

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF GRANT)

IN CIRCUIT COURT

THIRD JUDICIAL CIRCUIT

IN THE MATTER OF THE APPLICATION BY
DAKOTA RANGE I, LLC AND DAKOTA
RANGE II, LLC FOR A PERMIT OF A WIND
ENERGY FACILITY IN GRANT COUNTY
AND CODINGTON COUNTY, SOUTH
DAKOTA, FOR THE DAKOTA RANGE WIND
PROJECT PUC DOCKET EL18-003

25CIV.18-070

AFFIDAVIT OF JOHN C. WILES IN
SUPPORT OF APPELLANTS'
BRIEF

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF CODINGTON)

John C. Wiles, being first duly sworn upon his oath, deposes and states as follows:

1. That I am an attorney licensed to practice law in the State of South Dakota and maintain my principal place of business at Wiles & Ryland, 3 East Kemp, Suite 200, P. O. Box 227, in Watertown, Codington County, South Dakota.

2. I am counsel of record in the above-referenced proceeding for Interveners and Appellants Teresa Kaaz and Kristi Mogen (“Appellants”).

3. On August 22, 2018, I electronically filed with the Grant County Clerk of Courts Appellants’ Notice of Appeal and Certificate of Service, which are attached to Appellants’ Brief as Exhibit 1.

4. On August 22, 2018, I had telephone conversations with staff counsel for the PUC which were confirmed by the email attached to Appellants’ Brief as Exhibit 2.

5. Pursuant to the referenced conversations, PUC admitted service of Appellants’ Notice of Appeal by Exhibit 3 attached to Appellants’ Brief.

6. On August 22, 2018, I had similar conversations with the Auditor of Grant

County and the Auditor of Codington County South Dakota. Pursuant to those conversations, each signed the Admissions of Service attached to Appellants' Brief as Exhibit 4 and Exhibit 5.

7. On August 22, 2018, I mailed by First Class United States Mail the letter attached to Appellants' Brief as Exhibit 6. Included in that transmittal were two copies of the Appellants' Notice of Appeal and Certificate of Service. Appellants' Notice of Appeal and Certificate of Service were served upon Dakota Range I, LLC and Dakota Range II, LLC by the Hughes County Sheriff on August 28, 2018. The sheriff's Returns of Service are attached to Appellants' Brief as Exhibit 6 and Exhibit 7.

8. The actions above-described are reflected and confirmed by the Appellants' Certificate of Service dated August 22, 2018, and the Admissions of Service which are filed of record.


9. As a courtesy, not as a legal requirement, I served counsel for Applicants Dakota Range I, LLC and Dakota Range II, LLC and counsel for PUC each with a copy of Appellants' Notice of Appeal and Certificate of Service.

Dated this 15th day of October, 2018.



John C. Wiles

Subscribed and sworn to before me this 15th day of October, 2018.



Amanda Thyne, Notary Public
State of South Dakota

My Commission Expires: 11/09/22

(SEAL)

