

**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 APPROVING  
ESCROW AGREEMENT AND  
PUBLIC LIAISON OFFICER**

**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 (Applicant) 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. The Commission issued a Final Decision and Order Granting Permit to Construct Facilities (Permit) on November 28, 2018. Condition 36 of the Permit requires Applicant to provide a public liaison officer, approved by the Commission prior to commencement of construction. On January 23, 2019, Applicant filed a letter regarding proposed public liaison officer Kelsey McGregor. Condition 40 of the Permit requires Applicant to file an escrow account plan with the Commission for Commission approval. Applicant filed the escrow agreement between Applicant and Minnwest Bank on February 7, 2019.

On February 15, 2019, the Commission considered this matter. Staff recommended approval of both requests. No other party appeared.

The Commission has jurisdiction over this matter pursuant to SDCL 49-41B. The Commission voted unanimously to approve Applicant's decommissioning escrow account plan, contingent on Minnwest Bank not making any material changes in its review of the escrow agreement. The Commission also voted unanimously to approve Applicant's proposal for public liaison officer. It is therefore

ORDERED, that Applicant's escrow agreement is approved. It is further

ORDERED, that Kelsey McGregor is approved as public liaison officer.

Dated at Pierre, South Dakota, this 22<sup>nd</sup> day of February 2019.

**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: Karen E. Cromer

Date: 02/22/19

(OFFICIAL SEAL)

**BY ORDER OF THE COMMISSION:**

Gary Hanson  
GARY HANSON, Chairman

Chris Nelson  
CHRIS NELSON, Commissioner

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner