

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

IN THE MATTER OF THE APPLICATION BY)	ORDER
BUFFALO RIDGE II LLC, A SUBSIDIARY OF)	
IBERDROLA RENEWABLES, INC. FOR AN)	EL08-031
ENERGY CONVERSION FACILITY PERMIT)	
FOR THE CONSTRUCTION OF THE BUFFALO)	
RIDGE II WIND FARM AND ASSOCIATED)	
COLLECTION SUBSTATION AND ELECTRIC)	
INTERCONNECTION SYSTEM)	

On October 31, 2008, Buffalo Ridge II LLC, a subsidiary of Iberdrola Renewables, Inc. (Buffalo Ridge) filed an application with the Public Utilities Commission (Commission) for an Energy Conversion Facility Permit for the Construction of the Buffalo Ridge II Wind Farm and Associated Collection Substation and Electric Interconnection System. The applicant proposes to construct and operate a wind farm on up to 77 acres dispersed throughout portions of up to 77 sections of land in Brookings and Deuel Counties as well as a 13-mile long 115 kilovolt overhead transmission line. The proposed wind farm could have a name plate capacity of up to 306 megawatts.

On November 6, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of December 30, 2008, to interested individuals and entities.

The parties to this docket requested an extension of the notice and public hearing time frame pursuant to SDCL 49-41B-16 due to scheduling and notice complications and to set the hearing for January 5, 2009. Commission Staff requested waivers of SDCL 49-41B-15 and 49-41B-16 and also requested that the intervention deadline be extended to January 16, 2009, to give interested parties sufficient time to seek intervention. On November 25, 2008, at its regularly scheduled meeting, the Commission unanimously voted to grant the request for an extension of the notice and public hearing time frame and to set the hearing for January 5, 2009, granted waivers of SDCL 49-41B-15 and 49-41B-16 and extended the intervention deadline to January 16, 2009.

On December 3, 2008, the Commission received an Application for Party Status from the Deuel County Commission (Deuel). On December 24, 2008, the Commission received a Petition to Intervene from South Dakota Rural Electric Association (SDREA). On December 29, 2008, the Commission received Petitions to intervene from Sioux Valley Energy (Sioux Valley) and (H-D Electric Cooperative, Inc. (H-D Electric). On January 13, 2009, the Commission received an Application for Party Status from the Brookings County Commission (Brookings). On January 15, 2009, The Commission received an Application for Party Status from Ralph Terrell Spence and Catherine D. Carter (Spence/Carter). On January 16, 2009, the Commission received a Motion for Entry of Protective Order from Buffalo Ridge. At its regularly scheduled meeting of January 27, 2009, the Commission granted intervention to Deuel, SDREA, Sioux Valley, H-D Electric, Brookings and Spence/Carter and granted the Motion for Entry of Protective Order. On April 6, 2009, the Commission received a Stipulation from Commission Staff.

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.

At its regularly scheduled meeting of April 7, 2009, the Commission considered the Stipulation. Commission Staff recommended approval. The Commission took no action on the Stipulation. The Commission voted unanimously to request that the parties review the proposed Findings of Fact and Conclusions of Law and be prepared to indicate which issues they disagree with so that the other parties and the Commission understand the issues and if the parties have issues beyond the scope of the proposed Findings of Fact and Conclusions of Law that they would want Buffalo Ridge to address as part of its prima facie case that they specify in some detail those issues for Buffalo Ridge and the other parties and file them with the Commission by Thursday, April 9, 2009. It is therefore

ORDERED, that the parties review the proposed Findings of Fact and Conclusions of Law and be prepared to indicate which issues they disagree with so that the other parties and the Commission understand the issues and if the parties have issues beyond the scope of the proposed Findings of Fact and Conclusions of Law that they would want Buffalo Ridge to address as part of its prima facie case that they specify in some detail those issues for Buffalo Ridge and the other parties and file them with the Commission by Thursday, April 9, 2009

Dated at Pierre, South Dakota, this 14th day of April, 2009.

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, electronically.
By: <u><i>Silvina Kalbo</i></u>
Date: <u>4/14/09</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson
DUSTIN M. JOHNSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Gary Hanson
GARY HANSON, Commissioner