

**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 APPROVING ESCROW
PLAN**

EL17-055

On December 15, 2017, Crocker Wind Farm, LLC (Crocker) filed with the South Dakota Public Utilities Commission (Commission) an Application for an energy facility permit and a 345 kV Transmission Line (Projects) to construct the Crocker Wind Farm, a 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 projects include up to 120 wind turbines, associated access roads, a new collector substation, an operations and maintenance facility, and associated 345 kilovolt (kV) transmission in Clark County, South Dakota. The projects will result in the installation of approximately 5.2 miles of overhead transmission that will be wholly located within the wind farm's boundary. The transmission line route will run from a substation in Section 30 of Township 119N, Range 58W to the Point-of-Interconnect (POI), which is located approximately 2 miles north of the town of Crocker in Section 9 of Township 119N, Range 58W. Two routing options from the substation in Section 30 are under consideration. At the POI, the power will transfer to the Basin Electric Groton-to-Watertown 345 kV transmission line, part of the Southwest Power Pool, Inc./Western Area Power Administration transmission line portfolio in Clark County, South Dakota. On May 9-11, 2018, an evidentiary hearing was held regarding this matter. On May 29, 2018, Crocker Wind Farm, LLC, staff and the Intervenors filed post-hearing briefs to the Commission. On June 12, 2018, the Commission issued a Final Decision and Order Granting Permit to Construct Facilities (Permit). Condition 37 of the Permit requires Crocker to file an escrow account plan with the Commission for Commission approval at least 60 days prior to construction. On July 16, 2018, Crocker filed the Decommissioning Escrow Account Plan. Crocker plans to commence construction on September 4, 2018. Thus, Crocker also sought relief from the sixty-day requirement, requesting it be reduced to 45 days.

At its July 26, 2018, meeting, the Commission considered the plan filed by Crocker, as well as comments by Commission staff. No other party participated. The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B. The Commission voted unanimously to grant the motion and approve Crocker's decommissioning escrow account plan, subject to the conditions that the escrow agreement be governed by the laws of the State of South Dakota; the requisite thirty years of funding be consecutive; Crocker pay any taxes incurred by the account or the revenue from the account; and the escrow agreement be subject to Commission approval. The Commission also found that it had sufficient time to review the escrow plan and, therefore, waived the requirement that the plan be filed at least sixty days prior to construction.

It is therefore

ORDERED, that the decommissioning escrow plan is approved subject to the above conditions.

ORDERED, that the requirement that Crocker file its decommissioning plan at least sixty days prior to construction is hereby waived.

Dated at Pierre, South Dakota, this 3rd day of August 2018.

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 or by mail.
By: <u>Adam DeHallek</u>
Date: <u>8/3/18</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairman

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner