine generators, associated electric collector lines, a collection substation and interconnection and upgrades to the WAPA White Substation.

On July 13, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of September 11, 2006, to interested individuals and entities.

SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent of the first one hundred million dollars of estimated construction costs of the facility and may not exceed one-twentieth of one percent of all additional estimated construction costs of the facility. However, the minimum total fee chargeable may not be less than eight thousand dollars. The estimated construction cost of the project is three hundred million dollars, and the maximum fee amount is therefore \$350,000. The fee shall be deposited in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-1, 49-41B-2, 49-41B-2.1, 49-41B-4, 49-41B-6, 49-41B-7, 49-41B-8, 49-41B-9, 49-41B-10, 49-41B-11, 49-41B-12, 49-41B-13, 49-41B-14, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-19, 49-41B-20, 49-41B-21, 49-41B-22, 49-41B-24, 49-41B-26, 49-41B-33, 49-41B-35, 49-41B-36, 49-41B-38, and ARSD Chapter 20:10:22.

On August 8, 2006, at its regularly scheduled meeting, the Commission, pursuant to SDCL 49-41B-12, unanimously voted to assess Navitas a filing fee not to exceed \$350,000, with an initial deposit of \$8,000, the minimum fee allowed by law and such additional deposits up to the maximum fee as requested by the Deputy Executive Director. It is therefore

ORDERED, that Navitas shall be assessed a filing fee of not to exceed \$350,000; and it is further

ORDERED, that Navitas shall make an initial deposit in the SDPUC regulatory assessment fee fund in the amount of the minimum filing fee of \$8,000, and shall from time to time make such additional deposits up to the total amount of the assessment as requested by the Deputy Executive Director.

Dated at Pierre, South Dakota, this 24<sup>th</sup> day of August, 2006.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: *Delaine Kolbo*

Date: *8/25/06*

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Robert K. Sahr*

ROBERT K. SAHR, Chairman

*Dustin M. Johnson*

DUSTIN M. JOHNSON, Commissioner

*Gary Hanson*

GARY HANSON, Commissioner