

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

<b>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 )</b>	<b>AMENDED ORDER ASSESSING FILING FEE; AUTHORIZING EXECUTIVE DIRECTOR TO ENTER INTO CONSULTING CONTRACTS</b>
	<b>EL18-026</b>

On May 30, 2018, the South Dakota Public Utilities Commission (Commission) received an application 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.

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 plus one-twentieth of one percent of all additional estimated construction costs of the Project, with a minimum total fee chargeable of not 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.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-12, 49-41B-26, and ARSD Chapter 20:10:22.

At its regularly scheduled meeting on June 12, 2018, the Commission considered this matter. Commission staff requested that the Commission assess a filing fee not to exceed \$348,500 with an initial deposit of \$8,000, and to authorize the executive director to enter into consulting contracts needed for review of the Application. Applicant stated it did not object to the fee assessment. The Commission voted unanimously to assess Prevailing Wind Park a filing fee in an amount not to exceed \$348,500, with a minimum filing fee of \$8,000 to account for actual expenses incurred in review 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 Prevailing Wind Park shall be assessed a filing fee not to exceed \$348,500. It is further with an initial deposit 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 29<sup>th</sup> day of June 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: Adam DeHueck

Date: 6/29/18

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen

KRISTIE FIEGEN, Chairperson

Gary Hanson

GARY HANSON, Commissioner

Chris Nelson

CHRIS NELSON, Commissioner