

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

<b>IN THE MATTER OF THE APPLICATION BY )</b>	<b>ORDER ASSESSING FILING</b>
<b>PRAIRIEWINDS SD1, INC., A SUBSIDIARY OF )</b>	<b>FEE</b>
<b>BASIN ELECTRIC POWER COOPERATIVE, )</b>	
<b>FOR A WIND ENERGY FACILITY PERMIT FOR )</b>	<b>EL09-028</b>
<b>THE PRAIRIEWINDS SD1 WIND FARM AND )</b>	
<b>ASSOCIATED FACILITIES. )</b>	

On December 30, 2009, PrairieWinds SD 1, a subsidiary of Basin Electric Power Cooperative (PrairieWinds), filed an application with the Public Utilities Commission (Commission) for a Wind Energy Facility Permit for the Construction of the PrairieWinds SD1 Wind Farm and Associated Facilities. The applicant proposes to construct and operate a 151.5 MW wind energy facility near Crow Lake, South Dakota. The project would include an estimated 101 wind turbines and associated access roads, underground collector lines, a collector substation, an O&M building, and approximately 13 miles of 230 kV transmission line.

On December 31, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of February 28, 2010, 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, plus one-twentieth of one per cent of the estimated construction costs in excess of one hundred million dollars. The minimum total fee chargeable may not be less than eight thousand dollars. The fee shall be deposited in the Commission's 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.

At its January 19, 2010, meeting, the Commission, pursuant to SDCL 49-41B-12, unanimously voted to assess PrairieWinds a filing fee not to exceed \$379,000, with an initial deposit of \$8,000, the minimum fee allowed by law as requested by the Deputy Executive Director. It is therefore

**ORDERED**, that PrairieWinds shall be assessed a filing fee of not to exceed \$379,000; and it is further

**ORDERED**, that PrairieWinds 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 1<sup>st</sup> day of February, 2010.

**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: *Stephanie Johnson*

Date: 2/1/10

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*Dustin M. Johnson*  
DUSTIN M. JOHNSON, Chairman

*Steve Kolbeck*  
STEVE KOLBECK, Commissioner

*Gary Hanson*  
GARY HANSON, Commissioner