

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

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)))))))	ORDER GRANTING MOTION TO EXCLUDE PORTIONS OF EXHIBITS EL18-003
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On January 24, 2018, the South Dakota Public Utilities Commission (Commission) received an Application for a Facility Permit for a wind energy facility (Application) from Dakota Range I, LLC, and Dakota Range II, LLC (together Dakota Range or Applicant). Applicant proposes to construct a wind energy facility to be located in Grant County and Codington County, South Dakota, known as the Dakota Range Wind Project (Project). The Project would be situated within an approximately 44,500-acre project area, ten miles northeast of Watertown, South Dakota (Project Area). The total installed capacity of the Project would not exceed 302.4MW nameplate capacity. The proposed Project includes up to 72 wind turbine generators, access roads to turbines and associated facilities, underground 34.5-kilovolt (kV) electrical collector lines connecting the turbines to the collection substation, underground fiber-optic cable for turbine communications co-located with the collector lines, a 34.5-kV to 345-kV collection substation, up to five permanent meteorological towers, and an operations and maintenance facility. The Project would interconnect to the high-voltage transmission grid via the Big Stone South to Ellendale 345-kV transmission line which crosses the Project site. The Project is expected to be completed in 2021. Applicant estimates the total construction cost to be \$380 million.

On January 25, 2018, the Commission electronically transmitted notice of the filing and the intervention deadline of March 26, 2018, to interested persons and entities on the Commission's PUC Weekly Filings electronic listserv. On January 31, 2018, the Commission issued a Notice of Application; Order for and Notice of Public Input Hearing; Notice of Opportunity to Apply for Party Status. On March 21, 2018, a public input hearing was held as scheduled and the Commission received applications for party status from 16 individuals. On March 28, 2018, Commission staff (Staff) filed a Motion for Adoption of Procedural Schedule. On March 30, 2018, Dakota Range filed a Response to Applications for Party Status and Staff's Motion for Adoption of Procedural Schedule. On April 6, 2018, the Commission issued an Order Granting Party Status and Establishing Procedural Schedule. On May 15, 2018, the Commission issued an Order Granting Withdrawal of Party Status to those individuals that requested withdrawal. On May 15, 2018, Applicant filed a Motion to Exclude Portions of Testimony and/or Exhibits of Intervenors Teresa Kaaz and Kristi Mogen and Request Regarding Hearing Participation (Dakota Range Motion). On May 16, 2018, Staff filed its Response to Applicants' Motion and Motion for Judicial Notice. On May 16, 2018, the Commission issued an Order for and Notice of Motion Hearing on Less Than 10 Days' Notice.

The Commission finds it has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B and ARSD Chapter 20:10:22. The Commission may rely upon any or all of these or other laws of this state in making its determination.

At its May 21, 2018, ad hoc meeting, the Commission considered the Dakota Range Motion. Staff withdrew its Motion for Judicial Notice. After having reviewed the written arguments and hearing oral argument from the parties, the Commission unanimously voted to grant Applicant's Motion to Exclude Portions of Exhibits as it pertains to Kaaz Exhibits and Mogen Exhibits. It is therefore

ORDERED, that Dakota Range's Motion to Exclude Portions of Exhibits as it pertains to Kaaz Exhibits and Mogen Exhibits is hereby granted.

Dated at Pierre, South Dakota, this 24th day of May 2018.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.
BY: <u>Karen E. Bremer</u>
Date: <u>05/24/18</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner