

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

**IN THE MATTER OF THE APPLICATION)
BY PREVAILING WIND PARK, LLC FOR A)
PERMIT OF A WIND ENERGY FACILITY)
IN BON HOMME COUNTY, CHARLES MIX)
COUNTY AND HUTCHINSON COUNTY,)
SOUTH DAKOTA, FOR THE PREVAILING)
WIND PARK PROJECT)**

**ORDER GRANTING PARTY
STATUS AND ESTABLISHING
PROCEDURAL SCHEDULE**

EL18-026

On May 30, 2018, the South Dakota Public Utilities Commission (Commission) received an Application for a Facility Permit for a wind energy facility (Application) from Prevailing Wind Park, LLC to construct the Prevailing Wind Park Project (Project), a wind energy facility located on approximately 50,364 acres of land in Bon Homme, Charles Mix, and Hutchinson counties, South Dakota, between the towns of Avon, Tripp, and Wagner, South Dakota. The total installed capacity of the Project would not exceed 219.6 MW nameplate capacity. The proposed Project includes up to 61 wind turbine generators, access roads to turbines and associated facilities, underground electrical power collector lines connecting the turbines to the collection substation, an operation and maintenance facility, and temporary construction areas, including crane paths, public road improvements, a laydown yard, and a concrete batch plant(s) (as needed), and four permanent meteorological towers. The Project would interconnect at Western Area Power Administration's existing Utica Junction Substation, located approximately 27 miles east of the project.

On May 31, 2018, the Commission electronically transmitted notice of the filing and the intervention deadline of July 30, 2018, to interested persons and entities on the Commission's PUC Weekly Filings electronic listserv. On June 1, 2018, the Commission issued a Notice of Application; Order for and Notice of Public Input Hearing; Notice of Opportunity to Apply for Party Status. On July 12, 2018, a public input hearing was held as scheduled and the Commission received applications for party status from six individuals and one local government. On July 20, 2018, Commission Staff submitted a Motion for Adoption of Procedural Schedule. On August 2, 2018, Prevailing Winds filed a Response Motion for Adoption of Procedural Schedule.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B, specifically 49-41B-17, and ARSD Chapter 20:10:22, specifically 20:10:22:40.

At its regularly scheduled meeting on August 7, 2018, the Commission considered this matter. Commission staff recommended granting party status and adopting the procedural schedule. The Commission voted unanimously to grant party status and adopt the procedural schedule. It is therefore

ORDERED, that the parties shall follow the procedural schedule as set forth below except as otherwise ordered by the Commission.

Applicant Supplemental	August 10, 2018
Staff/Intervenor Testimony Due	September 10, 2018
Disclosure of Intervenor Lay Witnesses	September 10, 2018
Rebuttal Testimony Due	September 26, 2018
Applicant Rebuttal Lay Witness Disclosure	September 26, 2018
Final Discovery to All Parties	September 28, 2018 (Responses Due Oct. 5)

Witness and Exhibit Lists Due
Pre-Hearing Conference (Telephonic)
Evidentiary Hearing
Final Commission Order Due

October 1, 2018
October 8, 2018
October 9-12, 2018
November 30, 2018

It is further

ORDERED, that responses to discovery are due ten business days after receipt except as provided above. It is further

ORDERED, that each party may submit pre-filed testimony on behalf of that party's witnesses. The submission of pre-filed testimony is a pre-requisite for experts and other non-lay witnesses to giving live testimony at the hearing. However, each party may present rebuttal testimony on issues raised by another party in direct testimony. It is further

ORDERED, that party status is granted to Gregg Hubner, Marsha Hubner, Paul Schoenfelder, Lisa Schoenfelder, Charles Mix County, Sherman Fuerniss, and Karen Jenkins.

Dated at Pierre, South Dakota, this 9th day of August 2018.

<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>Adam de Hueck</u></p> <p>Date: <u>8/9/18</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