

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

**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)**

**ORDER ASSESSING
FILING FEE; AUTHORIZING
EXECUTIVE DIRECTOR TO ENTER
INTO A CONSULTING CONTRACT**

EL17-028

On July 25, 2017, the South Dakota Public Utilities Commission (Commission) received an application from Crocker Wind Farm LLC (Crocker) for a wind energy facility and transmission facility permit (Application) to construct the Crocker Wind Farm and a 345 kV Transmission Line in Clark County (Project). The proposed Project is a 400 megawatt nameplate capacity wind energy facility located on approximately 29,331 acres of privately owned land in Clark County, South Dakota, approximately 8 miles north of Clark, South Dakota. The proposed Project includes up to 200 wind turbines, associated access roads, a new collector substation, an operations and maintenance facility and associated 345 kilovolt transmission in Clark County, South Dakota. The Project will result in the installation of approximately 6.5 miles of overhead transmission that will be wholly located within the Wind Farm's boundary. On July 27, 2017, the Commission electronically transmitted notice of the filing and the intervention deadline of September 25, 2017, to interested persons and entities on the Commission's PUC Weekly Filings electronic listserv. On August 7, 2017, the Commission issued a Notice of Application, Order for and Notice of Public Input Hearing, and Notice of Opportunity to Apply for Party Status.

SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent for the first one hundred million dollars of estimated construction costs of the Project plus one-twentieth of one percent of all additional estimated construction costs of the Project. However, the minimum total fee chargeable may not be less than eight thousand dollars. The fee shall be deposited in a subfund in the Commission's Regulatory Assessment Fee Fund to defray Commission expenses incident to analyzing and ruling upon the Application.

At its regularly scheduled meeting on August 15, 2017, the Commission considered this matter. Commission Staff requested that the Commission assess a filing fee not to exceed \$500,000 with an initial deposit of \$8,000 and to authorize the Executive Director to enter into consulting contracts needed for review of the Application. Crocker stated it did not object to the fee assessment. The Commission voted unanimously to assess Crocker a filing fee in an amount not to exceed \$500,000, with a minimum filing fee of \$8,000 to account for actual expenses incurred in review of the wind energy facility portion of this filing commencing from the filing date. The Commission further voted unanimously to authorize the Executive Director to enter into necessary consulting contracts. It is therefore

ORDERED, that Crocker shall be assessed a filing fee not to exceed \$500,000 for the wind energy facility portion of the Application. It is further

ORDERED, that Crocker shall make an initial deposit with the Commission 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 Commission's Finance Manager. It is further

ORDERED, that the Executive Director is authorized to enter into necessary consulting contracts.

Dated at Pierre, South Dakota, this 17th day of August, 2017.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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 or by mail.</p> <p>By: <u>Karen E. Bremer</u></p> <p>Date: <u>08/17/17</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Kristie Fiegen

KRISTIE FIEGEN, Chairperson

Gary Hanson

GARY HANSON, Commissioner

Chris Nelson

CHRIS NELSON, Commissioner