

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

**IN THE MATTER OF THE
APPLICATION BY CROWNED RIDGE
WIND, LLC FOR A PERMIT OF A
WIND ENERGY FACILITY IN GRANT
AND CODINGTON COUNTIES**

* **Intervenors Response to Crowned Ridge**
* **Wind LLC Response to the Motion for**
* **Procedural Schedule**
* **EL19-003**
*

The Intervenors, Allen Robish, Amber Christenson, Kristi Mogen, and Melissa Lynch resist the Applicants, Crowned Ridge Wind, LLC request to amend the procedural schedule for the Applicant's Supplemental Testimony to be April 10th, 2019 rather than April 8th, 2019.

The Applicant chose to postpone the March 18th Grant County Board of Adjustments Hearing for Cattle Ridge Wind Farm LLC which delayed Grant County Board of Adjustment hearing until April 8th, 2019.

This delay was caused by the Applicant, depriving the intervenors 3 weeks preparation time. The applicant's choice to delay prejudiced our ability to defend ourselves. The resistance is supported by emails, copies attached.



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Ms. Kristi Mogen
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Ms. Melissa Lynch
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REPLY TO: Sioux Falls 605-332-5999

From the office of Miles F. Schumacher
e-mail address: mschumacher@lynnjackson.com

February 27, 2019

Via Electronic Filing

Ms. Patricia Van Gerpen, Executive Director
South Dakota Public Utilities Commission
Capitol Building, 1st Floor
500 East Capitol Avenue
Pierre, SD 57501-5070

Re: Docket #EL19-003
In the Matter of the Application by Crowned Ridge Wind, LLC
for an Energy Facility Permit of a Wind Energy Facility in
Grant and Codington Counties, South Dakota for Crowned Ridge
Wind Farm

Dear Ms. Van Gerpen:

In connection with the above captioned matter, Crowned Ridge Wind, LLC (Crowned Ridge Wind) is submitting a revised version of the Appendices attached to Appendix H to the Application, Final Report Crowned Ridge Wind Farm Sound Study, Codington and Grant Counties, SD, and Appendix I to the Application, Final Report Crowned Ridge Wind Farm Shadow Flicker Study, Codington and Grant Counties, SD. Crowned Ridge has been informed that the original version of the Appendices to the Reports inadvertently identified some participating landowners as non-participants. The enclosed revised versions of the Appendices to those Reports correctly identify the landowner status and should replace the documents filed with the Application.

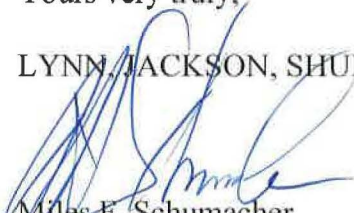
Also, a portion of the project located in Grant County was formerly granted a Conditional Use Permit as Cattle Ridge Wind Farm by Grant County. In our Application we anticipated that the County would grant an extension to the CUP that was granted in March of 2017 with a requirement that development occur within two years. Grant County indicated it preferred a new CUP Application by Crowned Ridge for the former Cattle Ridge project and declined the Application for an extension. Accordingly, Crowned Ridge has filed an additional CUP Application with the County for which a

Ms. Patricia Van Gerpen, Executive Director
February 27, 2019
Page 2

hearing has been scheduled for March 18. We will provide updates, as appropriate, on the progress of the CUP process.

Yours very truly,

LYNN JACKSON, SHULTZ & LEBRUN, P.C.



Miles F. Schumacher
MFS:kab



Silver Sage <silversagehomestead@gmail.com>

Public Notice for Grant BOA April 8th

3 messages

Silver Sage

Wed, Mar 27, 2019 at 10:23 AM

<silversagehomestead@gmail.com>

To: "Atyeo-Gortmaker, Krista" <Krista.Atyeo-Gortmaker@state.sd.us>, Todd Kays <todd@1stdistrict.org>

Bcc: troysd57 <amber@uniformoutlet.net>, Allen Robish <allen.robish@gmail.com>

Good Morning Krista and Todd,

Please send the applications and staff reports for both Crowned Ridge CUP's to be heard on April 8th, 2019 by the Grant County Board of Adjustments.

If there were no changes to the applications, please confirm that and we will work off the last files you sent.

Please keep us updated on all changes to the applications, documents, and reports.

Thank You,

Kristi Mogen

Farmer @ Mogens Mark

Twin Brooks, SD

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Todd Kays <todd@1stdistrict.org>

Wed, Mar 27, 2019 at 10:44 AM

To: Silver Sage <silversagehomestead@gmail.com>, "Atyeo-Gortmaker, Krista" <Krista.Atyeo-Gortmaker@state.sd.us>

I am reviewing the updated maps that are on file with Krista's office. I expect the Staff Report to be done and mailed to the Board of Adjustment early next week. When that occurs, I will get a copy of the Staff Report to you. As of right now the only changes I am seeing to the application are the updated maps in Appendix F and H. Again, which are on file with Krista's office

todd

[Quoted text hidden]

Silver Sage

Wed, Mar 27, 2019 at 2:29

<silversagehomestead@gmail.com>

PM

To: Todd Kays <todd@1stdistrict.org>

Todd,
Please send the digital files of all changes to the CUP applications for Crowned Ridge.

Thanks

Kristi

[Quoted text hidden]

001376



Silver Sage <silversagehomestead@gmail.com>

Staff reports

5 messages

Silver Sage

Wed, Mar 13, 2019 at 1:29 PM

<silversagehomestead@gmail.com>

To: "Atyeo-Gortmaker, Krista" <Krista.Atyeo-Gortmaker@state.sd.us>, Todd Kays <todd@1stdistrict.org>

Bcc: Allen Robish <allen.robish@gmail.com>, troysd57 <amber@uniformoutlet.net>

Krista and Todd,

Please email the staff reports for the two conditional use permits to be heard by the BOA on Monday the 18th.

Thanks

*Kristi Mogen**Farmer @ Mogens Mark**Twin Brooks, SD*

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Todd Kays <todd@1stdistrict.org>

Wed, Mar 13, 2019 at 2:10 PM

To: Silver Sage <silversagehomestead@gmail.com>, "Atyeo-Gortmaker, Krista" <Krista.Atyeo-Gortmaker@state.sd.us>

001377

Kristi.. I am out of the office today.. and I believe krista is on vacation.. After reviewing the application last week I had a few questions that I needed answered... also krista was made aware that 2 members of the boa would not be in attendance on the 18th.. the applicant was informed that there would not be a full board available to hear their request.. they in turn requested that their application to be heard in april.. so I have not finished the staff report yet as it is not needed until april... I believe krista was having a notice published in the paper this week notifying the public that the meeting will not be held on the 18th..

Todd

Sent from my Verizon, Samsung Galaxy smartphone
[Quoted text hidden]

Silver Sage

Wed, Mar 13, 2019 at 2:31 PM

<silversagehomestead@gmail.com>

To: troysd57 <amber@uniformoutlet.net>, "Jared I. Gass" <jared@gasslaw.com>, Allen Robish <allen.robish@gmail.com>, AJ Swanson <aj@ajswanson.com>, Kevin Krakow <kcjmkrakow@sstel.net>, Kelly Owen <kocattle@gmail.com>, Kevin Owen <kowengcso@yahoo.com>, Derek N <deeko2007@hotmail.com>, Jared Krakow <jaredkrakow@hotmail.com>

[Quoted text hidden]

Silver Sage

Thu, Mar 14, 2019 at 1:43 PM

<silversagehomestead@gmail.com>

To: Todd Kays <todd@1stdistrict.org>

Bcc: troysd57 <amber@uniformoutlet.net>, Allen Robish <allen.robish@gmail.com>

Hi Todd,

Thank you for the information. Please send the staff report when it is ready and update me if anything changes with the application because of your questions.

Who were the board members who would not be able to attend the March 18th hearing? Did Grant County pay for the new public notice?

Hope your day is going well in spite of the weather.

[Quoted text hidden]

[Quoted text hidden]

Todd Kays <todd@1stdistrict.org>

Fri, Mar 15, 2019 at 8:26 AM

To: Silver Sage <silversagehomestead@gmail.com>

Cc: "Atyeo-Gortmaker, Krista" <Krista.Atyeo-Gortmaker@state.sd.us>,

"Layher, Karen (Karen.Layher@state.sd.us)" <Karen.Layher@state.sd.us>,

Mark Reedstrom <Mark@reedstromlaw.com>

Sorry for the delay in the response. Our office was closed yesterday with the weather. I will send the staff report when it is ready. It is my understanding that Commissioners Leddy and Mach were going to be gone next week. As far as the republication of the notices, you will have to ask Krista. She should be back in the office next week.

[Quoted text hidden]



todd@1stdistrict.org

Compose

Chats

All Mail

Spam

262



Silver

No recent chats
Start a new one

FW: Application Maps

Inbox ×

Todd Kays
to me, Krista

Kristi,

Attached is the updated CUP Application

Conditional Use Permit Application
Grant County, SD

**Cattle Ridge CUP A**

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

**IN THE MATTER OF THE
APPLICATION BY CROWNED RIDGE
WIND, LLC FOR A PERMIT OF A
WIND ENERGY FACILITY IN GRANT
AND CODINGTON COUNTIES**

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*

Certificate of Service

EL19-003

**Intervenors Response to Crowned Ridge Wind LLC Response to the Motion for
Procedural Schedule**

We, the Intervenors, Allen Robish, Amber Christenson, Kristi Mogen, and Melissa Lynch
herby certify that true and correct copies of the Intervenors Response to Crowned Ridge Wind,
LLC to the Motion for Procedural Schedule in this matter were served electronically to all the
parties listed below on the 28th day of March, 2019, addressed to:

Ms. Patricia Van Gerpen
Executive Director
South Dakota Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501
patty.vangerpen@state.sd.us
(605) 773-3201 – voice

Ms. Kristen Edwards
Staff Attorney
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Ms. Amanda Reiss
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Mr. Darren Kearney
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(605) 773-3201- voice

Mr. Miles Schumacher – representing Crowned Ridge Wind, LLC
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Ms. Karen Layher
Auditor
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(307) 359-2928 – voice

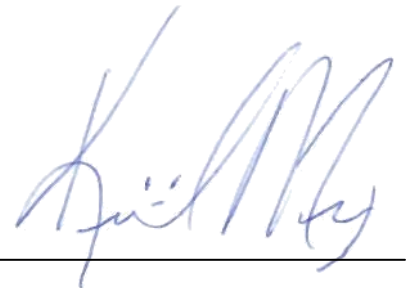
Ms. Melissa Lynch
45971 162nd St.
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melissamarie1010@yahoo.com
(605) 520-2450 - voice

A handwritten signature in cursive script that reads "Allen Robish". The signature is written in black ink and is positioned above a horizontal line.


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