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EL18-026 - 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

Evidentiary Hearing Exhibits

Prevailing Wind Park, LLC

- Exhibit A1 - Application to the South Dakota Public Utilities Commission for a Facility Permit Submitted by Prevailing Wind Park, LLC, Including Appendices A-T
 - Appendix R - Cultural Resources Literature Search Confidential (not available to the public)
 - Exhibit A2 - Direct Testimony of Aaron Anderson
 - Exhibit A2-1 - Exhibit 1 - Curriculum Vitae
 - Exhibit A3 - Rebuttal Testimony of Aaron Anderson
 - Exhibit A3-1 - Exhibit 1- Results of Updated Shadow Flicker Analysis
 - Exhibit A3-2 - Exhibit 2 - Updated Shadow Flicker Analysis
 - Exhibit A4 - Supplemental Direct Testimony of Dr. Mark Roberts
 - Exhibit A4-1 - Exhibit 1 - Statement of Qualifications
 - Exhibit A4-2 - Exhibit 2 - Australian National Health and Medical Research Council (2010) - Wind Turbines and Health - A Rapid Review of the Evidence
 - Exhibit A4-2a - Exhibit 2a - Australian National Health and Medical Research Council (2014) - Review of Additional Evidence for NHMRC Information Paper - Evidence on Wind Farms and Human Health - Final Report
 - Exhibit A4-2b - Exhibit 2b - Australian National Health and Medical Research Council (2015) - NHMRC Statement: Evidence on Wind Farms and Human Health
 - Exhibit A4-2c - Exhibit 2c - Australian National Health and Medical Research Council (2015) - Systematic Review of the Human Health Effects of Wind Farms
 - Exhibit A4-3 - Exhibit 3 - French National Agency for Food Safety, Environment and Labor 100 ("ANSES") (2017) - ANSES Opinion regarding the Expert Appraisal on the "Assessment of the Health Effects of Low-Frequency Sounds and Infrasounds from Wind Farms"
 - Exhibit A4-4 - Exhibit 4 - Wisconsin Wind Siting Council (2014) - Wind Turbine Siting - Health Review and Wind Siting Policy Update
 - Exhibit A4-5 - Exhibit 5 - Joseph Rand and Ben Hoen (2017) - Thirty Years of North American Wind Energy Acceptance Research - What Have We Learned? - Energy Analysis and Environmental Impacts Division, Lawrence Berkeley National Laboratory, Electricity Markets and Policy Group
 - Exhibit A4-6 - Exhibit 6 - Public Service Commission of Wisconsin (2015) - Review of Studies and Literature Relating to Wind Turbines and Human Health - Prepared for the Wisconsin State Legislature
 - Exhibit A4-7 - Exhibit 7 - Massachusetts Departments of Environmental Protection and Public Health (2012) - Wind Turbine Health Impact Study - Report of the Independent Expert Panel
 - Exhibit A4-8 - Exhibit 8 - Letter, Kim Malsam-Rysdon, Secretary of Health, South Dakota Department of Health (Oct. 13, 2017) - 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 - Docket No. EL17-055
 - Exhibit A5 - Rebuttal Testimony of Dr. Mark Roberts
 - Exhibit A5-1 - Exhibit 1 - Ministry for the Environment, Climate and Energy of the Federal State of Baden- Wuerttemberg, Germany (2016) - Low-frequency Noise Incl. Infrasound from Wind Turbines and Other Sources - LUBW Landesanstalt Fur Umwelt, Messungen and Naturschutz Baden- Wuerttemberg
 - Exhibit A5-2 - Exhibit 2 - Akira Shimada and Mimi Nameki (2017) - Evaluation of Wind Turbine Noise in Japan - Ministry of the Environment of Japan
 - Exhibit A5-3 - Exhibit 3 - Danish Energy Agency (2009) - Wind Turbines in Denmark
 - Exhibit A5-4 - Exhibit 4 - Frits van den Berg, Public Health Service Amsterdam, and Irene van Kamp, National Institute for Public Health and the Environment (2017) - Health Effects Related to Wind Turbine Sound - Swiss Federal Office for the Environment
 - Exhibit A5-5 - Exhibit 5 - Stephen Chiles (2010) - A New Wind Farm Noise Standard for New Zealand, NZS 6808:2010 - Proceedings of 20th International Congress on Acoustics, ICA 2010
 - Exhibit A5-6 - Exhibit 6 - Eja Pedersen, Höghskolan i Halmstad (2003) - Noise Annoyance from Wind Turbines - A Review - Swedish Environmental Protection Agency
 - Exhibit A5-7 - Exhibit 7 - Hitomi Kimura, Yoshinori Momose, Hiroya Deguchi, and Nameki, Mimi (2016) - Investigation, Prediction, and Evaluation of Wind Turbine Noise in Japan - Ministry of the Environment of Japan
 - Exhibit A5-8 - Exhibit 8 - C. Yan, K. Fu and W. Xu - On Cuba, Diplomats, Ultrasound, and Intermodulation Distortion - University of Michigan Tech Report - March 1, 2018
 - Exhibit A5-9 - Exhibit 9 - Crichton, F., Et Al. (2014) - The Link Between Health Complaints and Wind Turbines - Support for the Nocebo Expectations Hypothesis - Frontiers in Public Health 2:220
 - Exhibit A5-10 - Exhibit 10 - Enck, P., Et Al. "New Insights Into the Placebo and Nocebo Responses," Neuron (July 31, 2008) - Vol. 59, No. 2, pp. 195-206

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- Exhibit A5-11 - Exhibit 11 - Colloca, L. (2017) - Nocebo Effects Can Make You Feel Pain - Negative Expectancies Derived From Features of Commercial Drugs Elicit Nocebo Effects - Science, 358(6359): 44
- Exhibit A6 - Supplemental Direct Testimony of Peter Pawlowski
- Exhibit A6-1 - Exhibit 1 - Resume
- Exhibit A6-2 Exhibit 2 - Example of a Federal Aviation Administration ("FAA") Determination of No Hazard for a Project Turbine Location
- Exhibit A6-3 - Exhibit 3 - Direct Testimony of James Damon
- Exhibit A7 - Rebuttal Testimony of Peter Pawlowski
- Exhibit A8 - Direct Testimony of Keith Thorstad
- Exhibit A9 - Direct Testimony of Chris Howell
- Exhibit A9-1 - Exhibit 1 - Curriculum Vitae
- Exhibit A10 - Rebuttal Testimony of Chris Howell
- Exhibit A10-1 - Exhibit 1 - Memorandum Regarding Updated Modeling Results - Prevailing Wind Park
- Exhibit A10-2 - Exhibit 2 - Updated Sound Study
- Exhibit A11 - Supplemental Direct Testimony of Daniel Pardo
- Exhibit A11-1 - Exhibit 1 - Statement of Qualifications
- Exhibit A11-2 - Exhibit 2 - Decommissioning Cost Analysis
- Exhibit A12 - Direct Testimony of Bridget Canty
- Exhibit A12-1 - Exhibit 1 - Resume
- Exhibit A13 - Supplemental Direct Testimony of Bridget Canty
- Exhibit A13-1 - Exhibit 1 - NTIA Correspondence regarding the Project, Dated June 7, 2018
- Exhibit A14 - Rebuttal Testimony of Bridget Canty
- Exhibit A14-1 - Exhibit 1- Burns & McDonnell Memorandum, Potential House Field Review
- Exhibit A14-2 - Exhibit 2 - Revised Layout
- Exhibit A15 - Supplemental Direct Testimony of Michael MaRous
- Exhibit A15-1 - Exhibit 1 - Statement of Qualifications & August 10, 2018, Market Impact Analysis
- Exhibit A15-2 - Exhibit 2 - Brian Guerin, Jason Moore, Jamie Stata, and Scott Bradfield (2012) - Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario - 2012 Assessment Base Year Study - Municipal Property Assessment Corporation
- Exhibit A15-3 - Exhibit 3 - Jason Moore, Jamie Stata, and Scott Bradfield (2016) - Impact of Industrial Wind Turbines on Residential Property Assessment in Ontario - 2016 Assessment Base Year Study - Municipal Property Assessment Corporation
- Exhibit A15-4 - Exhibit 4 - Corey Lang and James Opaluch (2013) - Effects of Wind Turbines on Property Values in Rhode Island - Environmental and Natural Resource Economics, University of Rhode Island
- Exhibit A15-5 - Exhibit 5 - Richard J. Vyn and Ryan M. McCullough (2013) - The Effects of Wind Turbines on Property Values in Ontario - Does Public Perception Match Empirical Evidence? - University of Guelph, Canada
- Exhibit A15-6 - Exhibit 6 - Carol Atkinson-Palombo and Ben Hoen (2014) - Relationship between Wind Turbines and Residential Property Values in Massachusetts - University of Connecticut and Lawrence Berkeley National Laboratory
- Exhibit A15-7 - Exhibit 7 - Surrebuttal Testimony of David Lawrence on Behalf of the Staff of the South Dakota Public Utilities Commission, In Re the Matter of the Application by Dakota Range I, LLC and Dakota Range II, LLC for a Permit of a Wind Energy Facility in Grant County and Codington County, South Dakota, for the Dakota Range Wind Project - Docket No. EL 18-003
- Exhibit A16R - Revised Rebuttal Testimony of Michael MaRous
- Exhibit A17 - Rebuttal Testimony of Scott Creech
- Exhibit A17-1 - Exhibit 1 - Resume
- Exhibit A18 - Rebuttal Testimony of Dr. Jeffrey Ellenbogen
- Exhibit A18-1 - Exhibit 1 - Statement of Qualifications
- Exhibit A19 - Applicant's Disclosure of Lay Witnesses
- Exhibit A20-1 - Applicant's Responses to Staff's Fifth Set of Data Requests
- Exhibit A20-2 - Applicant's Responses to Staff's Sixth Set of Data Requests
- Exhibit A21-1 - Applicant's Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's First Set of Data Requests
- Exhibit A21-2 - Applicant's Responses to Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Second Set of Data Requests
- Exhibit A22-1 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's First Set of Data Requests
- Exhibit A22-2 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's Second Set of Data Requests
- Exhibit A22-3 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Applicant's Third Set of Data Requests
- Exhibit A23 - Intervenor Sherman Fuerniss' Responses to Applicant's First Set of Data Requests
- Exhibit A24 - Intervenor Kelli Pazour's Responses to Applicant's First Set of Data Requests
- Exhibit A25 - Intervenor Karen Jenkins' Responses to Applicant's First Set of Data Requests

- Exhibit A27 - Intervenor Sherman Fuerniss' Responses to Staff's Second Set of Data Requests
- Exhibit A28 - Intervenors Gregg Hubner, Marsha Hubner, Paul Schoenfelder, and Lisa Schoenfelder's Responses to Staff's Second Set of Data Requests
- Exhibit A29 - Figure 10
- Exhibit A30 - Applicant's Supplemental Responses to Staff's Data Requests
- Exhibit A31 - Applicant's Updated Responses to Intervenors' Data Requests
- Exhibit A32 - Permit Conditions Jointly Proposed by Applicant and Staff
- Exhibit A33 - Applicant's Proposed Conditions
- Exhibit A34 - Safety Manual Confidential (not available to the public)
- Exhibit A35 - Operating Manual Confidential (not available to the public)
- Exhibit A36: Williams v. Invenergy, LLC, 2016 WL 1275990 (D. Oregon, April 28, 2016)
- Exhibit A37: Ownership Structure of Prevailing Wind Park, LLC
- Exhibit A38: Turbine Number Key
- Exhibit A39: Michaud et al., Effects of Wind Turbine Noise on Self-Reported and Objective Measures of Sleep (2016)
- Exhibit A40: Hearing and Vibrotactile Thresholds Table
- Exhibit A41: Rueter v. Osceola Windpower, LLC, Case No. 16-2088 (Iowa Ct. App, Nov. 8, 2017)
- Exhibit A42: Distance from Each Residence to the Nearest Wind Turbine, Modeled Shadow Flicker and Sound Pressure Levels

PUC Staff

- Exhibit S1 - Darren Kearney Pre-filed Testimony and Exhibits
 - Exhibit S1 - Darren Kearney Pre-filed Testimony and Exhibits Confidential (not available to the public)
- Exhibit S3 - David M. Hessler Pre-filed Testimony and Exhibit
- Exhibit S4 - Additional Data Requests
- Exhibit S5 - Additional Data Requests

Intervenors

Reece M. Almond, Davenport, Evans, Hurwitz & Smith LLP - Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder and Lisa A. Schoenfelder

- Exhibit I-1 - Pre-filed Testimony of Richard James (redacted yellow highlighted)
- Exhibit I-1a - Exhibit 1 - Bio Materials
- Exhibit I-1b - Exhibit 2- Noise - Windfarms
- Exhibit I-1c - Exhibit 3 - A Possible Criterion for Wind Farms
- Exhibit I-1d - Exhibit 4- A Theory to Explain Some Physiological Effects of the Infrasonic Emissions at Some Wind Farm Sites
- Exhibit I-1e - Exhibit 5 - Summary of Wind Turbine Blade Pass Frequency and Effects
- Exhibit I-1f - Exhibit 6 - Shirley Wind Study Infrasound Graphs
- Exhibit I-2 - Pre-filed Testimony of Jerry Punch (redacted yellow highlighted)
- Exhibit I-2a - Exhibit 1 - Curriculum Vitae
- Exhibit I-2b - Exhibit 2 - Wind Turbine Noise and Human Health: A Four-Decade History of Evidence that Wind Turbines Pose Risks
- Exhibit I-4 - Google Maps View of Vicki May's Residence and Turbines
- Exhibit I-6 - 5 Videos Taken by Vicki May on 9/25/2018 Around Her Residence (Exhibits 1-6a through 1-6e)
- Exhibit I-6a - May Video 1
- Exhibit I-6b - Vicki May Video 2
- Exhibit I-6c - Vicki May Video 3
- Exhibit I-6d - Vicki May Video 4
- Exhibit I-6e - Vicki May Video 5
- Exhibit I-8 - Google Maps View of Scott Rueter's Former Residence (1341 Yew Ave., Harris, IA) and Turbines
- Exhibit I-10 - Video of Malfunctioning Turbine on Scott Rueter's Property (Section 21, Fairview Township, Osceola County, Iowa) Taken on June 5, 2017
- Exhibit I-11 - Google Maps View of Sherm and Lori Fuerniss Residence
- Exhibit I-12 - Photo of Malfunctioned/Burnt Turbine on Scott Rueter's Property
- Exhibit I-13 - Google Maps View of Kevin Andersh's Residence
- Exhibit I-14 - Bon Homme County Zoning Ordinance
- Exhibit I-15 - GE Publication - Ice Shedding and Ice Throw Risk and Mitigation
- Exhibit I-16 - Lease Payment Calculations and Land Use Area - Provided to Gregg Hubner to Entice Him to Sign Up for the Project
- Exhibit I-17 - Wind Energy Lease and Wind Easement Agreement - Blank Form
- Exhibit I-18 - sPower Brochure
- Exhibit I-21 - Google Earth - Beethoven and PWP
- Exhibit I-22 - 8/22/2018 Letter From Charles Mix County Along with Affidavit of Peter Pawlowski
- Exhibit I-23 - PUC Draft Model Ordinance

- Exhibit I-26 - Applicant's Responses to Intervenors' 1st Set of Data Requests
- Exhibit I-27 - Applicant's Responses to Intervenors' 2nd Set of Data Requests
- Exhibit I-28 - Applicant's Responses to Intervenors' 3rd Set of Data Requests
- Exhibit I-29 - Applicant's Responses to Intervenors' 4th Set of Data Requests
- Exhibit I-30 - PUC Staffs Responses to Intervenors' 1st Set of Data Requests
- Exhibit I-31 - WHO Night Noise Guidelines for Europe (2009)
- Exhibit I-32 - Guidelines for Community Noise (1999)
- Exhibit I-33 - The Environment and Disease - Association or Causation?
- Exhibit I-34 - Intervenors' Responses to Staff's 2nd Set of Data Requests
- Exhibit I-35 - Wind Turbines - Is There a Human Health Risk?
- Exhibit I-36 - 12-12-24 Team Report from Wis PSC Infrasound Study at Shirley Wind
- Exhibit I-37 - Hessler Publication - Wind Turbine Noise-Recommended Design Goals
- Exhibit I-38 - List of Landowners with Turbines

Sherman Fuerniss

- Sherm 1 - Dr. Visit 1
- Sherm 2 - Dr. Visit 2
- Sherm 3 - PV Map 4-2018 Red on Green 1
- Sherm 4 - PV Map 4-2018 Red on Green 2
- Sherm 12 - Staff's First Set of Data Requests to Sherman Fuerniss
- Sherm 13 - Staff's Second Set of Data Requests to Sherman Fuerniss
- Sherm 14 - Applicant's First Set of Data Requests to Intervenor Sherman Fuerniss

Karen Jenkins

- KJ4 - South Dakota Game, Fish and Parks' Siting Guidelines for Wind Power Projects in South Dakota
- KJ5 - Response to Applicant's First Set of Data Request to Intervenor
- KJ6 - Amended Response to Staff's First Set of Data Requests to Intervenors
- KJ15 - Response to Staff's First Set of Data Requests to Intervenors