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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

\* \* \* \* \*

IN THE MATTER OF THE APPLICATION EL 18-026  
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

\* \* \* \* \*

Avon School Gymnasium  
Avon, South Dakota  
July 12, 2018  
5:30 p.m.

\* \* \* \* \*

P U B L I C I N P U T H E A R I N G

\* \* \* \* \*

BEFORE: South Dakota Public Utilities Commission

Ms. Kristie Fiegen, Chairman  
Mr. Gary Hanson, Commissioner  
Mr. Chris Nelson, Commissioner

APPEARANCES:

Mr. Greg Rislov  
Mr. Adam De Hueck  
PUC Staff Attorneys  
500 East Capitol Avenue  
Pierre, South Dakota 57501

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1           CHAIRMAN FIEGEN: The South Dakota Public  
2 Utilities Commission Public Hearing in Avon, South  
3 Dakota, is called to order. I am Chairman Kristie  
4 Fiegen with the Public Utilities Commission, and  
5 with me today is Commissioner Hanson and  
6 Commissioner Nelson.

7           I was in the middle of those two, that's  
8 where my seat was, and it looked like it was going  
9 to be way too hot. So I took the Chairman's  
10 preference and chose my seat over on the side right  
11 by the fan.

12           So we, first of all, want to thank the  
13 Avon Superintendent Tom Culver. Is he here? Thank  
14 you so much for allowing us to be here hosting, I'm  
15 sure helping set up and helping tear down. We are  
16 very happy to be here and we're thankful for your  
17 support.

18           The purpose of this evening's public  
19 hearing is for Docket EL18-026 entitled In the  
20 Matter of the Application for Prevailing Wind Park,  
21 LLC, for a wind energy facility permit in Bon Homme,  
22 Charles Mix, and Hutchinson Counties in South  
23 Dakota.

24           On May 30th, 2018, Prevailing Wind Park  
25 filed with the South Dakota Public Utilities

1 Commission an application to construct a  
2 219.6-megawatt wind facility. The project area is  
3 comprised of 50,364 acres of private land between  
4 the towns of Avon, Tripp, and Wagner. The proposed  
5 project includes up to 61 wind towers, associated  
6 access roads, and underground electric power  
7 collector system, and a collector substation, four  
8 permanent meteorology towers, and an operation and  
9 maintenance facility, and temporary construction  
10 areas including crane paths, public road  
11 improvements, a lay-down yard, and concrete batch  
12 plants, as needed.

13 The project would interconnect at Western  
14 Area Power Administration existing junction located  
15 approximately 27 miles east of the project.

16 The copy of the application is at the  
17 County Auditor's in Bon Homme and Charles Mix and  
18 Hutchinson Counties. It's also available on the  
19 Commission website, and our staff will help you with  
20 that if you need to find that. Our website is  
21 [www.puc.sd.gov](http://www.puc.sd.gov).

22 The purpose of the hearing this evening is  
23 to provide information to the public about the  
24 proposed project and to hear public comments.

25 Importantly, no decision is being made

1 tonight or in the immediate future. By law, the  
2 parties to the proceeding at this time are  
3 Prevailing Wind Park, LLC, Commission Staff. Under  
4 the law each municipality, city, county, government  
5 agency in the area where the facility is proposed to  
6 be constructed or any interested person or  
7 organization may be granted party status in this  
8 proceeding by making a written application to the  
9 Public Utilities Commission before 5:00 p.m.,  
10 July 30th. Before 5:00 p.m., July 30th, 2018. We  
11 have applications -- the staff have applications for  
12 party status forms or they're certainly available on  
13 the website. You do not need to become a party in  
14 the docket in order to be heard.

15           The Commissioners absolutely read your  
16 comments, and that's the reason we're here this  
17 evening. We will also be accepting written comments  
18 from anyone, either by mail, personal delivery, or  
19 e-mail. And the Commission right up to the time the  
20 decision is made will be reading those comments and  
21 the staff. You only need to apply for party status  
22 if you want to participate formally in the case, by  
23 putting in actual testimony or other factual  
24 evidence, conducting discovery, cross-examining  
25 witnesses, making legal arguments, and to preserve

1 the right to appeal to the courts if you believe the  
2 decision was not legally correct.

3 I also want you each to know the  
4 Commissioners and the staff assigned to this docket  
5 thoroughly read all of the comments submitted by the  
6 public and that are filed in this docket.

7 This is important for you to hear. For  
8 the permit to be approved, our state law says that  
9 Prevailing Wind Park must show that the proposed  
10 wind energy facility, number one, will comply with  
11 all applicable laws and rules.

12 Number two, it will not pose a threat of  
13 serious energy to the environment nor to the social  
14 and economic condition of inhabitants or expected  
15 inhabitants in the siting area.

16 Number three, this facility will not  
17 substantially impair the health, safety, and welfare  
18 of the inhabitants.

19 And, number four, it will not unduly  
20 interfere with the orderly development of the region  
21 with due consideration given to the views of the  
22 governing bodies that are affected.

23 That's the criteria. That's the state law  
24 that we're dealing with. Based on these four  
25 factors, the Commission will make a decision whether

1 the permit of the project should be granted, denied,  
2 or granted with conditions.

3 The law requires that we issue our  
4 decision within six months of the application being  
5 filed.

6 Today we have Pat Beck. She's our court  
7 reporter. Please speak slowly. When you introduce  
8 yourself, introduce yourself and spell your name.  
9 If you are reading -- (microphone malfunction) -- if  
10 you are reading your testimony and your public  
11 comments like I just read the information, please  
12 read it slowly.

13 We have four Commission staff here. We  
14 have two staff analysts, raise your hand, Darren  
15 Kearney behind me and Jon Thurber. Also Staff  
16 Attorney Kristen Edwards. And I never get to sit by  
17 Kristen Edwards, so what a joy. And Brittany Olson  
18 is our communication specialist and she is getting  
19 names out in front. You are able to speak freely to  
20 the four staff I just mentioned. So you can ask  
21 them questions, you can ask them questions about  
22 party status or anything about the permit process.

23 We also have Commission Advisers, Analyst  
24 Greg Rislov, which it's his anniversary this week.  
25 How many years?



1 MR. RISLOV: 42 years.

2 CHAIRMAN FIEGEN: 42 years. How many years  
3 have you been on the Commission?

4 MR. RISLOV: 42.

5 CHAIRMAN FIEGEN: 42? 42 and 42? Whoa, 42  
6 with the Commission, 42 with Diane, that is a great  
7 life. And our Commission Attorney, Adam de Hueck.  
8 This is the group, including myself. Just pretend  
9 I'm in the middle of the table but I was too hot.  
10 This is the group you cannot talk to during the  
11 break. In order to ensure fairness and imparts  
12 throughout the six months allotted in this process,  
13 the Commissioners and the advisers are not allowed  
14 to talk or engage in private ex parte conversations  
15 with anyone regarding this project. However, freely  
16 talk to this group, the staff.

17 Okay. Did everybody -- that's what my  
18 kids say, I yell too much. Did everybody sign in  
19 that wants to speak? Did everybody sign in, first  
20 of all, because we want to get the report. Okay.  
21 Staff, could you stand up for the next question and  
22 count hands. If you would like to make a comment,  
23 could you raise your -- or be part of the public  
24 comment portion, could you raise your hand so we can  
25 kind of see how many people, and we can kind of

1 divide that up. Public comment, raise your hand  
2 high. The staff is going to count that out.  
3 There's approximately 25 here, so I'm thinking four  
4 minutes per person. We have Adam de Hueck here, so  
5 when it's at three minutes and you've spoke three  
6 minutes, he will put up a sign that says one more  
7 minute, and then he will have a stop sign at four  
8 minutes. Does that sound good, Commissioners? Do  
9 you guys want -- four minutes.

10 We're going to ask you to mute your  
11 phones. And tonight we will start with Prevailing  
12 Winds. They will make a presentation, and then we  
13 will open it up for public comments.

14 Okay. Commissioner Hanson, Commissioner  
15 Nelson, is there anything else I'm missing before I  
16 turn it over to Prevailing Winds? Sign language. I  
17 love it. Okay. This is yes, we're starting.

18 Prevailing Winds, if you could start, and  
19 could you introduce your team, that would be  
20 helpful. Prevailing Winds, your presentation and  
21 then we'll have public comments or questions.

22 MR. PAWLOWSKI: Commissioners, thank you for  
23 the opportunity to allow us to present our project  
24 this evening. My name is Peter Pawlowski. I'm Vice  
25 President of Wind Development for S-Power, and I'll

1 allow my team to introduce themselves.

2 MS. AGRIMONTI: Good evening. My name is Lisa  
3 Agrimonti. I'm with the law firm of Fredrikson &  
4 Byron, and I'm assisting with the legal matters for  
5 the project.

6 MS. CANTY: Good evening. My name is Bridget  
7 Canty, and I am the permitting project manager at  
8 S-Power.

9 MR. PAWLOWSKI: So for those that don't know,  
10 S-Power is a renewable energy company that owns and  
11 operates generation across the United States. We  
12 have a little over 1.3 gigawatts of assets operating  
13 across the country anywhere from Hawaii to Long  
14 Island to California, and hopefully by the end of  
15 next year, in South Dakota.

16 This is a map that just shows where our  
17 generating assets are. We did not include Hawaii  
18 just because the map would be a little too hard to  
19 see, if it's not already.

20 So the proposed facility is 219-megawatts.  
21 We roughly call it 220 for simplicity. We're  
22 looking at 61 turbines. Our turbine height is going  
23 to be roughly, maximum, at tip height of 590 feet  
24 with a rotor diameter of just a little under  
25 450 feet.

1           We'll have an operation and maintenance  
2 facility and up to four meteorological towers.

3           On here you can see a rough configuration  
4 of the project. There are some very small dots on  
5 here that outline the project area. This  
6 presentation is available online, so you can get a  
7 better look at the map. Also, I'd like to take the  
8 opportunity to remind everybody that while it's hot  
9 here, there's water in the back in the coolers and  
10 there is also water provided with some cups as well.

11           So the project schedule in milestones,  
12 essentially the end of this year we're looking to  
13 have the permit of WAPA, who we're interconnecting  
14 with, will complete their environmental review and  
15 we'll start construction. By the end of next year  
16 we expect the facility to be operational.

17           A lot of the reasons that this site was  
18 selected, as you guys know, there's an existing wind  
19 farm already in the area. There's a strong wind  
20 resource here. The land use is compatible,  
21 available transmission, and with the project having  
22 roughly 50,000 acres participating, a strong  
23 interest by landowners in the area.

24           So this runs through all the studies that  
25 we've done, what's been complete. Again, just some

1 detail. Also, a lot of this is available on our  
2 application which, again, is available online.

3 We work closely with different agencies  
4 associated with the project, so that's everything  
5 from the federal agencies to the state and local  
6 agencies. As most of you know, we have had local  
7 open houses associated with WAPA and our  
8 interconnection as well as open houses associated  
9 with our application for the state.

10 So one of the things that a lot of people  
11 are interested in is what do the setbacks look like  
12 for a wind farm, and so what we have here is  
13 Bon Homme County has a set of setbacks that they've  
14 adopted, and those have been applied across all  
15 three counties associated with the project. And one  
16 of the bigger setback items associated with the  
17 project is noise, and so the project is limited to  
18 45 decibels at a non-participating residence. And  
19 as a result, a lot of time these setbacks end up  
20 being a lot larger; so while the minimum setback of  
21 1,000 feet from a non-participating home is what's  
22 required by code. In most instances, as a result of  
23 noise and other considerations for setbacks, we end  
24 up being closer to 1,500 feet to 3,000 feet from  
25 non-participating landowners.

1           And, again, this just goes over what the  
2 standards are associated with the project. And  
3 shadow flicker, for those of you that don't know,  
4 shadow flicker is when the turbine blade is spinning  
5 and creates a shadow on a residence. This is  
6 limited to anywhere from 44 hours a year to 30 hours  
7 a year and would have to occur under the right  
8 conditions.

9           One of the things that S-Power is very  
10 proud of is in 2016 we built the first wind farm in  
11 the United States with a radar system that  
12 suppressed the red blinking lights on top of the  
13 turbines until an aircraft came within a set  
14 distance, and once the aircraft came within a set  
15 distance, the red blinking light turned on for  
16 safety, and then once the aircraft left the area the  
17 red blinking light turned off.

18           We expect to install that same system at  
19 Prevailing Winds. Obviously, it's dependent on the  
20 FAA approving the system's installation; however,  
21 we're already in the application process with the  
22 FAA and anticipate that they will approve it for  
23 this project.

24           So a lot of the questions are always  
25 around construction, right, because once the

1 facility is built, it operates, there's less  
2 disruption. But during construction, we do have  
3 people in the community. We have about a little shy  
4 of 250 workers that are more or less employed  
5 continuously during construction. We've provided  
6 some photos just to kind of give you an idea of  
7 what -- some of the work that occurs. The top photo  
8 is the start building of a foundation, and then the  
9 bottom photo is a foundation for a substation.

10           We do look to hire locally and train  
11 locally, and we look to pull locally in order to  
12 fill the positions that we're going to have during  
13 construction. In addition, during operat- -- the  
14 long-term operation of the facility, we anticipate  
15 having a maintenance building as well as roughly  
16 eight to ten people employed throughout the life of  
17 the project.

18           In terms of benefits, the local community  
19 tax revenue, as well as revenue to participating  
20 landowners is a big factor and big part of us being  
21 in the community. And as you can see from the  
22 figures, we're looking at approximately \$1.2 million  
23 of revenue to participating landowners, that's  
24 \$743,000 per year into the community every year.  
25 And, of course, there is what we invest in terms of

1 construction activities alone which is right around  
2 \$100 million, and then there's moneys paid to the  
3 state which is around \$11 million.

4           So one of the key -- one of the key  
5 factors for S-Power is that we're an owner and a  
6 operator which means we don't just develop a project  
7 and leave. We don't just build a project and leave.  
8 We own and operate that facility and are in the  
9 community for the next 30-plus years. And what's  
10 important there is not just our interaction with the  
11 landowners, not just our interaction with the  
12 counties or the townships. Yes, the elected  
13 representatives are there to represent the members  
14 in the community, but every day in some way, with us  
15 operating in the community, people are going to see  
16 the wind turbines. They're going to drive by them.  
17 People who work at the wind farm are going to live  
18 in the community. So for the next 30-plus years we  
19 really see S-Power as a part of the community, and  
20 it's important to us that we're a good member of the  
21 community and that we contribute to the benefit of  
22 the community.

23           So when we look at construction, there's  
24 access roads, there's foundations. A lot of this is  
25 in our application with more detailed maps. Each of



1 the components that goes into the wind farm is  
2 important for us. A lot of it is underground. The  
3 most visible part, obviously, of a wind farm is the  
4 wind farm itself with the access roads not being  
5 much more visible than a driveway or an existing  
6 road.

7           So here's some pictures of access roads  
8 going in, some of the grading work that will be  
9 done, and what it can look like during construction  
10 as well as the finished product.

11           Here we've got some foundations. What you  
12 can see is the excavation on the left. The rebar  
13 structure that then has concrete poured over it, and  
14 then to the right, what you can see is what's going  
15 to be above the surface. So where the bolts are,  
16 that's where -- the tower will sit on it. You can  
17 see the small portion of concrete that will be  
18 visible above ground. And then around that there  
19 will be an access road essentially to drive a pickup  
20 truck around.

21           In terms of delivery of equipment, these  
22 are some large components, so on the left you can  
23 see a tower section which normally has limitations  
24 as to what it can travel under with respect to  
25 bridges or underpasses, and then on the right is a

1 blade. So turbine blades, their general limitation  
2 is these turning radiuses. The delivery of  
3 components to the site is timed and coordinated in  
4 order to minimize the impact to the community. So  
5 considering commute times, bus routes, any other  
6 activities that we want to be sure not to be  
7 impactful of because we recognize that while we're  
8 building this wind farm, everybody is going to be  
9 going on with their daily lives, and we certainly  
10 don't want -- we want to be as minimally disruptive  
11 as possible.

12           So on the left you have the erection of  
13 the first section of a wind tower. Then on the  
14 right, a fully assembled blade that will be hoisted  
15 into the air and attached and assembled by a crane.

16           So our -- the way we transmit the power,  
17 until we move to the voltage that we're transmitting  
18 to the interconnection point is underground. So  
19 between every turbine and to get to the project  
20 substation we have underground collector system  
21 lines. And so on the left, what you can see is the  
22 direct bury of cable for the underground collector  
23 system lines. And then on the right, an example of  
24 what the substation will look like that the  
25 collector system would go to.

1           Then after construction -- during  
2 construction it's clear that we're building  
3 foundations, we're opening up the land, we're  
4 putting in a system, but afterwards you can see that  
5 the area's restored. Farming and other operations  
6 can occur right up to the road that goes around the  
7 turbine. And, in general, it's just the turbine --  
8 in general, it's just the turbine themselves that is  
9 noticeable above the ground.

10           So in terms -- in terms of operations, in  
11 addition to having on-site operations and data  
12 flowing into our center here for the wind farm, the  
13 data will also travel to two other locations, one of  
14 which is in Salt Lake City, Utah, where we have our  
15 NERC registered control room and all of S-Power's  
16 assets transmit data to. And, in addition, data  
17 will be transmitted to the equipment manufacturer so  
18 that they can monitor the performance of their  
19 machines.

20           In terms of security, the main concern is  
21 that the doors of the towers are locked. We don't  
22 fence off the turbines themselves, and then at the  
23 substations we look to make sure that that's locked  
24 as well and properly fenced because there is  
25 high-voltage equipment located within those areas.

1           So in terms of decommissioning, what's  
2 interesting is that the photo on the right is a wind  
3 farm that was built in 1985. We're actually in the  
4 process of decommissioning a wind farm that was  
5 built in 1985, and then we're going to start  
6 re-powering it next year as well. So the wind farm  
7 itself has an obligation, once the useful life of  
8 the project in a little over 30 years is done, that  
9 we remove the wind turbines and we restore the  
10 ground so that it essentially looks as though we  
11 were not here before.

12           Obviously, with the wind farm and some of  
13 the access roads being on the landowners' land, the  
14 landowners do have the discretion in 30-plus years  
15 to request that we don't remove some roads if  
16 they've found them important to the operations that  
17 they have ongoing on their properties. And so this  
18 just goes over what our obligations are in terms of  
19 removal. And, again, there's a more detailed  
20 analysis available in our application.

21           I'd like to thank everybody for their time  
22 today. I know most of this is so that you guys can  
23 provide your comments. And then, Commissioners, if  
24 you have any questions for me, I'd be more than  
25 happy to answer them now or later for you.

1           CHAIRMAN FIEGEN: Thank you. So this is our  
2 time that we get to hear from the public, and we're  
3 just going -- the Commissioners won't be asking a  
4 lot of questions. We may be asking a clarifying  
5 question once in awhile if we didn't quite hear your  
6 public comment properly or we need to clarify it,  
7 but this is our time to listen to you. We will have  
8 an opportunity to ask questions when Prevailing  
9 Winds comes in front of the Commission at a hearing.

10                   So whoever would like to go first --  
11 just wait. Is there a question? Is there a  
12 question in the back? Do you have a question, sir?  
13 Okay. So we're going to ask you to be respectful.  
14 We're just going to ask no clapping, and that type  
15 of thing. Let's just try to be respectful. Let's  
16 listen. I feel like I'm in my basement with the  
17 dehumidifier on and can't hear. So just if  
18 everybody could have their attention and we will go  
19 with our first speaker. Thank you.

20           MR. JOHNSON: Commissioners and staff, my name  
21 is Erik Johnson. (Microphone feedback)

22           CHAIRMAN FIEGEN: I know. And we're going to  
23 have to really work with you. You'll have to  
24 probably get closer to the mic.

25           MR. JOHNSON: Okay. Is this better? I'll just

1 hunch over. Commissioners and staff, my name is  
2 Erik Johnson, E-R-I-K, J-O-H-N-S-O-N, and I farm  
3 south of Avon. I am an investor in Prevailing  
4 Winds. (Microphone feedback.)

5 CHAIRMAN FIEGEN: I know. And you're going to  
6 have to be our sound check person also.

7 MR. JOHNSON: It's that speaker right there.  
8 It's bouncing off something.

9 CHAIRMAN FIEGEN: Just wait one second.

10 MR. JOHNSON: Try it now? Okay. Did you get  
11 my name? All right. I'll start over.

12 Commissioners and staff, my name is Erik  
13 Johnson, E-R-I-K, J-O-H-N-S-O-N, and I farm south of  
14 Avon. I'm an investor in Prevailing Winds which  
15 means I put my own money at risk to bring the  
16 project benefits to this community, and I'm also on  
17 the board of managers of Prevailing Winds, as you  
18 can see by my shirt.

19 I believe in wind and solar electricity  
20 generation because it requires no fuel, and  
21 therefore produces no emissions beyond what is  
22 necessary to construct the facilities. Retiring  
23 older coal plants in favor of new wind, solar, and  
24 natural gas plants is a win for the environment and  
25 also a win for rural economies.

1           I have taken it upon myself to write a lot  
2 of what I call "edutorials" in the local papers over  
3 the last few years to inform people about how  
4 renewable energy works, why I believe it is the  
5 future of energy production, and also to counter a  
6 lot of the negative information, or in many cases  
7 misinformation, about renewables in general and wind  
8 energy in particular.

9           I am an engineer by training, and I also  
10 have experience in finance, so I have a good working  
11 knowledge of how the energy industries work. I have  
12 tried to rely on reputable, peer-reviewed,  
13 independent studies for the information that I relay  
14 to local readers.

15           It has been very gratifying for me to see  
16 the PUC also go through a rigorous, fact-based  
17 analysis of wind energy, proving or disproving  
18 various claims made about wind energy in the process  
19 of approving both the Crocker and Dakota Range wind  
20 farm permits. I commend the Commissioners for  
21 conducting thorough evidentiary hearings, hiring  
22 expert witnesses, and taking sworn testimony to  
23 evaluate each permit application on the facts. When  
24 the facts come through, a rational decision in favor  
25 of wind energy is the logical outcome.

1           It is possible that we're going to hear  
2 some opinions and claims tonight that may or may not  
3 be based in fact. But after seeing the level of  
4 professionalism exhibited by the PUC staff and all  
5 the Commissioners, I have great confidence that this  
6 permit application will be evaluated on the facts  
7 and will comply with the laws of the State of South  
8 Dakota. I want to personally thank the  
9 Commissioners and PUC staff for all they do for our  
10 state and for ensuring that the truth is heard.

11           Thank you.

12           CHAIRMAN FIEGEN: Thank you. We're just going  
13 to wait a minute because we're struggling a little  
14 bit hearing, so we're going to just take a tiny bit  
15 of a recess.

16                           (A brief recess was taken.)

17           MS. JENKINS: My name is Karen Jenkins,  
18 K-A-R-E-N, J-E-N-K-I-N-S. I live at 28912 410th  
19 Avenue in Tripp. I'm not an investor or a relative  
20 of. I have not leased my land to the developer. I  
21 urge you, please, to protect my husband, myself, and  
22 all of those within and around this footprint.

23           This protection can and will come when you  
24 deny this application. And as you consider the  
25 views of the governing bodies of the affected local



1 units of government, please consider this: We have  
2 not been represented properly by our local  
3 government. I have participated with others to ask  
4 our local government to protect us by establishing  
5 safe setbacks. I came to realize the principle of  
6 ex parte communication was completely ignored. At  
7 Bon Homme County Zoning Board we pushed for safe  
8 setbacks unaware that the developer and investors  
9 were working to change the permitting process.  
10 Conditional use permits requiring a public hearing  
11 were in effect. The Commissioners worked with the  
12 developer and investors changing the permitting  
13 process to require only a building permit which does  
14 not require the public hearing. Had we been more  
15 observant, we may have been able to prevent this.

16 Ethically the Zoning Board should have  
17 made us aware. We've been taken away our last  
18 chance to share our concerns and evidences before  
19 permitting at the local level.

20 Prevailing Winds has not studied the  
21 residents in the footprints surrounding the  
22 Beethoven Wind Farm. How can they show this project  
23 will not pose a serious threat of injury to the  
24 environment, et cetera, et cetera. In real estate,  
25 location is everything, and we had it. A few miles

1 from a beautiful -- from town, a beautiful 8-acre  
2 property; home, barn, out buildings, 360-degree to  
3 watch the seasons, everything that we had dreamed  
4 of.

5 Now the landscape and the beauty that  
6 existed has been substantially and negatively  
7 altered forever. Substantially altered by Beethoven  
8 Wind Farm being built three miles west of our  
9 property since the purchase of our home in 2010.  
10 Red warning lights cause alarm, blink constantly.  
11 Towers dominate the western view. In the distance  
12 it looks like an abandoned industrial zone. Noise  
13 is now present and unwelcome.

14 As humidity and wind conditions change, I  
15 sometimes notice a feeling of pressure in my chest.  
16 I've experienced ringing in my ears and dizziness,  
17 and I often wake up with a start.

18 Now we have the threat of nine turbines  
19 within one and two miles of our home. Closer  
20 turbines will put our biggest investment and our  
21 asset, our home and property, at risk of being  
22 unlivable and unmarketable. Watching the cranes  
23 erecting Beethoven was devastating.

24 Finally, while an LDS to mitigate the red  
25 blinking lights is considerate, it will not change

1 the look of the industrial park. And a plan to  
2 decommission will be just a plan. When the turbines  
3 are no longer lucrative and are too expensive to  
4 maintain, they will be abandoned.

5 The money to decommission won't be there.  
6 You cannot squeeze blood from a turnip. The only  
7 way to protect us is to deny this application.  
8 Thank you.

9 CHAIRMAN FIEGEN: Thank you. And we gave you a  
10 little bit extra time because you were kind of our  
11 sound check person, so thank you for doing that for  
12 us. Okay. Next?

13 MR. JENKINS: My name is Mike Jenkins --

14 CHAIRMAN FIEGEN: Just wait one second. A  
15 Commissioner does have a follow-up question for  
16 Karen. So if you could come to the mic,  
17 Commissioner Nelson has a follow-up question.

18 COM. NELSON: The difficulties with county  
19 government you referred to, which county?

20 MS. JENKINS: Bon Homme.

21 COM. NELSON: Thank you.

22 CHAIRMAN FIEGEN: Thank you. Can you state  
23 your name and spell your name slowly for the record.

24 MR. JENKINS: My name is Mike Jenkins, M-I-K-E,  
25 J-E-N-K-I-N-S, 28912 410th Avenue. That was my wife

1 just speaking. She wrote her story, I wrote mine,  
2 and she covered most of the things so I won't bore  
3 you with that. But I would like to say that many  
4 more people feel the same way we do, but they're  
5 afraid to say anything. They don't want to hurt  
6 their businesses. They don't want to hurt their  
7 friends. They don't want to hurt their neighbors.  
8 You know, people around here --

9 CHAIRMAN FIEGEN: Just wait one second. I'm  
10 looking at my court reporter off the record, and  
11 she's struggling hearing you. So when I look at Pat  
12 and she's putting her ear closer to you, that means  
13 if you could get closer to the mic, that would be  
14 great. Thank you.

15 MR. JENKINS: I'll just repeat the last  
16 sentence. I'm just saying there's more people that  
17 feel like we do, but they're afraid to admit it.  
18 They don't want to hurt their customers. They don't  
19 want to hurt their neighbors, their friends. Nobody  
20 knows -- everybody's afraid to say something, one  
21 way or the other, about this wind power, and it's a  
22 shame because it's dividing communities.

23 I really -- I'm going to plead with you to  
24 stop this project. Don't let it go through. If  
25 nothing else, I'd like to at least see a 3-mile

1 setback like they did in Divide County. And it's --  
2 one other thing is, I'm not saying anybody deceit --  
3 there was deceit when we bought our place, but I'm  
4 pretty sure that there was already talk of a wind  
5 farm coming and there was no disclosure. I know  
6 that it takes legislation to change that, but if you  
7 have any input, if or when it comes to, you know,  
8 legislation, I really hope that you would support  
9 the individual with recommending disclosure that  
10 there may be a wind farm in the works or something  
11 like that. And I'd just -- I believe that's all I  
12 really have to say. Thank you very much.

13 CHAIRMAN FIEGEN: Thank you for coming to the  
14 public input hearing. Go ahead.

15 MALE VOICE: We can't hear back here.

16 CHAIRMAN FIEGEN: You can't hear back there?  
17 Okay. We're just going to take a quick break.

18 (A brief recess was taken.)

19 CHAIRMAN FIEGEN: I think we're close on the  
20 mic. Do we need to do any type of a mic check up  
21 there? Looks like we have a new mic. What I'm  
22 hearing is the sound is different according to where  
23 you're sitting in the gymnasium. So sometimes when  
24 you're a fan in the bleachers you may hear better  
25 according to my 42-year analyst of the Commission.

1 So are you ready, Pat? That's off the record, of  
2 course. You don't have to write all that. All  
3 right. We'll get started.

4 MR. HAVERLY: I'm Jeff Haverly. Can everybody  
5 hear me? Jeff Haverly spelled J-E-F-F, H-A-V- as in  
6 Victor, E-R-L-Y. I'm with the Governor's Office of  
7 Economic Development.

8 I'd like to share the following prepared  
9 statement on behalf of the Governor's Office of  
10 Economic Development which would urge your favorable  
11 consideration of the benefits that wind energy  
12 projects such as this one have for South Dakota.

13 My office sees tremendous opportunity for  
14 our state through investments in wind energy. South  
15 Dakota's wind resource continues to attract  
16 attention at the national level, and my office  
17 regularly receives inquiries about possible projects  
18 here. Each of those projects represents economic  
19 development potential through capital investment in  
20 our state as well as great paying jobs in many of  
21 our rural areas.

22 The Thorstad S-Power Wind Project is an  
23 example -- an excellent example of the kind of  
24 project we support at GOED, and we've been working  
25 with them for some time to ensure that South Dakota

1 remains a top choice for their planned investment.  
2 The Prevailing Wind Park of today's proceedings, the  
3 plan project would encompass up to 217-megawatts of  
4 power generation in the state. This capacity would  
5 be brought about by approximately \$254 million in  
6 investment in South Dakota and generate considerable  
7 economic impact to the area through tax revenue as  
8 well as job creation.

9           At GOED, we believe the future of energy  
10 production in South Dakota is here and it is real.  
11 It's obvious that renewable energy provides a  
12 secure, domestic, and sustainable source of energy  
13 for our state and our nation, be it solar or wind.  
14 We see tremendous economic development opportunities  
15 from these types of projects.

16           On average, more than 25 percent of South  
17 Dakota's power generation comes from wind power. As  
18 a matter of fact, South Dakota currently has over  
19 980 megawatts of wind power capacity and produces  
20 enough energy to power more than 260,000 homes.

21           While we don't currently have all of that  
22 potential wind harnessed, South Dakota does rank in  
23 the top five states for wind energy potential. We  
24 believe our wide open spaces and high quality wind  
25 resources can provide much more wind power for the

1 citizens of our state as well as those in parts of  
2 the country that do not enjoy South Dakota's ample  
3 wind resource.

4           In the past decade, South Dakota has seen  
5 tremendous job creation and capital investment in  
6 renewable energy. Wind power has contributed well  
7 in excess of \$2 billion in capital investment and  
8 directly created more than 500 jobs. These projects  
9 produce ongoing revenue streams for our state,  
10 revenue that does not depend on taxes of our  
11 citizens. And many of the jobs created by these  
12 projects are excellent, high-wage jobs based in  
13 rural communities like Avon.

14           We recognize there's an important local  
15 discussion that must take place concerning any  
16 project, and therefore we do not take a position on  
17 siting projects such as these. However, our office  
18 sees clear benefits to expanded wind power  
19 production in our state and is quite pleased to  
20 offer our support for expansion of wind energy in  
21 South Dakota. I would urge your favorable  
22 consideration of the project. Thank you for your  
23 attention.

24           CHAIRMAN FIEGEN: Thank you for using the  
25 public input process. Next.



1           MS. HOLBORN: Thank you. Ruby, R-U-B-Y,  
2 Holborn, H-O-L-B-O-R-N, 2008 South Silverthorne  
3 Avenue, Sioux Falls. This will be South Dakota's  
4 first wind park. Most parks attract people. Will  
5 this one? Has the population increased in  
6 Bon Homme, Charles Mix, and Hutchinson County? In  
7 the Crocker and Dakota Range dockets Mr. Jeff  
8 Haverly, on behalf of Governor Daugaard's Office of  
9 Economic Development stated, quote, "Each of those  
10 projects represents economic development potential  
11 through capital investment in our state as well as  
12 good paying jobs in many of our rural areas."

13           I have researched the 14 South Dakota  
14 counties that have operating wind farms. Their  
15 populations have decreased. Only Brookings County  
16 has grown, and that is because of the City of  
17 Brookings and adjacent Volga. At least one -- on  
18 the surface, two of the main causes of growth in  
19 Brookings and Volga is College Division I and  
20 industry.

21           Industrial wind turbines and their  
22 associated money have not attracted people to live  
23 in the rural community. Also, in Brookings and  
24 Deuel Counties, the wind energy personnel, with  
25 good-paying jobs, do not live amongst the turbines

1 in the rural areas. They live miles away from the  
2 turbines as well as many participants -- wind  
3 participants. They shop and pay taxes elsewhere.  
4 This is reality.

5 Mr. Haverly went on to state, according to  
6 the PUC, quote, "We could provide power for almost  
7 the entire United States," unquote. Wind energy is  
8 intermittent. You will always need a backup, a  
9 continuous energy source such as hydro, coal, gas,  
10 and nuclear. We already have a reliable source of  
11 power for less money.

12 Mr. Haverly went on to state, quote, "We  
13 see tremendous economic development opportunities  
14 from these types of projects," unquote. The Center  
15 of American Experiment, Issue 10, Winter 2018  
16 article reads, quote, "The high cost of failure.  
17 Minnesota has made meager progress in reducing  
18 greenhouse gas emissions since 2005, and it has cost  
19 a fortune," unquote.

20 Some residents by Toronto, South Dakota,  
21 have stated that they do not travel on the roads  
22 near operating wind turbines in the winter. South  
23 Dakota should use scientific calculations rather  
24 than political for our setbacks.

25 What is the wind turbine manufacturer's

1 manual safety stay-away zone? If a wind participant  
2 wants a wind turbine, he should be able to have one.  
3 But all of the negative effects such as noise,  
4 infrasound, shadow flicker, ice throw, adverse  
5 health effects, and property devaluation should  
6 remain on his property.

7           Is it permissible for a farmer to plow  
8 past his fenceline into his neighbor's field? Is it  
9 permissible for this farmer to harvest that crop  
10 with no authorization or compensation for his  
11 neighbor? How close do you want your home from an  
12 industrial wind turbine?

13           Those forced to live among the turbines  
14 are not asked such a question. Our citizens should  
15 be granted protection not unlike this first example.  
16 One should not be discriminated against because of  
17 where one lives. Should our quiet enjoyment of our  
18 property be any less important than that of anyone  
19 else's quiet enjoyment?

20           We do have residents who are experiencing  
21 adverse health effects because of improper setbacks.  
22 You are being asked to permit this to continue.  
23 South Dakota needs to be for safe, responsible,  
24 renewable energy. I ask you to please deny this  
25 application and use your authority to accept only

1 safe setbacks, two miles with a waiver. Thank you.

2 CHAIRMAN FIEGEN: Thank you. Next.

3 MS. MOGEN: Good evening, Commissioners.

4 Kristin Mogen, M-O-G-E-N. Let's skip the websites  
5 and the peer-reviewed reports. Let's talk common  
6 sense. Cities and counties across South Dakota have  
7 ordinances to regulate the storage of unused  
8 vehicles. This is because they may become an  
9 eyesore and impact the property values of adjacent  
10 properties. As blades are replaced, will the  
11 unrecyclable blade end up sitting on the edge of a  
12 fence line as in other communities? Is it not common  
13 sense that the neighbor's yard ornament, a 396-foot  
14 metal tower, with 449 feet flapping, ice-throwing  
15 wings, producing noise of a jet engine, sometimes  
16 louder because of air moisture, blade imbalance or  
17 bad bearings, or putting strobe-like flicker on the  
18 adjacent property, or the possibility of leaking  
19 335 gallons of fossil fuel. What about exposing the  
20 neighbors to sleep deprivation and vibroacoustic  
21 disease? You would agree that it is possible that  
22 these impacts -- these would impact property values  
23 on a home within a thousand feet.

24 As more industrial wind projects come  
25 online, there will be more abandoned homes and

1 no-sale homes. Wouldn't it make sense that a person  
2 would prefer a property -- to prefer a property that  
3 does not have any unauthorized encumbrances on the  
4 property? Common sense is that home values go up in  
5 counties without industrial turbines because people  
6 will pay anything not to live near the  
7 health-destroying power plant.

8           How many people will it take to abandon  
9 their homes before South Dakota realizes industrial  
10 wind turbines are not good for the fabric of our  
11 rural communities?

12           How many times -- how many homes will be  
13 abandoned next to industrial turbines before the FHA  
14 changes the critical guidelines and does not insure  
15 mortgages within a quarter mile of the turbines?

16           Who will be the first real estate  
17 appraiser in South Dakota that will comment at his  
18 discretion that the industrial wind turbine is too  
19 close? This signals that the home will not -- will  
20 be in the FHA critical guideline and will no longer  
21 be eligible for an FHA mortgage.

22           What is the PUC's threshold that an  
23 industrial wind turbine will not pose a threat of  
24 serious injury to the environment nor the social or  
25 economic condition of the inhabitants or expected

1 inhabitants in the siting area? Is it one? Is it  
2 two? Is it a percentage? When will the PUC use the  
3 power to deny and stop sentencing people to live  
4 against their will in close proximity to industrial  
5 wind turbines threatening their health, property  
6 values, and quiet enjoyment of their property?  
7 Please deny the Prevailing Winds PUC permit.

8 CHAIRMAN FIEGEN: For the record, could you  
9 also state your address so Pat can get that on the  
10 transcript? Thank you.

11 MS. MOGEN: Full address or just town?

12 CHAIRMAN FIEGEN: Your home -- do we want to  
13 know just mostly community? Mostly town.

14 MS. MOGEN: Twin Brooks.

15 CHAIRMAN FIEGEN: Twin Brooks, South Dakota.  
16 Okay.

17 REV. BRANDT: My name is Reverend Dan Brandt,  
18 B-R-A-N-D-T. I live five miles northeast. I lease  
19 land, but I'm not an investor. I speak very solidly  
20 in favor of wind energy. I travel the world and  
21 virtually every city that we see, every country that  
22 we go to, South Dakota needs to catch up with the  
23 world. Countries are very much farther ahead of us.  
24 And I think that while I live in this community, I'm  
25 also concerned about this community, and Jesus also

1 lives in this community. He says that if you  
2 continue in my word, you will know the truth and the  
3 truth will make you free. Well, obviously that  
4 means --

5 CHAIRMAN FIEGEN: I'm just going to stop a  
6 second. Do you mind if you twist the mic -- this is  
7 off the record.

8 (A brief discussion off the record.)

9 REV. BRANDT: Jesus says if you continue in my  
10 word, you will know the truth and the truth will  
11 make you free. Well, obviously that means  
12 following, seeing Jesus larger, but it also means we  
13 practice truth, and for a lot of people in this  
14 community, people believe in Jesus. And so I would  
15 say that its truth is very important.

16 My assessment of all of this is that  
17 either you like wind power or you don't. And if you  
18 do, you ought to respect those that don't. And if  
19 you don't, you ought to respect those that do.

20 I think as we think about truth, it's very  
21 important that we come through with the facts as  
22 they are. Now we can find all kinds of witch  
23 doctors and all kinds of -- all kinds of people that  
24 are experts on this, many not from this community,  
25 and I think we ought to focus on the truth.

1           One truth is this seems to be an economic  
2 thing. People are very concerned, and so many  
3 times, that those who invest in this are going to  
4 become richer than they are. And the other thing is  
5 is that -- the other thing is that as we think  
6 about -- about dividing the community, it doesn't  
7 help when we carry -- when we go around with tankers  
8 full of fuel. I would say in relation to this  
9 problem in the community -- I'm very concerned about  
10 the community -- and I think that we ought to lay  
11 down the artillery and we ought to think about the  
12 truth, and we ought to think about Jesus, and we  
13 ought to think about loving our neighbors as  
14 ourselves, and I think we ought to think about  
15 loving God with all our hearts and souls and minds.

16           Now, in that regard I think -- I think  
17 even wind towers can be overcome by that  
18 relationship with God. I favor that. I think it's  
19 very much needed for our community. Our community  
20 has residences far, far apart. Many of these  
21 discussions don't even relate -- there's not even  
22 one place per section in many of these places. And  
23 so I would encourage PUC to look favorably upon  
24 this. This is a sound science and it is good for  
25 money. Twenty-four dollars from coal to generate a



1 megawatt, fourteen dollars from wind power. Thank  
2 you very much.

3 CHAIRMAN FIEGEN: For the record, could you  
4 repeat your name because the mic wasn't working  
5 well, in the mic, please, when you spoke.

6 REV. BRANDT: You want my address, too?  
7 Reverend Dan Brandt, Avon, South Dakota. Do you  
8 need more than that? Okay.

9 MS. FREIER: My name is Julie Freier,  
10 F-R-E-I-E-R, and I live in Pickstown, South Dakota.

11 Members of the Commission. I respectfully  
12 request that the proposed Prevailing Wind Park  
13 project be denied. My grandmother, dad, and uncle  
14 own approximately 800 acres of farmland in the  
15 footprint area of the project. My brother and I own  
16 the farmstead that our great-grandparents built  
17 which is also located in the footprint area.

18 None of our land or property is signed up  
19 to be part of the project. Yet, there are at least  
20 four turbines within a half mile of the farm that my  
21 brother and I own. These turbines are monstrous in  
22 size. The height, 586 feet tall with a 440-foot  
23 rotor diameter. This is almost two football fields  
24 high. The height of the current turbines in the  
25 nearby Beethoven project is 405 feet. These

1 turbines would be 180 feet taller. To give some  
2 perspective to this, the tallest building in South  
3 Dakota, according to Wikipedia, is the CenturyLink  
4 tower located in Downtown Sioux Falls. It is only  
5 174 feet tall consisting of 11 stories.

6           These wind turbines are over three times  
7 as tall as that CenturyLink building. They also  
8 spin at 200 miles per hour at the tip. In contrast,  
9 the CenturyLink tower just sits there. These wind  
10 turbines would destroy the aesthetics of the  
11 rural -- of our rural area.

12           Some of these turbines are also close to  
13 both Highways 46 and 50. The ice throw from the  
14 spinning turbines would be a serious concern for  
15 passing traffic in the winter.

16           These turbines are not needed. I visited  
17 with the general manager of Charles Mix Electric  
18 last month on June 19th. He explained that wind  
19 turbines can't supply 100 percent of the needed  
20 electricity because wind is unreliable. They can  
21 only supply 40 percent at best.

22           Basin Electric, which supplies Charles Mix  
23 Electric, would have to supplement the other  
24 60 percent from other sources. When I asked if  
25 Basin Electric was depending on this wind project

1 going through to meet their needs, it was made clear  
2 to me that, no, it was not needed because Basin  
3 Electric plans 20 years out in advance and has  
4 plenty of other sources for power. There is no  
5 urgency for power. It seems that the only urgency  
6 is to get this project pushed through before the tax  
7 credits expire.

8           There are many studies that have been done  
9 about the detrimental health effects. It is not  
10 healthy physically, emotionally, psychologically, or  
11 spiritually to live a thousand feet from a 586-foot  
12 turbine. Most people, given a choice, would not do  
13 it. None of the investors or board of directors  
14 live within the footprint of this proposed project.

15           I have a neighbor whose land and property  
16 recently was up for sale. It would have been the  
17 perfect opportunity for one of these board members  
18 or investors to buy that property and live within a  
19 half mile of these wind turbines, too; however, not  
20 one of them took advantage of this opportunity.

21           This project would devalue my farm. You  
22 may have heard about the herbicide Dicamba in the  
23 news this past year for unintentionally drifting  
24 onto neighboring soybean fields and damaging that  
25 crop for that season. The farmers were being

1 compensated for their losses for that harvest.  
2 What's the difference? This wind park would damage  
3 and devalue my farm and cause financial loss for a  
4 lifetime. This seems much worse. For these  
5 reasons, please deny this proposed project. Thank  
6 you.

7 CHAIRMAN FIEGEN: Thank you.

8 MR. POWERS: Hi. My name is Jerome Powers,  
9 P-O-W-E-R-S, 40427 294th Street, Wagner, South  
10 Dakota. I'm here to put the face of reality on this  
11 wind project --

12 CHAIRMAN FIEGEN: And if you could get into the  
13 mic. I'm sorry. It's kind of -- yeah, there you  
14 go.

15 MR. POWERS: I'm going to put the face of  
16 reality of this wind project to you. It says right  
17 here, "In order to receive a wind energy facility  
18 permit from the Commission, the applicant must show  
19 the proposed project will comply with all applicable  
20 laws and rules and will not pose a threat of serious  
21 injury to the environment nor to the social and  
22 economic condition of inhabitants or expected  
23 inhabitants in the siting area, will not  
24 substantially impair the health, safety, or welfare  
25 of the inhabitants."

1           Well, this is already out the window  
2 because it's already affecting my health. I live  
3 within a mile, mile and a half of the Beethoven Wind  
4 Project. I have a home there. I have a business  
5 there. I run a guided hunting service which this  
6 will completely devastate as the trees are already  
7 coming out, fence lines are being removed.

8           Fifty percent of my clientele who come  
9 from all over the country, all over the world --  
10 I've had seven foreign countries represented out  
11 there -- have told me they will not come in the  
12 middle of a wind farm.

13           We are looking at losing our home, our way  
14 of life, and our health for one project. I urge you  
15 to please deny this permit. My land is going to be  
16 valueless, and it's already ripped my family  
17 completely in two because I have a son that wants --  
18 he owns land around me. He wants the wind tower.  
19 We no longer talk. This is the reality of it.

20           This is what happens all over and all  
21 because of this, the dollar bill. This dollar bill  
22 has more impact than Kelly Pazour's daughter,  
23 two-year-old daughter fighting cancer that has a  
24 hearing implant. These -- the wind tower turbines  
25 will directly affect this. Money means more.

1           Heidi and I's life. You know what it's  
2 like to wake up one day and find out that you're  
3 expendable, that your life has no value because they  
4 can do whatever they want. Our property is sitting  
5 out there. Can you envision anyone coming up and  
6 saying, Well, let's go buy a property. Nice country  
7 home to live in. Let's go look in the middle of  
8 this wind farm. It's not going to happen. It won't  
9 happen. So our land -- my place is going to be  
10 total valueless.

11           So at 55 years of age, Heidi and I are  
12 going to have to pick up and start over with  
13 nothing. I've lost my family, my way of life, and  
14 my home, all because of this. Please, please, if  
15 you have a conscience, deny this permit, I beg of  
16 you. Thank you.

17           CHAIRMAN FIEGEN: Thank you.

18           MS. CERNY: My name is Lori Cerny, C-E-R-N-Y,  
19 and I live in Dorchester, Nebraska. I'm writing you  
20 about my concerns with the proposed wind farm in  
21 Charles Mix and Bon Homme County. I am against the  
22 project. I grew up at 40228 269th Street, Wagner,  
23 South Dakota, on land homesteaded by my  
24 great-great-grandfather. When my father took over  
25 the family farm, he purchased a quarter section to

1 the west. As a little girl I would spend as much  
2 time as possible running around the stock dam,  
3 playing in the shelterbelt, eating mulberries, and  
4 ice skating in the pasture after the winter thaw and  
5 re-freeze in my youth.

6 I would also ride my bike over to the  
7 other place and just look at, to quote Lewis &  
8 Clark, the boundless horizon. This time -- this  
9 time outside developed me into the person who loves  
10 and respects the outdoors. Just like so many other  
11 South Dakotans, I have a love and a connection with  
12 the land.

13 I attended school in Wagner. I went to  
14 college and graduated with a bachelor's degree at  
15 South Dakota State University -- go Jackrabbits. I  
16 went to Custer State Park for many years, and as my  
17 life developed, I got married and followed my  
18 husband to Southeastern South Dakota where I've  
19 lived for the last 25 years.

20 I work as a compliance person for a  
21 chemical company. This job has allowed me in the  
22 last 18 years to travel all over this wonderful  
23 country of ours. I have seen many beautiful places,  
24 but my heart has always wanted to come home. I am  
25 and always will be a South Dakotan.

1           As my business travels have taken me to  
2 Minnesota, Iowa, Kansas, Nebraska, Colorado, I have  
3 watched the landscape I love, because I'm a prairie  
4 girl, be destroyed by the constant spinning of the  
5 new giants in the earth, wind turbines.

6           Traveling to Hayes one time, I counted  
7 when I crossed the first shadow of a wind turbine  
8 with my vehicle until the last one, it was 45 miles.  
9 Add another 20 miles on each side for the sightline,  
10 and the spinning blades of wind farms are all the  
11 eye can see for 85 miles. The land I love is being  
12 destroyed.

13           FYI, I had to go to Hayes this week.  
14 There's even more because once you allow them in,  
15 they just keep adding on. There's already the  
16 impact. There's already the infrastructure. They  
17 just keep growing.

18           So why is it being destroyed? Money.  
19 Study after study reveals that they cost more to  
20 build, install, and maintain than the energy they  
21 produce in the life cycle of a single wind turbine.  
22 And who's profiting? Millions and millions of  
23 dollars of government subsidies. For example, the  
24 Governor of South Dakota, just gave the project  
25 \$4 million to destroy the very things South Dakotans



1 love the most. Admit it, South Dakota is not an  
2 easy place to live. Soil's not ideal for crops, the  
3 wind is crazy, weather is unpredictable, and it's  
4 cold. I talk a little bit about green energy. Why  
5 am I talking to you today? Because I've been deeded  
6 the 80 acres of the other place, you have the  
7 address, and since this land has been turned over to  
8 me I have made improvements. I was planning on  
9 building my retirement home.

10 I have worked with Blaha Gravel and paid  
11 them out of my pocket, Avon Contractors, Bosa  
12 Construction.

13 I ask that you deny this. I will be  
14 writing a letter with more things. I've talked to  
15 people. There's a guy who lives by the one in  
16 Elgin, I talked to him at work, and he says he went  
17 home for his father's 80th birthday, he doesn't even  
18 like to go home anymore. He just sits on the porch  
19 and listens to, whoop, whoop, whoop.

20 CHAIRMAN FIEGEN: Thank you.

21 MR. HORNSTRA: Commissioners Fiegen, Nelson,  
22 and Hanson. My name is Ron Hornstra, R-O-N-N-I-E,  
23 H-O-R-N-S-T-R-A, and I live and farm at 40662 313th  
24 Street, south of Avon. Although I've made, for the  
25 most part, my living as a farmer, I have an

1 engineering background. I did work in the  
2 electrical field for many years which helped  
3 motivate me to become part of this project.

4 I have been involved with wind power in  
5 this area since its inception, over 11 years ago,  
6 when community members came together to try to  
7 develop some type of a project for the betterment of  
8 the area.

9 After numerous meetings in the area towns,  
10 it was decided to form a company to try to develop  
11 what seemed to be a great natural resource that was  
12 just blowing by unutilized. With the donated help  
13 from a local attorney and 25 area investors, South  
14 Dakota -- Southeast South Dakota Wind was born.  
15 From this group a governing board was elected to try  
16 to develop some type of a project. With help from  
17 hired professionals, this blossomed into the  
18 successful Beethoven Wind Farm located on the ridge  
19 north of Avon.

20 Considering the many positive things that  
21 Beethoven had brought to the area including jobs,  
22 extra taxes, improved roads, extra income, plus  
23 knowing there was still a potential for more  
24 development, the board decided to go ahead with the  
25 Prevailing Winds project that you are here for

1 tonight.

2 I have served as president for both the  
3 Beethoven and Prevailing Winds projects and have  
4 been deeply involved with the land leases in both  
5 ventures. One thing that I found interesting in  
6 working with these two projects is that the  
7 enthusiasm from the landowners to be part of  
8 Prevailing Winds was generally greater the nearer  
9 their land and homes were to the current Beethoven  
10 farm.

11 Many, in fact, would call me before I  
12 contacted them to see if they could be included. I  
13 took this as a strong sign of support for the  
14 project, and this along with more than 37 [sic]  
15 acres of land from over 150 landowners pledging  
16 their support to this development was very  
17 convincing.

18 I ask for your support for the Prevailing  
19 Winds project and speak for what has been called the  
20 silent majority, including the over 150 landowners  
21 that voted positively by including their property.

22 With the Commission's insight, it is my  
23 hope that the facts and the truth will prevail.

24 Thank you for your time.

25 CHAIRMAN FIEGEN: Thank you.

1 MS. CHRISTENSON: Hello. I'm Amber  
2 Christenson, C-H-R-I-S-T-E-N-S-O-N, Strandburg,  
3 South Dakota.

4 I was looking at the PUC site about to  
5 click on the Dakota Range project one day and saw  
6 this new docket listed. I thought I'd take a look  
7 and see what this project had planned for these fine  
8 citizens of the area. After just a few minutes of  
9 research, my head was swimming. How can this  
10 possibly be? 590-foot turbines? 1,000 feet from  
11 homes? That's all the farther I needed to go.

12 I didn't need to read the sound study.  
13 The flicker report? No, didn't need to click on  
14 that either. Aircraft detection lighting? Can't  
15 say that would even get me to click. There is no  
16 way anyone should be subjected to this danger, the  
17 nuisance, or the mental torture.

18 What these county boards and commissioners  
19 have allowed to happen here is shameful and must not  
20 be allowed to move forward. Participating  
21 landowners want the money. I understand that. But  
22 that money comes at the expense of others. There is  
23 no possible way these people can live in the shadow  
24 of these behemoths. Participators or  
25 non-participators, it does not matter. They all

1 need to be saved from this ridiculous error in  
2 judgment. This project is not safe.

3           The danger of ice throw and blade throw is  
4 enough to say stop. As much as wind energy people  
5 like to minimize the danger of ice throw, it is a  
6 very real safety concern for residents and travelers  
7 through the area.

8           Do you know how I know that? I know that  
9 because I went to a public meeting in May. The wind  
10 developers had three placards on easels. Two were  
11 about construction. The third placard placed  
12 directly in the middle was totally concerning ice  
13 throw. Thirty-three percent of their message was  
14 directed at selling people on ice throw being a  
15 trivial matter. No, it is no small thing.

16           Here are two examples: My brother is a  
17 truck driver. Earlier this year a turbine threw a  
18 large chunk of ice over the top of the house  
19 directly into the middle of the highway right in  
20 front of him. It was night, it startled him, and it  
21 could have caused him injury or an accident had he  
22 swerved out of instinct like most drivers would.

23           Number two, my friend was just hit in the  
24 head by hail on Tuesday. Small chunks of ice in  
25 comparison, but they cut her head and caused injury.

1 Those hailstones were not coming off of a blade  
2 traveling 200 miles per hour. They were  
3 gravity-fed. Ice is dangerous, period.

4 I cannot understand how anyone would want  
5 to ruin this beautiful countryside for a few  
6 dollars. The birds, the bats, bees, and all of our  
7 precious wildlife are in danger. For what? For a  
8 check in the mail for a handful of people. Misery  
9 for everyone else. Thank you.

10 CHAIRMAN FIEGEN: Thank you.

11 MR. SERSHEN: Hello. My name is Nick Sershen,  
12 N-I-C-K, S-E-R-S-H-E-N. I live in Sioux Falls, and  
13 I'm on the board of the South Dakota Wind Energy  
14 Association, and for full disclosure, also an  
15 investor in Prevailing Winds, LLC.

16 Mr. Haverly with GOED took most of my  
17 thunder so I just want to highlight one topic that  
18 he covered. The 500-plus jobs that are directly  
19 tied to wind in the state, that number doesn't  
20 include the thousands of landowners who receive  
21 payments for the drought resistant, hail resistant,  
22 flood resistant crop that is the wind to the tune of  
23 more than \$5 million per year that gets paid to  
24 them.

25 The wind industry is doing things that

1 most other industries cannot do, providing rural  
2 economic development, rural jobs, and billions of  
3 dollars of capital investment into the rural area.

4 So thank you for your time and your  
5 thoughtful consideration of the facts and the  
6 science surrounding wind projects that have a  
7 long-lasting positive benefit for our state. Thank  
8 you.

9 CHAIRMAN FIEGEN: Thank you.

10 MR. SCHOENFELDER: My name is Zachary  
11 Schoenfelder. That's Z-A-C-H-A-R-Y,  
12 S-C-H-O-E-N-F-E-L-D-E-R.

13 CHAIRMAN FIEGEN: And, Zach, I'm just going to  
14 ask that you get that mic --

15 MR. SCHOENFELDER: I can stand a little bit  
16 closer to the mic. No problem. Are you the only  
17 representative here today for Prevailing Winds? Or  
18 where's the representatives for Prevailing Winds?  
19 Oh, you, sir. I don't know how I got that mixed up.

20 Who built your home, the home you're  
21 currently living in? You don't know who built your  
22 home? Oh, okay. No worries.

23 The relevance is I'm currently living as a  
24 fifth generation homesteader in the farm home that  
25 my grandfather's grandfather built. I love that

1 place. I am hoping to remodel it so it can become  
2 something better. I don't fear change. Change is  
3 great. There are things that can happen for the  
4 better. But when you place a wind turbine, or in  
5 this case, five wind turbines surrounding a home  
6 that's been there longer than the people could even  
7 conceptualize, electric turbines.

8           The idea that we would compromise our  
9 integrity and forget our neighbors and what they  
10 built, too. There are a lot of people in this room  
11 that live in the home that they helped build or that  
12 they know somebody who built it. I can't move  
13 somewhere else and have my grandfather's home there.  
14 I can't put this thing on wheels and cart it away.  
15 There's too much history, it's not feasible, and I  
16 won't do it. I won't leave it either because I  
17 don't abandon my family and I don't abandon my  
18 friends. We are a community.

19           There are 1,500 people in Wagner,  
20 approximately. Look at the voting rates, look at  
21 the population, it hasn't changed. These people  
22 know each other. We know each other. We've been  
23 linked for a very long time.

24           Wind turbines are fine. They produce  
25 energy in a renewable way. The construction does



1 not help. There are fossil fuels being burned.  
2 There are homes and habitats being destroyed. Just  
3 to clear a little road, you could kill thousands of  
4 animals.

5           The real point here is setbacks are  
6 important. If you want to build a wind turbine,  
7 that's fine, but a mile away? Two miles?  
8 Three miles? You've got to push these away so they  
9 don't affect the skyline. They don't affect the  
10 light. You can see the Northern Lights and the  
11 Milky Way here. If you go to another city two hours  
12 away, you'll never see that. And if you keep on  
13 adding wind turbines, you're going to just add more  
14 and more, and it's just going to be a bright, windy,  
15 floppy mess.

16           And I would implore you to consider that,  
17 as a community, there is a social downfall here.  
18 There is an economic issue. If people leave and no  
19 one wants to come here except for technicians who  
20 work on the wind turbines, then the wind turbine is  
21 making money and the city gets destroyed, the  
22 township gets destroyed. The counties get spread  
23 apart. People leave. We lose touch with who we  
24 are, which is a community. We are a community.  
25 We're together. And I know that people want to make

1 money. I know people want the wind turbines for the  
2 energy efficiency. I understand that, but we need  
3 to compromise. We need to push these wind turbines  
4 far enough back that they don't take away the  
5 settlements that people have had for hundreds of  
6 years. This is important.

7 I'm 27 years old. I'm probably one of the  
8 younger people in this room, and there are a few  
9 people here that are my age group, and I want that  
10 age group to be heard. I want to live here. I  
11 moved away from my family and I came back. I want  
12 to live here. My friends want to come and live  
13 here.

14 People enjoy what you get here, which is  
15 peace and quiet, serenity, friendship. You can't  
16 backstab somebody around here because your name's  
17 going to go out like that. It's just like with  
18 these wind turbines. Everyone who accepts it is  
19 going to be known, and everyone who denies it is  
20 going to be known, and you're going to divide us.  
21 This is a social and economic issue and it needs to  
22 be addressed immediately. Please, I implore you,  
23 increase the setbacks and stop this.

24 CHAIRMAN FIEGEN: Zach, do you mind giving that  
25 address for the record?

1 MR. SCHOENFELDER: I live at 40228, Wagner.

2 CHAIRMAN FIEGEN: And is that the homestead you  
3 were talking about?

4 MR. SCHOENFELDER: Correct.

5 CHAIRMAN FIEGEN: One more time.

6 MR. SCHOENFELDER: 40228 296th Street, Wagner,  
7 South Dakota.

8 CHAIRMAN FIEGEN: Just wait.

9 (A brief discussion off the record.)

10 MR. KOZEL: Are you ready to go? I thought I'd  
11 save the best for last, but I guess I won't be. My  
12 name is Douglas Kozel, K-O-Z-E-L. I'm from Pierre,  
13 South Dakota, but my family and I are  
14 non-participating landowners in Charles Mix County.  
15 Our property is located approximately -- from the  
16 corner of Highway 46 and 50 south down Highway 50.

17 I do want to begin by thanking the  
18 Commission and especially when they read the initial  
19 Notice of Hearing where they made comment --  
20 Commissioner Fiegen made comment about all that  
21 needs to take place, the maintenance equipment, the  
22 electrical equipment, the batch, the public roads,  
23 and I only hope that every one of the County  
24 Commissioners in Hutchinson and Bon Homme and  
25 Charles Mix is ready to open up their checkbooks

1 when they have to repair many, many of the township  
2 and county roads in this area.

3           One of the things that I really want to  
4 talk about is the setback, and as I talked to a few  
5 people on the panel here about setbacks. Right now  
6 some of the counties may not even have a zoning  
7 ordinance for a setback, but what I'm hearing is 500  
8 feet from a property line.

9           Now as I talked to Greg here, I said, "How  
10 about if I build a house within 500 feet of a  
11 property line but two years prior there was a wind  
12 turbine put there? Then does that turbine have to  
13 move or do I not be able to move it?" Well, it's  
14 kind of a buyer beware. I don't think that's very  
15 fair of buyer beware, if you heard some other  
16 property owners saying they wanted to build a  
17 residence on land.

18           So I think we need to look at setting  
19 those setbacks back far enough so that it allows the  
20 non-participating landowner to utilize his property,  
21 especially as some others have talked about hunting  
22 opportunities over the last years. My family has  
23 put in CRP, which, again, is a big initiative from  
24 the Governor's Office, and even in the Farm Bill  
25 there's mention of pheasant increasing the

1 populations in South Dakota.

2           So we've tried to do that, but when you're  
3 going to have a large turbine in that area running  
4 night and day, I can tell you, and you can go in any  
5 of those areas, you're not going to see a lot of  
6 wildlife around there. But, again, the big issue is  
7 dealing with setbacks. And, you know, if you -- I  
8 don't have the numbers. The numbers being, should  
9 we bid it back 2,000? Half mile? One mile?  
10 Whatever it is, but it's got to be a lot further  
11 than 500 feet. You know, I asked some people in  
12 town here today, because I come from Pierre, South  
13 Dakota. And I said to some people in town here,  
14 "Would you want to live under one of the wind  
15 turbines?"

16           "No, I like to look at them," they said,  
17 "especially if I can look at them across the river,  
18 but I never would want to live by one."

19           So, again, we need to make sure that we're  
20 saving the habitat, we're protecting the people's  
21 lives and safety, and that, you know, as I said, we  
22 need to make sure that everybody is provided the  
23 opportunity to use and utilize their property  
24 properly. Thank you.

25           CHAIRMAN FIEGEN: Thank you.

1 MS. MEYER: My name is Elouise Meyer,  
2 E-L-O-U-I-S-E, M-E-Y-E-R, and I came here from New  
3 York for this meeting. My address is 58 Woodcock,  
4 W-O-O-D-C-O-C-K, Road, Westbury, W-E-S-T-B-U-R-Y,  
5 New York 11590. And my brother George came here  
6 from Chicago also for this meeting.

7 We own a farm in Avon, South Dakota, which  
8 has been in our family for over 135 years. Our  
9 tenant farmer lives in Tripp and has farmed the  
10 property for 40 years. We also have relatives who  
11 farm nearby in Wagner. Our property is within the  
12 revised Prevailing Winds footprint.

13 My concerns which coincide with the  
14 mandates and authority of the Public Utility  
15 Commission include but are not limited to the  
16 following various issues:

17 First of all, I include all the health,  
18 environment, safety, conservation issues, including  
19 light flicker, sound issues, stroboscopic effect  
20 production which can cause seizures, infrasound,  
21 sleep deprivation, blasting in construction and  
22 decommissioning, bird and bat kill, and the effects  
23 of proximity to high power transmission lines. Did  
24 I say that I am opposed to this project?

25 Public concern about these issues was well

1 documented at the August 2016 PUC hearing for  
2 Prevailing Winds which I attended. It is also well  
3 documented by experts and industrial hygienists in  
4 long and detailed papers. Prevailing Winds has paid  
5 for their studies which attempt to nullify these  
6 issues. Safety issues to consider include the  
7 danger of ice throw from the turbine blades in  
8 winter. The mass abuse of fiberglass is a health  
9 and safety issue. Not only is the use of fiberglass  
10 and polyester resin extremely hazardous to the  
11 worker who is applying it, the degradation of the  
12 completed material may become the next asbestos type  
13 health hazard. The polyester resin fumes are  
14 hazardous as are the fiberglass threads.

15           Prevailing Winds is proposing three  
16 580-plus foot turbines equivalent to a 50-story  
17 building in direct proximity to our old homestead  
18 thereby rendering it inhabitable as a homesite in  
19 the future.

20           The land at that spot falls off into a  
21 beautiful sweeping vista to the east. To the north,  
22 south, and west, the view rises, and will be a  
23 rising wall of 61 586-foot turbines. There is no  
24 diagram of the site or dimension of the turbines,  
25 and the only mention of the foundation in Thorstad's

1 comments is for a foundation the same as for the  
2 2-megawatt units.

3 This is an unacceptable lack of plan and  
4 information. Reject this lack of plan and specs and  
5 engineering.

6 The terms of the 2016 energy lease, of  
7 which I have a copy, not only prohibits the lessees  
8 from speaking against the project. It contractually  
9 requires them to lobby on behalf of any issues of  
10 benefit to the Prevailing Winds Park, LLC, including  
11 land use permits and approvals, tax incentives, or  
12 tax abatement program approvals, building permits,  
13 environmental impact reviews or any other approvals  
14 required or deemed desirable by the lessee. In  
15 considering the application, the PUC -- oh, I'm  
16 sorry.

17 CHAIRMAN FIEGEN: If you could just make your  
18 last sentence statement, that would be great.

19 MS. MEYER: I'm sorry. My last statement is  
20 that the funds are insufficient to help the  
21 community, and there should be -- if you accept this  
22 project, there should be a real estate tax placed on  
23 these people because the schools and et cetera --

24 CHAIRMAN FIEGEN: Thank you --

25 MS. MEYER: -- are not going to get sufficient



1 money and it's all a myth that --

2 CHAIRMAN FIEGEN: Thank you.

3 MS. MEYER: -- there's going to be money for  
4 jobs, schools, roads or anything else. Thank you.

5 CHAIRMAN FIEGEN: And then you can submit your  
6 written statement actually to the Commission in a  
7 filing, and you can talk to our staff because I know  
8 that the three Commissioners and the staff and the  
9 advisers will certainly read that.

10 MS. MEYER: Thank you.

11 CHAIRMAN FIEGEN: Thank you.

12 MS. PAZOUR: Thank you, Commissioners, for  
13 coming here, and Prevailing Winds. My name is Kelly  
14 Pazour. My home is at 29668 402 North Avenue,  
15 Wagner.

16 I was raised in Charles Mix County. I am  
17 the third generation. I have four children who are  
18 typically at home at my place. My biggest concern  
19 is I have a ten-year-old daughter who lost her  
20 hearing due to the cancer that she incurred. She  
21 now uses a Baha. The Baha sits on her bad ear and  
22 vibrates to her good ear so she can hear.

23 I'm asking the PUC to help with my way of  
24 life, my family, by identifying -- denying the  
25 Prevailing Winds project. Since 2014, I have looked

1 and done research about Beethoven Winds. My  
2 concerns are the impact of the infrasound issues  
3 that the turbines -- that the turbines give off.

4 I also take my daughter every six months  
5 to Mayo. They've also helped me to look into  
6 abstracts that could help us. I am asking the PUC  
7 to have a 3-mile setback to help us.

8 My question is, the infrasound is very  
9 different from the decibels, and my concern is with  
10 S-Power, Prevailing Winds, and all these companies  
11 that talk about decibels and the way that they  
12 measure the impact.

13 For example, the infrasound has no  
14 relation to the sounds of a refrigerator. Medical  
15 industry has diagnosed health issues with the flight  
16 to fight. How do we know if the decibels or the  
17 infrasounds are the culprits?

18 I assure -- can I assure my family that  
19 the sounds from the turbines will not impact my  
20 daughter, her hearing aid and her health? I request  
21 the PUC to do the right thing by denying Prevailing  
22 Winds their permit to overall protect my family and  
23 my neighbors and my way of life.

24 In a 3-mile radius of my place, I figured  
25 there is going to be about 18 turbines. My question

1 is: How much of an impact is that going to have on  
2 our family?

3 CHAIRMAN FIEGEN: Thank you.

4 MR. ADAM: Good evening Commissioners and  
5 staff. My name is Dave Adam, A-D-A-M. I'm from  
6 Clark, South Dakota.

7 These meetings are starting to be a pretty  
8 regular event these days with big wind really trying  
9 to take advantage of the production tax credit.

10 So even though big wind tonight says  
11 they'll install the ADLS system, I believe you, the  
12 Public Utility Commission needs to mandate that all  
13 wind projects that you are approving have the  
14 Aircraft Detection Lighting System installed on them  
15 and do what the State of North Dakota did and  
16 require that all wind projects, no matter if they're  
17 under 100-megawatts, that have already been built,  
18 have the ADLS system installed on them as well.

19 I will turn in the State of North Dakota  
20 law after I'm done here for you to look at.

21 Also, I've been working with some of the  
22 state representatives for getting this placed into  
23 law here in our state during the next legislative  
24 session.

25 The second item I would like to mention is

1 that if big wind gets their way, which seems to be  
2 happening, do you realize that from Deuel County all  
3 the way up to Grant County there could be up to  
4 1,000 towers built in the next five years?

5 Now these are not the 2- to 300-foot  
6 towers that are at Highmore or up here this one  
7 north of us here or over in Toronto or other parts  
8 of the state. These are 5- to 600-foot tall towers.  
9 Just think about that. 1,000 almost 600-foot towers  
10 in about a 50-mile area. When will it stop here in  
11 this area and in Hughes and Hyde Counties and  
12 throughout the rest of the state?

13 Jeff Haverly, the representative from the  
14 state, the Governor's Office, mentioned tonight  
15 about all the supposed energy that is being  
16 produced. How much of that electricity will benefit  
17 this town of Avon or the State of South Dakota for  
18 that matter? It gets shipped out. Everybody's  
19 aware of that.

20 That brings me to my final point. Health.  
21 I don't know how I can follow up with what was just  
22 mentioned, but I'll give it a go here. These  
23 monster towers -- with these monster towers, have  
24 you, the Commissioners, seen or studied any of the  
25 health effects from these size of towers that big

1 wind is wanting to put up 1,000 feet from a  
2 residence? Just think about that. A 586-foot  
3 tower, and it will be placed a thousand feet from a  
4 residence. How are you going to feel when one of  
5 these people that are here tonight have to move  
6 because they are not able to live that close to a  
7 tower because of health reasons which were also  
8 mentioned tonight. You pick the reason; sleep  
9 deprivation, migraines, intestinal problems,  
10 vertigo, and I pray that there's never a child with  
11 Down Syndrome that would have to live by one of  
12 these monsters. They cannot handle that.

13           You need to have these setbacks changed  
14 drastically. Maybe you, the Commissioners, that are  
15 approving all of these projects should put wind  
16 projects in at least a one-year moratorium and do  
17 some serious studies and come up with what is safe  
18 for the citizens of this state that you are making  
19 decisions for. Thank you for your time.

20           CHAIRMAN FIEGEN: And the court reporter said  
21 we will take one more and then we'll have a break.

22           MR. PETRIK: My name is Darrell Petrik,  
23 P-E-T-R-I-K, 33924 296th Street, Wagner, South  
24 Dakota.

25           CHAIRMAN FIEGEN: And somehow, although you're

1 really close to the mic, we can't hear you.

2 MR. PETRIK: Darrell Petrik, P-E-T-R-I-K,  
3 339 [sic] 296th Street. There's some federal  
4 regulations that we need to be looking at. There's  
5 three classes of oil leak, and a large percentage of  
6 these wind towers fall into the third class being  
7 the worst class. Out of 28 years military engineer,  
8 this is not qualified -- is not accepted by the  
9 federal government. Why is it being accepted now?  
10 There's too many unanswered questions and answers  
11 not going around. What's happening? Is it a  
12 cover-up? What's going on? Why is it not being  
13 looked at? Is it our fault? Is it your fault?  
14 Whose fault is it?

15 This contamination, EPA will come. Who  
16 will pay for this? Will it be the landowners? Will  
17 it be us as taxpayers? Who's going to pay for it?  
18 Class 3 is not accepted in the federal government,  
19 and it's never been and it never will. That is the  
20 regulation from the federal government itself.  
21 Thank you.

22 CHAIRMAN FIEGEN: Thank you. Off the record,  
23 Pat.

24 (A brief discussion off the record.)

25 CHAIRMAN FIEGEN: We will come back about 7:32.

1 (Recess was taken from 7:22 p.m. to 7:37 p.m.)

2 CHAIRMAN FIEGEN: Okay. The next speaker.

3 MR. KLOUCEK: Are you ready? Commissioner  
4 Fiegen, members of the PUC, staff, citizens of our  
5 state and nation. Frank Kloucek, Scotland, South  
6 Dakota, advocate for wind --

7 CHAIRMAN FIEGEN: And if you can spell --

8 MR. KLOUCEK: K-L-O-U-C-E-K, 22-year former --  
9 retired legislator from Scotland. I come here  
10 tonight -- something that Jack Prodine said in the  
11 paper of bringing people together for unity. The  
12 wind companies and the wind supporters have done  
13 their best to unify the people on this issue of wind  
14 in our area.

15 Wind is a good product. It's safe.  
16 Tonight we bring you what's happened in the past and  
17 will happen in the future. When the pioneers came,  
18 the wind tower -- the windmills were brought because  
19 we had no electricity to pump the wells. There were  
20 no wells. They made the wells. They used that  
21 power as a first source.

22 Now we've advanced to the next level of  
23 safe efficient wind power. And wind power is safe.  
24 I spent a little time, and believe it or not,  
25 Commissioner Nelson I went down and got an ID Weeks'

1 library card and I spent some time down in the  
2 library at USD looking at all the aspects of wind  
3 power and other industries, and, oh, my goodness,  
4 what an issue we found between our energy fields  
5 about what's safe and what isn't. And you look at  
6 how efficient wind is and how good it is, and it's a  
7 win-win. I ask that you support this project for  
8 many reasons. These folks -- the folks from the  
9 wind supporters have gone over and above to work  
10 with the county commissioners and the zoning board  
11 in our county. They went and asked for more rules  
12 to be put onto them to make it state-of-the-art  
13 safety for the people of our area for wind, and  
14 they've done this on their own accord.

15           While other industries are trying to slip  
16 by and get by with no rules or little rules, this  
17 industry is looking to make it safer for our people  
18 to live in the area. Personally, I would have no  
19 problem living near a wind farm. I would, again,  
20 live there any day compared to a hog CAFO, and we  
21 won't get into that tonight, but it certainly is a  
22 safety issue that needs to work. And the people of  
23 our area have to work together and come together on  
24 this issue. And there are a few that disagree, and  
25 that's what makes America great is to disagree and



1 not disagree on certain issues, but we've got to  
2 look past that and what's good for our state and for  
3 our nation.

4 I ask, again, that you approve this  
5 permit. They have met and exceeded all the local  
6 zoning requirements, they'll work for the good of  
7 the people of our county, our state, and our nation  
8 with wind power, and it will. You know, we look at  
9 the oil industry. We look at the uranium, the  
10 radioactive waste, we have all these different  
11 industries that are highly polluted. Do you  
12 remember the clean-up fund? We had to spend  
13 millions of dollars to clean up underground tanks  
14 for gasoline. And I could go on and on with other  
15 energy industries.

16 This is a good, safe, clean energy. I ask  
17 for you to support it. And I'm glad you're here  
18 tonight. I apologize for the air-conditioning and  
19 wish you the very best in your endeavors. Thank you  
20 for your time.

21 CHAIRMAN FIEGEN: Thank you.

22 MR. SESTAK: Good evening. My name is Terry  
23 Sestak. That's S-E-S-T-A-K. I live at 30538 427th  
24 Avenue, Tabor.

25 Tonight I speak on behalf of the South

1 Dakota Farmers Union in support of the Prevailing  
2 Winds Park. As members of the South Dakota Wind  
3 Association and investors in the Crow Lake wind  
4 project, which has been very successful, I urge you  
5 to pass this permit and continue on with wind  
6 projects throughout the state. Thank you for your  
7 time.

8 CHAIRMAN FIEGEN: Thank you.

9 MR. SCHOENFELDER: Good evening.

10 Commissioners, staff, thank you very much for making  
11 the trip down. My name is Paul Schoenfelder,  
12 S-C-H-O-E-N-F-E-L-D-E-R, 40228 296th Street.

13 I live about eight miles west of Wagner,  
14 about eight miles north of Avon. I grew up in  
15 Mitchell. I met my wife up in Aberdeen while we  
16 were going to school. We live out on the farm that  
17 she grew up on.

18 This is the farm that's been in her family  
19 for 122 years, since it was homesteaded in 1896.  
20 I'm just going to say that again. It's been in the  
21 same family, the same house, 122 years.

22 Interestingly, there's a part of the house  
23 that's even older than that. Inside the house --  
24 our living room is a log cabin that was actually  
25 part of the way station for the stageline that ran

1 from Springfield. It was built back in the 1880s,  
2 so our farmhouse is over 130 years old.

3 My father-in-law deeded us part of the  
4 farm and our plan was for our brother-in-law to take  
5 over that farm. Sadly, he passed away in 2011. We  
6 were living in Idaho at the time. We understood the  
7 importance of taking care of this, something that  
8 was so important and so unique; so our plans  
9 changed. We made a new plan and we quit our jobs in  
10 Idaho and we moved back to South Dakota.

11 So there's a reason why this is relevant.  
12 It's relevant because our 130-year-old farmhouse is  
13 going to have -- if this project goes through as  
14 written, it will have a wind turbine, a 590-foot  
15 wind turbine three-quarters of a mile away. I will  
16 have four -- at least four or five proposed turbines  
17 within a mile of my house, nine within a mile and a  
18 half, 19 within two miles of our house.

19 In the application it states that the  
20 project should not pose a severe threat to the  
21 social condition of the inhabitants. I can  
22 guarantee this will have an impact on my social  
23 well-being.

24 When I look out my front door right now I  
25 can see nine turbines as it is. Fortunately, I've

1 got some mature elm trees so they're not really  
2 obtrusive, but when I woke up this morning and I  
3 walked out at sunrise, I knew I could look at this  
4 map and I could look to the east and I could look to  
5 the southeast and I could look to the north, and I  
6 knew that I would be seeing wind turbines within  
7 three-quarters of a mile of my house, and that they  
8 would go on for a few miles from there. I'm pretty  
9 sure I'm going to be impacted.

10 I also have some questions about the  
11 applicant's due diligence through this process.  
12 When we finally saw the proposed windmill sites on  
13 the PUC website, we realized that our house wasn't  
14 on any of their sites, any of their studies. The  
15 sound studies, the sound estimates, we weren't  
16 there. The shadow flicker, it didn't -- it wasn't  
17 there.

18 The land use survey, we've got land that's  
19 never been tilled, it's shown as tilled. A cultural  
20 impact, there's no 130-year-old log cabin out there.  
21 I wonder how many other parts of this process and  
22 these facts that are missing, where time needs to be  
23 taken to accomplish this.

24 Bottom line, I'm not opposed to wind  
25 power. But this project, as written, will put an

1 undue burden on the residents that will bear no  
2 direct benefit from it. If someone wants wind  
3 turbines on their land, that's their choice. But  
4 for those living and working in the area that will  
5 have no choice but to see and look at these things  
6 every day, and they'll be there for years to come.

7 Bottom line, if people want turbines on  
8 their land, that's fine. But please protect our  
9 citizens. Please look at the idea of two-mile  
10 setbacks from non-participating landowners because,  
11 again, I think wind power has a lot of potential,  
12 but people who have no choice are going to have  
13 these things right in their literal backyard. Thank  
14 you very much.

15 CHAIRMAN FIEGEN: Thank you.

16 MR. HOLBORN: My name is George Holborn,  
17 H-O-L-B-O-R-N. I'm from Sioux Falls, South Dakota.  
18 I'd like to share with you tonight a survey taken in  
19 2016. This is a survey in Buffalo Ridge II near  
20 Toronto, South Dakota, and was completed by Mark  
21 Younker, a civil engineer. He and his wife  
22 Meredith, a Doctor of Pharmacy, and their son left  
23 Deuel County about a year ago.

24 He lays the platform here from which his  
25 survey begins. There are 24 existing wind turbines

1 in Deuel County according to the 2015 satellite  
2 imagery. Interviews were conducted with residents  
3 who live within one mile of existing wind turbines.  
4 There were 13 interviews in Deuel County. There was  
5 two interviews in Brookings County who lived just  
6 south of the county line.

7 Residents were simply asked what it was  
8 like living next to a wind turbine. All interviews  
9 were ended with a question regarding if the owner  
10 was receiving any compensation from the wind  
11 developer.

12 Noise results: 40 percent negatively  
13 impacted. Remember, they were asked what it was  
14 like living next to the turbines.

15 The first one only had 14 turbines within  
16 a mile of his residence. "It sucks" was his  
17 comment.

18 Another one, "They limit all their outside  
19 activity." "They never sleep with the windows  
20 closed -- open anymore." "Noise inside the home."

21 Twenty-seven additional percent was mildly  
22 affected.

23 Flicker results: When this farm was  
24 started, there was no flicker ordinance in Deuel  
25 County. 33 percent were negatively impacted. The

1 comments, "Most months of the year they put up with  
2 flicker." "Happens all the time" was another  
3 comment.

4 The ones mildly affected claimed it was in  
5 the kitchen in the wintertime and February and March  
6 in the house.

7 Other concerns: Property values,  
8 wildlife, red flashing lights and house vibrating.  
9 The vibration in the house, the closest turbine was  
10 roughly half a mile.

11 Conclusion: All interviews conducted,  
12 both negative and positive, are contained in this  
13 report. There is sufficient evidence from the  
14 interviews to demonstrate that a substantial number  
15 of Deuel County residents are negatively impacted  
16 from noise and shadow flicker generated from wind  
17 turbines. When current ordinances are not  
18 protecting people being forced to live among  
19 2.0-megawatt wind turbines south of Toronto, what  
20 would you expect life among much more powerful  
21 turbines such as those proposed here or 4.2-megawatt  
22 in other counties.

23 I have enclosed a comments letter  
24 regarding these concerns. Over the past years I  
25 have become acquainted with an industrial noise

1 engineer. William Acre has more than 40 years of  
2 experience in this field and is intimately  
3 knowledge -- has intimate knowledge both regarding  
4 the Shirley Wind Farm, Brown County, Wisconsin. I  
5 asked his thoughts on these larger industrial wind  
6 turbines, like the 4.2-megawatt. He replied, "They  
7 scare the hell out of me."

8 I asked him if I may quote him. "Yes.  
9 They should scare anyone living near them."

10 I ask you to please deny this application,  
11 use your authority to accept only safe setbacks,  
12 two miles with a waiver. There's too many known  
13 unknowns on these things. Thank you.

14 CHAIRMAN FIEGEN: Thank you.

15 MS. ADAM: Good evening. Thank you for coming  
16 out tonight to hear from the citizens of South  
17 Dakota. My name is Darci Adam, D-A-R-C-I, A-D-A-M,  
18 and I'm from Clark, South Dakota.

19 The statement I am about to make is one  
20 that I suspect most of the people in this room will  
21 agree with. As a state, nation, and world, we have  
22 energy and environmental issues, and these  
23 challenges should be solved using real science.

24 What exactly is real science, though?  
25 Speaking as one who has taught science classes for



1 14 years, I can tell you first what real science is  
2 not. Real science is not a collection of theorems.  
3 Rather, it's a process, the crux of which is called  
4 the Scientific Method. And the Scientific Method  
5 begins with a hypothesis. For example, wind energy  
6 is safe for humans, animals, the environment,  
7 et cetera. What should then follow is a thorough  
8 assessment based on objective, comprehensive,  
9 empirical, independent, peer-reviewed research. The  
10 fact is, this process has not been even remotely  
11 undertaken regarding the wind industry.

12           How many in this room are aware that there  
13 were 38 registered big wind or energy lobbyists  
14 working our legislators out in Pierre last session?  
15 Due to aggressive lobbyists pushing forth the agenda  
16 of often multi-national conglomerates, you and I  
17 have been fed pseudo-science from the beginning.  
18 These technical, economic, environmental, health,  
19 and other studies should have been performed before  
20 the very first industrial wind park was ever built.  
21 The onus of responsibility should be upon those  
22 promoting the theory. Instead, we, the people,  
23 repeatedly find ourselves in the position of proving  
24 something is unreliable or unsafe just to protect  
25 ourselves. This is completely backward and

1 upside-down.

2           Is it unreasonable to ask for real  
3 scientific proof that there a net benefit to  
4 taxpayers and ratepayers? Is it unreasonable to ask  
5 for real studies on environmental effects? And a  
6 better question is: Are we being unreasonable to  
7 ask for real scientific proof that a 590-foot wind  
8 turbine located 1,000 feet from a residence is safe  
9 and will not substantially impact the health,  
10 safety, or welfare of the inhabitants? Or do we  
11 assert that it's okay to resort to pseudo-science  
12 and computer modeling as long as our state, the  
13 hosting community, and several landowners get a  
14 little extra money? And when a few well-done  
15 studies are brought forth that prove a detrimental  
16 effect on, for example, breeding grassland bird  
17 distributions, or breeding duck densities, two  
18 studies relied upon by USFWS, is it okay to ignore  
19 them.

20           We need real science in South Dakota.  
21 There are currently no state noise regulations.  
22 There is no setback standard other than the  
23 1,000 feet previously promoted on your website. As  
24 attested to by the PUC staff's witness, David  
25 Lawrence, the jury is still out regarding property

1 devaluation in South Dakota. We have no state  
2 regulation regarding shadow flicker.

3           Commissioner Nelson, on Tuesday you  
4 acknowledged the fact that there are no state  
5 regulations regarding safe ground-to-blade  
6 distances. And Commissioner Fiegen affirmed that we  
7 do have outdated wind laws. Both Commissioners  
8 Nelson and Hanson voiced concerns regarding county  
9 setback distances. We are all certainly anxious for  
10 some real science.

11           Commissioners, you have approved the  
12 Crocker Wind Farm and Dakota Range I and II projects  
13 with full knowledge that their studies are lacking,  
14 with some not even having been completed. You must  
15 know this only emboldens wind developers. And so  
16 here we are again. I beg you, don't make your  
17 decision on Prevailing Wind Park until the industry  
18 comes back with some real science. Don't require  
19 the citizenry to prove it shouldn't be permitted,  
20 and don't throw this back on our legislators.  
21 You're vested with the authority to deny this permit  
22 if the applicant fails to meet their burden of  
23 proof. Please require some real science. Thank  
24 you.

25           CHAIRMAN FIEGEN: Thank you. We have a few

1 more coming up.

2 MR. VAN GERPEN: Madam Chair, I have a handout.  
3 Could I hand that out now?

4 CHAIRMAN FIEGEN: Yeah, I believe you could  
5 hand that out. It will go on the file, so it will  
6 be on the docket so everybody can see your handout.

7 MR. VAN GERPEN: That's fine.

8 CHAIRMAN FIEGEN: So the staff is taking the  
9 handout. This will be available on the website for  
10 everybody to see sometime soon, not right now.

11 MR. VAN GERPEN: Again, thank you for coming to  
12 Avon, and I told one of you -- asked one of you --

13 CHAIRMAN FIEGEN: Pat, did you get his name?  
14 Spelling?

15 MR. VAN GERPEN: I'm sorry. Ed Van Gerpen,  
16 V-A-N, G-E-R-P-E-N. Thanks to each of you for  
17 coming tonight, Commissioners and staff. I'd like  
18 to know who is the person that picked this date  
19 because we certainly gave you a warm reception.

20 CHAIRMAN FIEGEN: That was the legislature.

21 MR. VAN GERPEN: I'm not an investor, so this  
22 is not a conflict of interest for me as I testify.  
23 Now, why did they build another wind farm? It said  
24 because they want to provide an excellent education  
25 for our children and grandchildren. Well, I went to

1 five investment meetings. And the one in Yankton,  
2 second one, they stated that if you invest 50,000,  
3 it could turn into 500,000, a tenfold increase. So  
4 money was the main reason for building this wind  
5 farm.

6 He goes on to say that the increase from  
7 the Beethoven Wind Farm will be \$100,000 a student.  
8 Well, I have a budget from the Tripp school, the  
9 next page, and they'll be getting \$112,000, 162  
10 students, which comes to \$691. So they have a  
11 highly inflated number there trying to get support  
12 for the wind farm.

13 Then it goes on, for example, the Avon  
14 school will get \$1,360 per year if all the wind  
15 turbines were built in the Avon School District.  
16 Well, there's never been a plan or is there now to  
17 build all the wind turbines in the Avon School  
18 District. So once again, they put a highly inflated  
19 number in there to try and get support for the wind  
20 farm.

21 If you go to the left, this is a letter  
22 that was signed by the President of Prevailing  
23 Winds. "We will be holding open house meetings for  
24 those who want to learn more." Well, it took three  
25 years before they scheduled a meeting, but they put

1 a little article in the Yankton paper and didn't  
2 even put anything in the Avon paper; so naturally  
3 there was hardly anybody there; it was at a  
4 neighboring town. But then most important,  
5 "Prevailing Winds is locally owned by your friends  
6 and neighbors." If you go to page 3, to the right  
7 is the initial 30 investors. Seven were from Avon,  
8 and as far away as Dell Rapids and Sioux Falls.  
9 Then to the left is all the towns that they had  
10 investment meetings, as far away as Oacoma, Madison,  
11 Sioux Falls, Watertown, Brookings, and yet they want  
12 us to believe that it's local people.

13           The next two pages are "Prevailing Winds  
14 Talking Points." This was put out by East River  
15 Electric. And you can read those at your  
16 convenience.

17           But I'd like -- it's where they use PURPA  
18 to force Basin Electric to buy the power. The past  
19 so far, in the case of Prevailing Winds, has not  
20 been our typical preference route, but federal law  
21 dictated the courts which means PURPA forced them --  
22 Basin Electric to buy the power.

23           The next -- on page 6 is just an  
24 information sheet on why Basin Electric raised their  
25 rates about a year and a half ago. It's interesting

1 to note that one of the reasons was expenses from  
2 wind power cost Basin Electric more to produce  
3 electricity. I guess the other ones you can read at  
4 your convenience, and thank you for your time.

5 CHAIRMAN FIEGEN: Thank you.

6 MS. FUERNISS: First, I would like to thank the  
7 PUC --

8 CHAIRMAN FIEGEN: We're going to have to have  
9 you bring your mic a little bit closer.

10 MS. FUERNISS: Is that better? First, I would  
11 like to thank the PUC --

12 CHAIRMAN FIEGEN: And you're going to state  
13 your name, right, and spell it?

14 MS. FUERNISS: -- for being here to listen to  
15 us. I am Lori Fuerniss, L-O-R-I, F-U-E-R-N-I-S-S.  
16 I live at 40263 293rd Street, Delmont, South Dakota.

17 Our family lives roughly a mile to a mile  
18 a quarter from the Beethoven Wind Farm and we do  
19 hear the turbines in our yard and they are much  
20 louder than the noise of a refrigerator, but I am  
21 not here to talk about the sound these giants make,  
22 but I would like to share how our life has been  
23 since the turbines are running.

24 My husband's sleeping pattern started to  
25 change, waking up during the night. I joked about

1 it saying that the turbines were getting to him, but  
2 after some time I decided that this was no joke  
3 after noticing that I was not sleeping normally  
4 anymore.

5 I have gone from eight hours of sleep to  
6 four to six hours of not so good sleep each night as  
7 they are two hours of sleep, then maybe awake for  
8 awhile, and two or three more hours of sleep.

9 I did some research and found that has  
10 nothing to do with actual sound we hear from the  
11 turbines but from the infrasound, sounds we don't  
12 hear, the vibrations that affect our inner ear which  
13 causes chaos with our health.

14 Here is an example of the sleep I have  
15 been getting lately. I've been going to bed about  
16 10:30, 11:00, and I usually wake up at 6:00 or 7:00.

17 A week ago Wednesday night I couldn't  
18 sleep. I finally fell asleep at 3:00 in the  
19 morning.

20 Thursday night I woke up at 4:30 and was  
21 up until 6:00.

22 Friday night I did get some sleep finally  
23 through the night.

24 Saturday night I woke up at 2:30 and I was  
25 up until 4:30 or 5:00.



1           Sunday and Monday night, I woke up at 4:30  
2 until 5:30.

3           Tuesday night I went to sleep at 12:30 and  
4 woke up at 3:45.

5           Last night I went to sleep at 12:00 and  
6 woke up at 4:35.

7           In June I was at -- in Rosebud for a  
8 couple of days and spent the night there, and I  
9 actually did get a good night's sleep for once.

10           On Sunday night, when I woke up at 4:30, I  
11 had a pain in my side. It reminded me of the  
12 shingles, which is a virus you can get after you've  
13 had the chickenpox, it affects your nerve ends and  
14 is caused by stress. It feels like a sharp knife  
15 stabbing you, not just once, but maybe 20, 30 times  
16 a minute, and it may last for minutes, hours, days.  
17 It's very uncomfortable, and I have felt this pain  
18 quite often lately. It may be from the stress of  
19 not sleeping.

20           Besides lack of sleep and the pain on my  
21 side, I have noticed headaches recently. I probably  
22 had more headaches in the past three years than I've  
23 had altogether in my life. Thankfully they haven't  
24 been bad migraine headaches, just the kind of  
25 annoying headache. These usually occur when I get

1 up in the morning.

2           These things, along with my husband being  
3 diagnosed with vertigo, have for the most part  
4 started or increased since the last PUC meeting that  
5 was here two years ago. And it's pretty hard to --  
6 pretty tough to farm when you can't get sleep and  
7 your husband is in bed for days with vertigo. And  
8 we can't -- we're a small family farm, so we have  
9 nobody to take over our work. We have to do it.  
10 There's no calling in sick.

11           My biggest concern is the blueprint of the  
12 new turbines, which is much larger than the  
13 Beethoven turbines. There will be five within a  
14 mile and quarter of our yard. Three of them will be  
15 just a mile from our yard and will also be much  
16 taller.

17           Please take that into consideration as you  
18 make your decision. If not, make a setback that we  
19 can live with, maybe two miles. Thanks.

20           CHAIRMAN FIEGEN: Thank you.

21           MS. HUBNER: Good evening, Commissioners. I am  
22 Marsha Hubner, M-A-R-S-H-A, H-U-B-N-E-R.

23           Prevailing Winds' map has approximately 17  
24 turbines within two miles from my home. I have  
25 repeatedly heard from the Commission that you do not

1 make decisions based on your opinion, only on the  
2 law. Ms. Fiegen, just Tuesday at the Dakota Range  
3 At Hoc meeting you made the statement that the word  
4 "reasonable" has different interpretations, and I  
5 agree. And I would contend that so do the words  
6 serious injury, substantially impair, and unduly  
7 interfere. I don't think there's a question that 63  
8 more giant wind turbines will cause some injury to  
9 the environment, inhabitants and development of this  
10 region. The question is: Will it be serious and  
11 substantial? In any case, shouldn't you err on the  
12 side of caution?

13 Commissioner Nelson, you have said that  
14 the South Dakota ranchers and farmers have always  
15 been good stewards of the land; therefore, they  
16 should have the freedom to do whatever they want to  
17 do with it, and I agree. But I also think we would  
18 all agree that that freedom stops at their property  
19 line. If there wasn't a problem with wind turbines  
20 encroaching neighboring property owners, we wouldn't  
21 be here tonight.

22 The Bent Tree wind project in Minnesota  
23 just last May bought out several homeowners because  
24 of long-term complaints on noise, and many other  
25 projects are now offering good neighbor agreements

1 to quiet the complaints from non-participating  
2 homeowners. At last Tuesday's meeting you asked for  
3 a contingency to make it slightly more palatable to  
4 those living in the footprint. Is that all we can  
5 hope for?

6           The health effects from infrasound are  
7 real and cumulative. More and more people are  
8 getting sick from living near a turbine. And if it  
9 wasn't for the confidentiality clause, we would have  
10 been made aware of this much sooner. Isn't having  
11 to leave your home from serious health issues  
12 serious and substantial?

13           Commissioner Hanson, you have made the  
14 comment that we just don't know how all the proposed  
15 wind energy projects, literally thousands of  
16 turbines, will impact wildlife in this state. And  
17 when we do know, it may be too late. I so agree.  
18 The U.S. Fish and Wildlife also have serious  
19 concerns. What we do know is that this particular  
20 wind project puts endangered birds and bats at risk.  
21 Plus, this whole footprint is in the center of the  
22 Central Flyway and is in the Mississippi Flyway, and  
23 possible whooping crane migration routes. How could  
24 it not have serious and substantial impacts?

25           Commissioner Nelson, you have talked about

1 your unwillingness to usurp local governments. I  
2 appreciate that. But at that same Ad Hoc meeting  
3 you asked for the decibel limits to be lowered from  
4 50 to 45, then added you would only ever do that  
5 with the applicant's permission. It's becoming more  
6 clear that applicants dictate our zoning laws. The  
7 pressure put on these local governments by  
8 professional wind salesmen is unprecedented. And  
9 the health effects of wind turbines of this size is  
10 also unprecedented. Where are the studies not paid  
11 for by wind that prove it is safe? Your  
12 Commission's comment about putting contingencies and  
13 policies in the incubator made it clear you do not  
14 know how turbines will affect us either. Do you  
15 have any idea how that makes us feel? I did not  
16 sign up to be an experiment.

17           What's at stake for me and many others is  
18 being able to live in my home. I'm trying to  
19 understand how wind energy corporations are given  
20 the benefit of the doubt over people forced to live  
21 in the footprint.

22           We all need to step back. If all the wind  
23 projects and applications in South Dakota are  
24 accepted today, what will this state look like?  
25 What will it be like? What collateral damage? When

1 the Commission grants a permit, you are, in essence,  
2 promising me and others living in the footprint that  
3 we will not experience any harm that is serious or  
4 substantial. Can you in good conscience make that  
5 promise? Please don't let the South Dakota we all  
6 grew up in become only a memory by your decided  
7 definitions. Just maybe you were put in this  
8 position for such a time as this. Thank you.

9 CHAIRMAN FIEGEN: Are you ready, Pat?

10 MR. HUBNER: Gregg Hubner, G-R-E-G-G,  
11 H-U-B-N-E-R, 29976 406th Avenue, Avon, South Dakota.

12 You're looking at me like you remember the  
13 last time I was talking too fast. You got a good  
14 memory.

15 Commissioners, welcome to Avon again. As  
16 I listened to most of the Crocker and Dakota Range  
17 evidentiary hearings and the Ad Hoc meetings, I hear  
18 you repeat a certain phrase. "Help me to  
19 understand." When you say, "Help me to understand,"  
20 then that means you don't understand or you don't  
21 understand completely. My goal is to help you  
22 people understand.

23 After listening to the Dakota Range  
24 meeting on Tuesday, I got a sick feeling in my  
25 stomach, and you should have as well. The setbacks

1 for that project are grossly inadequate and are  
2 going to make some people sick and are going to  
3 force some people out of their homes. Health  
4 concerns are springing up all over the Midwest, and  
5 if it weren't for the confidentiality clause and the  
6 neighbor agreements that the developer puts in the  
7 contract, this room could be full of people with  
8 such problems.

9           Studies show the longer you live near a  
10 wind turbine the worse your symptoms get. There is  
11 a big cover-up going on with the health effects, so  
12 the wind industry is scrambling to keep it under  
13 wraps. Because of growing health complaints, the  
14 University of Minnesota is starting a study on how  
15 people respond to very low frequency sounds from  
16 wind turbines. But guess who's paying for the  
17 study? Xcel Energy, the utility company erecting  
18 thousands of wind turbines in Northeastern South  
19 Dakota and the same out-of-state corporation that  
20 our Governor gave \$8.1 million of our money to last  
21 year. How can you trust a study that's been bought  
22 and paid for by the wind company?

23           I have compiled a small library of  
24 health-related peer-reviewed articles, other studies  
25 and work done around the world by doctors and

1 scientists that are experts in this field. It's in  
2 a box in the hallway. I gave it to Kristen when I  
3 came in, and I talked to her about it this afternoon  
4 and got permission to do that.

5 I am donating this to the PUC. I do not  
6 expect to get it posted on the docket and I don't  
7 want it back. It's your library. I offer it only  
8 as a tool to "help you understand." Or you can go  
9 to this one-page document from the American Wind  
10 Energy Association. It reads, "Some rumors persist  
11 about sound from wind turbines and human health."  
12 And it says, "Studies have found that a 'nocebo  
13 effect can take place.'"

14 If the American Wind Energy Association is  
15 right, then every one of these doctors and  
16 scientists that did all this research would have to  
17 be wrong.

18 Commissioners, you are now in control of  
19 people's health and their quality of life. If you  
20 grant a permit on your own criteria, then you are  
21 agreeing with the applicant that this project will  
22 not substantially impair the health, safety, and  
23 welfare of the inhabitants. That statement becomes  
24 your guarantee to the community.

25 We went to our county zoning board and the



1 commissioners at least a dozen times. We first  
2 asked for a two-mile setback. Then last year we  
3 asked for a one-mile setback with waivers. They  
4 would not even listen. They gave us 1,000 feet, and  
5 a Prevailing Winds' board member wrote in the *Avon*  
6 *Clarion* last September, "So the county looked to the  
7 South Dakota PUC. There they found the draft model  
8 ordinance," and he goes on to say, "For this,  
9 Bon Homme County adopted the state standard from the  
10 PUC of 1,000-foot setbacks."

11           So our zoning laws are the result of the  
12 PUC state standard. Because our county zoning  
13 officials have already been so influenced by the  
14 wind developers, our county officials, we don't  
15 stand a chance.

16           And one more thing is, we have no  
17 representation in our county because our county  
18 commissioner for the Avon district is on the board  
19 of Prevailing Winds; so we have no local chance to  
20 do anything so we're just without anybody. That's  
21 why we're here for the PUC and asking you to protect  
22 us.

23           Benjamin Franklin said -- Benjamin  
24 Franklin said, "Justice will not be served until  
25 those who are unaffected are as outraged as those

1 who are." Thank you.

2 CHAIRMAN FIEGEN: Thank you.

3 MR. VAN GERPEN: Bill Van Gerpen located at 500  
4 West 21st Avenue, Tyndall, South Dakota. And that's  
5 V-A-N, space, G-E-R-P-E-N.

6 Madam Chair Fiegen, Members of the PUC,  
7 thank you for your expression of public concern for  
8 the citizens of South Dakota and specifically for  
9 this area for coming to hold this public meeting.

10 Many years ago actually -- it actually  
11 wasn't that long ago, but I had in my car an  
12 eight-track cassette. Now, that eight-track  
13 cassette was probably about almost the size of this,  
14 about this thick.

15 But since that eight-track cassette, we've  
16 had cassettes, CDs, DVDs, and tonight a flash drive.  
17 We have gone in just a few years from the size of an  
18 eight-track cassette to this.

19 My point is this: We've in size, in the  
20 technology area regarding VCRs and DVDs and CDs,  
21 we've gone from bulky eight-track cassettes to a  
22 flash drive. The reality is the twin towers that  
23 are proposed are nearly 600 feet tall.

24 What's to say that technology in just a  
25 couple of years won't reduce that 600 feet to

1 something comparable in size to a cassette reduced  
2 to the size of this. What's the rush to build these  
3 towers? Is it the fear of the technological  
4 advancement and change? Or is it the fear of the  
5 loss of the taxpayer support through our government  
6 funding and support.

7           The reality is the size of these towers in  
8 a matter of years could change dramatically and be  
9 reduced in size significantly, but these towers that  
10 have been built will remain for years and for  
11 decades.

12           We've heard a lot tonight about health  
13 concerns, economic concerns, scientific concerns.  
14 We've seen a number of presentations relative to  
15 incomplete quantitative studies. But there are more  
16 studies that need to be done relative to the  
17 non-quantitative impact upon building these towers.  
18 The size of the VCR and the eight-track cassette to  
19 this changed. What doesn't change? It's the  
20 people's love for the creation and the beauty of  
21 creation.

22           During the years that I was in Germany,  
23 I've been there several times, it was amazing how on  
24 holidays or weekends there was the rush, the  
25 Autobahn was full of vehicles, people trying to get

1 to the campgrounds, to view the mountains, to take  
2 their walks in the woods. Internationally we  
3 developed an organization called Volksmarching. It  
4 was the desire and the need for the beauty of  
5 creation. Why do we want to diminish and attack  
6 that need to be satisfied?

7 Economics should never supercede meeting  
8 our basic personal needs. That's the issue here.  
9 We -- South Dakota boasts of its success for  
10 tourism. Wind farms don't attract tourists. Thank  
11 you, Madam Chair, and thank you Members of the  
12 Commission.

13 CHAIRMAN FIEGEN: Thank you.

14 MR. GUTHMILLER: My name is Delmer Guthmiller,  
15 spelled D-E-L-M-E-R, G-U-T-H-M-I-L-L-E-R. I live at  
16 29328 412th Avenue, Tripp, South Dakota.

17 Thank you, Commissioners, for coming out  
18 here and giving us audience so we can discuss this  
19 issue. Tonight we have heard all kinds of problems  
20 that people are concerned with, and I think that we  
21 can address some of them. One of them is the noise  
22 issue. You know, you get in your car, you start it  
23 up, there's a noise. You start driving down the  
24 road, there's road noise, but do we pay any  
25 attention to that? No.

1           We get in an aircraft, we get airborne,  
2 there's a lot of noise. Do we bail out? No. We  
3 get used to it. We lived next to a railroad track.  
4 Train comes running by. After a short time we don't  
5 even know it's going by. We get accustomed to these  
6 things. We got -- our minds can adjust. Our bodies  
7 adjust and we can get accustomed to that.

8           We talk about property devaluation.  
9 That's just talk. You know, the property we have  
10 out here is only going to be sold to another farmer  
11 or investor. People are not going to come out here  
12 in droves and build homes, primarily because we do  
13 not have the supporting facilities to take care of  
14 them; so property valuation is not going to happen.  
15 In fact, before times get better, they'll go up.

16           Talk about homes being abandoned. I do  
17 not know anybody that abandoned their home because  
18 of a wind tower. They probably left because they're  
19 90 years old or some other health reason, I don't  
20 know.

21           We talked about people not moving into  
22 South Dakota. People are coming in from California  
23 to South Dakota in droves.

24           Talked about FHA problem getting a loan.  
25 This is all approved. It's going by HOIL. FHA has

1 no problem.

2 Wildlife issues. I've lived here on my  
3 farm for over 50 years, and I've seen a lot of  
4 changes, and I do not see where wildlife is  
5 affected. They get accustomed just like we do. Our  
6 minds, our bodies are wonderful creations and we  
7 adapt, we adjust. That's what we got to keep in our  
8 minds.

9 We talked about fiberglass safety.  
10 Everybody has fiberglass. I don't care who you are  
11 or where you live. The University of Iowa  
12 constructed a research, and they found that wind  
13 farms are beneficial to crops. That's something we  
14 didn't know before.

15 If we have such a big issue with these  
16 wind farms, why is Minnesota, Iowa, Kansas,  
17 Nebraska, Oklahoma, California, all those states  
18 have wind farms, and I don't see that the places are  
19 being abandoned. You know, if we do not continue to  
20 build more electrical capacity, we're going to have  
21 brownouts. That's for sure. Because we have more  
22 demand, and today especially in this heat, but we  
23 have to continue to grow electrical facilities.

24 Okay. We say, well, if wind doesn't blow  
25 here, our wind -- our energy is put into a grid for

1 the whole country, so we have that support.

2 Ladies and Gentlemen, this is not about  
3 some of these issues but is about the future, the  
4 future, folks, think about that. Thank you for your  
5 time.

6 REV. BRANDT: May I have seven words? Can I  
7 speak again?

8 MR. VAN GERPEN: Point of order.

9 REV. BRANDT: Can I speak again?

10 CHAIRMAN FIEGEN: Yeah. We're only allowing  
11 people to speak once, but you can send a public  
12 comment and file it with the PUC, and your  
13 Commissioners and staff and advisors will read that.

14 MS. FUERNISS: Hi, my name is Tatianna --

15 CHAIRMAN FIEGEN: Okay. Guess what? That mic  
16 has to come down closer to you.

17 MS. FUERNISS: Is that better?

18 CHAIRMAN FIEGEN: Much.

19 MS. FUERNISS: All right. Perfect. My name is  
20 Tatianna, T-A-T-I-A-N-N-A, Fuerniss,  
21 F-U-E-R-N-I-S-S, and I live on my family's farm just  
22 south of Delmont, South Dakota. A lot of people  
23 have already said things much better than I could,  
24 but today you've heard about how inefficient wind  
25 energy really is and you've heard about faulty

1 studies. You've heard about how people's health is  
2 being impacted in negative ways. You've heard about  
3 how people's homes are being devalued and how  
4 people's businesses and farming are suffering, and  
5 the thought that comes to my mind is you're here to  
6 do what's right and to help these people. You've  
7 been elected to serve, and I don't think you can do  
8 that by allowing them to be harmed by wind turbines.  
9 Thank you for being here and thank you for hearing  
10 all these people.

11 CHAIRMAN FIEGEN: Thank you.

12 MR. FUERNISS: Sherman Fuerniss, S-H-E-R-M-A-N,  
13 F-U-E-R-N-I-S-S, 40263 293rd Street, Delmont.

14 Honorable Commissioners. I'm not an  
15 expert on anything except my life. My family has  
16 been on our farm for 122 years. We don't have a  
17 view. We look to the west and we have a vista. We  
18 can see Armour, Ravinia, Radar Hill, Wagner, and a  
19 mess of lights that's Grand Prairie Wind Farm down  
20 at O'Neill.

21 As it stands right now, three of these  
22 huge turbines would be built less than a mile from  
23 our house, in between us and that. Currently, the  
24 closest wind tower from the Beethoven project is  
25 one-quarter mile away. If you remember, and you



1 probably don't, but two years ago I urged you to  
2 take a look at the acoustics of these things.  
3 Everything is in decibels A, the A scale. I said we  
4 need to take a look at the C and G scales so that  
5 you get the whole picture including the low  
6 frequency sound waves.

7           In 1999 the World Health Organization  
8 wrote guidelines for community noise. When  
9 prominent low frequency components are present,  
10 noise measures based on A-weighting are  
11 inappropriate.

12           It is recommended that a frequency  
13 analysis of the noise be performed. That would  
14 include A, C, and G, and you would get a wind  
15 turbine signature. Again, to finish quoting, it  
16 should be noted that a large proportion of low  
17 frequency components and noise may increase  
18 considerably the adverse effects on health.

19           I have here a paper that I plan to leave  
20 with you from Avera Medical Rural Health Center in  
21 Parkston. On the 31st of January of this year,  
22 roughly 20 to 22 months after Beethoven became  
23 active, I could not stand up. I had to lean on the  
24 walls in the house to get around. I didn't know if  
25 I was having a stroke, heart attack, what was going

1 on.

2 I made it through the day thinking, well,  
3 maybe I'm getting sick. The next morning I had my  
4 wife take me to the clinic. It was the 1st of  
5 February. I got to see Dr. Richard Honke, one of  
6 the state's most highly-awarded family  
7 practitioners. He said, "You've got vertigo."

8 "What is that?"

9 Well, he said, "Some of the little rocks  
10 in your ears have come loose and moved in your inner  
11 ear, and until they get settled down you're going to  
12 be dizzy and you're going to want to throw up."

13 "What do I do?"

14 "In about four or five days it will get  
15 better."

16 "How do I make it four or five days?"

17 Take Meclizine. It knocks me out for six to eight  
18 hours at a time. I spent four days on my back. We  
19 were calving. I lost several calves. Substantial  
20 health and economic impact in my life.

21 I would ask you to protect us from that  
22 kind of thing. Not everybody is going to be  
23 affected like I have been. I've read maybe up to  
24 30 percent. Some people are more sensitive than  
25 others. Sensitivity can develop over time.

1           My son would like to come back to the  
2 farm. We will have five turbines within a mile and  
3 a half, half again as big, twice as powerful as  
4 Beethoven's. I told him, "You better have a backup  
5 plan. I don't know if our family farm will be  
6 livable anymore."

7           In closing, just one thing, we have  
8 entrusted to you the authority of government. Use  
9 the spirit of wisdom that there may be justice and  
10 peace in our land. Thank you.

11           CHAIRMAN FIEGEN: Thank you.

12           MS. SCHOENFELDER: Good evening. I am Lisa  
13 Schoenfelder, L-I-S-A, S-C-H-O-E-N-F-E-L-D-E-R. I  
14 have at -- I have to put my glasses on, I can't see.

15           I live at 40228 289th Street, Wagner,  
16 South Dakota. I'm the fifth generation of mine, and  
17 I'm the heir of the Frank Sip homestead just  
18 eight miles north of where -- from here and the  
19 proposed Prevailing Winds project. Our homestead  
20 has several historical and archeological points of  
21 interest and which I want to keep protected and is  
22 part of our two business plans.

23           We have moved here from Boise, Idaho. I  
24 moved a year and a half ago. My husband moved in  
25 January. Our son is now here with us, too. You got

1 to hear from both of them earlier. These two  
2 businesses are going to be on the farm because, for  
3 us, economic development is very important. I have  
4 a degree in economics. I know how that works.

5 I also have a master's degree in  
6 management of information systems. That means I  
7 know data technology. I know reports. I've worked  
8 at the University several years. I know how that  
9 all works.

10 So my point is: We came back here to help  
11 stimulate the economy, not in the same way that --  
12 as powers and the power company is looking at doing  
13 it from an economic development, but from our small  
14 perspective. We have local farmers that we are  
15 looking at commissioning to do the products off of  
16 our farm. We are looking at opening up a brewery.  
17 We've been working with the Charles Mix County,  
18 because I am in Charles Mix, since 2012. They also  
19 support our effort and have been great about this.

20 I don't know how this will impact us, but  
21 I am concerned. We both left our jobs. We came  
22 here to change our life, living and loving the land  
23 so much that we do. And I know that all of you do,  
24 too. If you're a South Dakotan, whether you've  
25 moved far away or whether you've been here all your

1 life, there's just something about the charm of  
2 South Dakota. It's hot and humid. We all sweat in  
3 this room, but you know what, we're all here  
4 together in this process.

5 Now, I want to let you know that there are  
6 a number of cultural reports that are out, and the  
7 study has not been completed, and I am very  
8 concerned about a number of the reports that are out  
9 there. I have read absolutely every application,  
10 component, every appendix that you have submitted,  
11 and I appreciate that.

12 I know, as a data analyst, what it takes  
13 to put those reports together, but I'm concerned.  
14 I'm concerned because my cemetery where all of my  
15 relatives are living -- well, not living but at, is  
16 not represented on any of your maps. And I believe  
17 the PUC, you have in the Crocker just done a  
18 two-mile setback -- sorry, a one-mile setback from  
19 cemeteries. It's in your CU1-17 for cemeteries,  
20 have a one-mile setback.

21 Well, there is a cemetery, but it's not my  
22 cemetery, and I would like a number of those reports  
23 reviewed because, in addition, we're missing some  
24 other locations, including my house, which I  
25 appreciate that happens, I'm a data analyst, but I

1 would like us to do that, to review those and redo  
2 the studies. I'm concerned about the decibels, and  
3 I've talked to the Prevailing Winds group before  
4 when I did a public meeting, and I asked them about  
5 that. The concern is decibels, as you've heard  
6 tonight, are not the best measurement for overall  
7 impact to individuals.

8           Now, the other thing, too, I have been  
9 following what you guys have been doing -- what the  
10 Commissioners have been doing, and I really do  
11 appreciate it. I really think that you are moving  
12 the ball forward. And I want to let you know that  
13 the Wind Quarry Farm that you had done back -- I  
14 think it was 2009. It was probably one of your  
15 first. That's an appropriate -- can I get one  
16 second? That was appropriate because it's four  
17 residents with 48 turbines. This is 136 residents  
18 with 64. And as you see the map that I put, we have  
19 a number of them. So thank you very much for your  
20 time, and you'll be getting a number of materials  
21 from me. Thank you.

22           CHAIRMAN FIEGEN: Thank you. You can certainly  
23 file that and that can go on the website. It looks  
24 like we're winding down. I see a person coming up.  
25 If you would like to speak, if you could come up to

1 one of the front chairs. If there's anybody else  
2 that would like to speak, that would be great.  
3 Thank you.

4 MS. BARTUNEK: My name is Katie Bartunek. My  
5 address is 29743 405th Avenue, Avon, South Dakota.

6 CHAIRMAN FIEGEN: Somehow the mic's kind of  
7 underneath your chin. Can you point it up?  
8 Perfect.

9 MS. BARTUNEK: My family's home lies within the  
10 heart of the proposed wind project. As a young  
11 mother and educator, it is my passion to protect  
12 young children who don't yet have a voice of their  
13 own. My husband Corey and I are currently raising  
14 our eight-year-old, five-year-old, and  
15 seven-month-old on the farm where his -- their  
16 great-grandparents started out.

17 What causes me grave concern is when my  
18 children's health could be affected by symptoms of  
19 vibroacoustic disease. What can the PUC guarantee  
20 for my family's future health and well-being? If  
21 you grant this permit, according to the rules, then  
22 you are guaranteeing that this wind energy facility  
23 will not substantially impair the safety or welfare  
24 of any inhabitants. Can you guarantee the health of  
25 my family without doing any sort of study on

1 infrasound from existing turbines of the same size?

2           If something should occur to my family or  
3 myself because of the vibroacoustic disease or other  
4 health issues related to wind turbines, who will be  
5 there to pay our medical bills? Or the cost of  
6 moving to a safe or healthy environment?

7           Secondly, who gives someone the right to  
8 infiltrate our home with noise, infrasound,  
9 violation, and shadow flicker? Our home will be  
10 surrounded by five wind turbines less than a mile  
11 away. I might be subject to shadow flicker for  
12 30-plus hours a year in my home.

13           So for these and many more other health  
14 reasons, I'm asking the PUC to deny the Prevailing  
15 Winds project. Thank you.

16           CHAIRMAN FIEGEN: Thank you. It appears that  
17 we are coming to a close. Commissioner Hanson, do  
18 you have any closing comments? Commissioner Nelson?

19           COM. HANSON: Thank you, Madam Chair. Ladies  
20 and Gentlemen, we appreciate sincerely the testimony  
21 and information that you've provided to us this  
22 evening. We know that this is an extremely  
23 emotionally and challenging event in some respects  
24 for the community and in some respects for families.

25           We know that there are very strong



1 arguments in favor of it and we know that there are  
2 arguments, perhaps very strong arguments in  
3 opposition to it. It is always interesting from a  
4 standpoint -- this is not -- it's an overused  
5 phrase, but this is not our first rodeo, so to  
6 speak.

7           We've been down this pathway a number of  
8 times and in a number communities. A lot of the  
9 questions that you brought up we've gone through  
10 previously and we've dealt with and we have  
11 dissected them.

12           However, I've actually heard some new  
13 arguments this evening, and for all of the  
14 presentations and information that we received and  
15 the notes we take, we go through that process. As  
16 the applicant presents their information to us, we  
17 delve back into our history of experiences with all  
18 the notes and all the information that we've gone  
19 through on the prior applicants. Along with the  
20 notes that we took here this evening, whether it's  
21 concern over the noise, the flicker, the flyway with  
22 endangered species, every wind farm is unique to a  
23 respect, and with the new information that you've  
24 provided to us, the questions, we will ask those  
25 questions and we will pursue answers to them. And

1 we will deal based upon the law. We are not  
2 legislators. We don't get to look at things from a  
3 standpoint and say, "How do I feel about this?" We  
4 have to look at things from the evidence that is  
5 presented to us in the evidentiary hearing.

6           This is a very valuable discussion that  
7 we've had here this evening because it gives us more  
8 information of what we need to pursue along with all  
9 of those other things. But when it comes down to  
10 the final decisions that we have to make, we have to  
11 base those upon facts, upon evidence as presented.

12           So if you wish for us to pursue something,  
13 which we will, that you brought before us, if  
14 there's something in addition, you will continue to  
15 have the opportunity to send e-mails to us. Those  
16 will be placed in the docket. So if you have a  
17 concern, as Commissioner Fiegen explained, we are  
18 not able to chat with you, but if you want  
19 information to come to us, you can send it by letter  
20 or e-mail -- we prefer e-mail because it's more  
21 easily posted -- and that information we will  
22 receive and so will the applicant receive.

23           So I encourage you -- Commissioner Fiegen  
24 mentioned party status, and that is certainly  
25 something you can pursue, but there are significant

1 requirements placed upon you if you want to have  
2 party status.

3 Party status, you fill out a simple sheet  
4 and explain why you have -- believe you should have  
5 that party status. But then you become a part of  
6 the entire docket. Information will be sent to you.  
7 Everything will be sent to you as it goes through  
8 the process. You'll have the right to ask  
9 questions, to participate just like an attorney;  
10 however, if you participate, you can be deposed, and  
11 you go through an entire -- questions will be asked  
12 and you have to provide information, so you need to  
13 ask some questions of staff pertaining to that. And  
14 I'm going to wrap up because I fear that this stop  
15 sign, the one-minute and the stop sign is going to  
16 come up here on me.

17 However, I will say from my standpoint,  
18 and I'm sure from the standpoint of my fellow  
19 Commissioners, this is not a real enjoyable part of  
20 the process, but I do enjoy it. It's very important  
21 to me because I get to have that relationship with  
22 the public and information from the public. So I  
23 truly, sincerely appreciate each and every one of  
24 you for -- whether you spoke tonight or not -- for  
25 participating in this because it's a tremendous

1 opportunity for us as well as for you. Have a safe  
2 trip home. And Commissioner Nelson may have  
3 something.

4 COM. NELSON: Thank you. Commissioner Hanson  
5 did a great job of really encapsulating what our job  
6 is here tonight and ahead of us. I just want to say  
7 a couple of things. First of all, thank you  
8 sincerely for coming out tonight and sharing with  
9 us; whether you're for it or agin it, we appreciate  
10 hearing from you.

11 What we heard tonight helps guide us,  
12 helps guide me in the things that I need to be  
13 looking at as this process plays out, and so I thank  
14 you for helping me with that.

15 The last thing I'll say to reemphasize  
16 something Commissioner Hanson said, the decision  
17 that we ultimately make on this docket will be based  
18 on fact and law. And when I say "fact," I don't  
19 mean facts that are alluded to somewhere out there.  
20 I'm talking about facts that are presented in our  
21 evidentiary hearing subject to cross-examination.

22 Those are the facts that we will use in  
23 order to make our decision, and I think it's  
24 important for folks to understand that.

25 With that, thanks again for coming out

1 tonight. I appreciate it.

2 CHAIRMAN FIEGEN: Thank you once again. Just a  
3 reminder, the table in front, that would be  
4 ex parte. If you visited with them or me, you can  
5 ask any questions of the applicant or -- the  
6 Commission staff will be parties in the docket, so  
7 you can ask them any questions also. Thank you so  
8 much for coming out.

9 (The Public Meeting Concluded at 8:47 p.m.)

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1 STATE OF SOUTH DAKOTA )

2 :SS CERTIFICATE

3 COUNTY OF LINCOLN )

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5 I, Pat L. Beck, Registered Merit Reporter  
6 and Notary Public within and for the State of South  
7 Dakota:

8 DO HEREBY CERTIFY that I took the  
9 proceedings of the foregoing Public Meeting and the  
10 foregoing pages 1-117, inclusive, are a true and  
11 correct transcript of my stenotype notes.

12 I FURTHER CERTIFY that I am not an  
13 attorney for, nor related to the parties this  
14 action, and that I am in no way interested in the  
15 outcome of this action.

16 In testimony whereof, I have hereto set my  
17 hand and official seal this 26th day of July, 2018.

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22 /s/ Pat L. Beck

23 Pat L. Beck, Notary Public

24 Expiration Date: June 11, 2023

25 Iowa CSR: No. 1185

Pat L. Beck, Court Reporter  
605.351.8200 stenopat@sio.midco.net