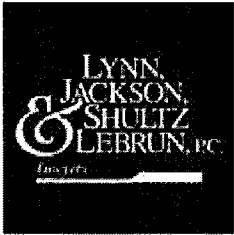


Miles Schumacher

From: Miles Schumacher
Sent: Tuesday, December 8, 2020 12:53 PM
To: TLO P.C.
Subject: service of motion
Attachments: Motion.pdf

Please find attached the Motion we are filing with the circuit court to correct the typo in the Court's decision pursuant to the order issued by the Supreme Court yesterday.

Miles



Miles F. Schumacher

Attorney
Lynn, Jackson, Shultz & Lebrun, P.C.
P: 605-332-5999
Direct Line: 605-275-5946
A: 110 N. Minnesota Ave., Suite 400
Sioux Falls, SD 57104
W: lynnjackson.com E: mschumacher@lynnjackson.com

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Miles Schumacher

From: efilngmail@tylerhost.net
Sent: Tuesday, December 8, 2020 11:53 AM
To: Miles Schumacher
Subject: Notification of Service for Case: 14CIV19-000290, AMBER KAYE CHRISTENSON, ALLEN ROBISH, KRISTI MOGEN, PATRICK LYNCH, MELISSA LYNCH vs. CROWNED RIDGE WIND LLC, SOUTH DAKOTA PUBLIC UTILITIES COMMISSION (WHEN CASE IS DONE SEE NOTES) for filing MOT-MOTION...

Notification of Service

Case Number: 14CIV19-000290

Case Style: AMBER KAYE CHRISTENSON, ALLEN ROBISH, KRISTI MOGEN, PATRICK LYNCH, MELISSA LYNCH vs. CROWNED RIDGE WIND LLC, SOUTH DAKOTA PUBLIC UTILITIES COMMISSION (WHEN CASE IS DONE SEE NOTES)



This is a notification of service for the filing listed. Please, click the link below to retrieve the submitted document.

Filing Details	
Case Number	14CIV19-000290
Case Style	AMBER KAYE CHRISTENSON, ALLEN ROBISH, KRISTI MOGEN, PATRICK LYNCH, MELISSA LYNCH vs. CROWNED RIDGE WIND LLC, SOUTH DAKOTA PUBLIC UTILITIES COMMISSION (WHEN CASE IS DONE SEE NOTES)
Date/Time Submitted	12/8/2020 11:52 AM CST
Filing Code	MOT-MOTION
Filing Description	TO CORRECT CLERICAL ERROR
Filed By	Miles Schumacher
Service Contacts	AMBER KAYE CHRISTENSON: Jared Gass (jared@gasslaw.com) CROWNED RIDGE WIND LLC: Miles Schumacher (mschumacher@lynnjackson.com)

	<p>SOUTH DAKOTA PUBLIC UTILITIES COMMISSION:</p> <p>Patricia Van Gerpen (patty.vangerpen@state.sd.us)</p> <p>Kristen Edwards (kristen.edwards@state.sd.us)</p> <p>Amanda Reiss (amanda.reiss@state.sd.us)</p> <p>Mikal Hanson (mikal.hanson@state.sd.us)</p>
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Document Details

File Copy	View Stamped Document
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A file stamped copy will be available after filing has been accepted by the clerk.

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Please do not reply to this email. It was automatically generated.

STATE OF SOUTH DAKOTA)
: SS
COUNTY OF CODINGTON)

IN CIRCUIT COURT
THIRD JUDICIAL CIRCUIT

<p>AMBER KAYE CHRISTENSON, ALLEN ROBISH, KRISTI MOGEN, AND PATRICK LYNCH</p> <p>Appellants,</p> <p>vs.</p> <p>CROWNED RIDGE WIND, LLC AND SOUTH DAKOTA PUBLIC UTILITIES COMMISSION</p> <p>Appellees.</p>	<p>Case No. 14CIV19-000290</p> <p>JOINT MOTION TO CORRECT CLERICAL ERROR</p>
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Crowned Ridge Wind, LLC, and South Dakota Public Utilities Commission, by and through their undersigned attorneys of record, respectfully move the Court for correction of the record, pursuant to 15-6-60(a), and the South Dakota Supreme Court's Order Granting Motion for Leave to Correct Clerical Error, attached hereto as Exhibit A. This Motion is based on the Joint Motion for Leave to Correct Clerical Error filed with the Supreme Court on October 27, 2020, attached hereto as Exhibit B. The Supreme Court having granted that Motion, Crowned Ridge Wind, LLC, and the South Dakota Public Utilities Commission now ask that the Court and/or Clerk of Court make the correction as requested in the Joint Motion.

Dated this 8th day of December, 2020.

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.

By: /s/ Miles F. Schumacher
Miles F. Schumacher
Dana Van Beek Palmer
110 N. Minnesota Ave., Suite 400
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Attorneys for Crowned Ridge Wind, LLC



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Kristen.Edwards@state.sd.us

DEC 04 2020

STATE OF SOUTH DAKOTA

In the Supreme Court

I, Shirley A. Jameson-Fergel, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this

4th day of Dec, 20 20

Clerk of Supreme Court

Deputy

IN THE SUPREME COURT

OF THE

STATE OF SOUTH DAKOTA

Shirley A. Jameson-Fergel
Clerk

* * * *

AMBER KAYE CHRISTENSON,
ALLEN ROBISH, KRISTI MOGEN,
and PATRICK LYNCH,
Appellants,

vs.

CROWNED RIDGE WIND, LLC,
and SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION,
Appellees.

ORDER GRANTING MOTION
FOR LEAVE TO CORRECT
CLERICAL ERROR IN
14CIV19000290

FILED

#29334

DEC 07 2020

SOUTH DAKOTA UNIFIED JUDICIAL SYSTEM
3RD CIRCUIT CLERK OF COURT

By *[Signature]*

Appellees Crowned Ridge Wind, LLC and South Dakota Public Utilities Commission, by and through their counsel of record having served and filed a joint motion for an order granting leave to correct the docket before the South Dakota Public Utilities Commission from the incorrect docket number EL 18-003 to the correct docket number EL 19-003 throughout the Memorandum Opinion and Order Affirming Decision and no response having been filed thereto, and the Court having considered the motion and being fully advised in the premises, now, therefore, it is

ORDERED that the motion is hereby granted to allow the Honorable Carmen Means, Circuit Judge of the Third Judicial Circuit, to correct the docket numbers as set out above.

DATED at Pierre, South Dakota this 4th day of December, 2020.

BY THE COURT:

[Signature of David Gilbertson]

David Gilbertson, Chief Justice

ATTEST:

[Signature]
Clerk of the Supreme Court
(SEAL)

(Justice Steven R. Jensen disqualified.)

PARTICIPATING: Chief Justice David Gilbertson and Justices Janine M. Kern, Mark E. Salter and Patricia J. DeVaney.

**IN THE SUPREME COURT
OF THE STATE OF SOUTH DAKOTA**

AMBER KAYE CHRISTENSON, ALLEN
ROBISH, KRISTI MOGEN, AND PATRICK
LYNCH

Appellants,

vs.

CROWNED RIDGE WIND, LLC AND
SOUTH DAKOTA PUBLIC UTILITIES
COMMISSION STAFF

Appellees.

Supreme Court #29334

**APPELLEES' JOINT MOTION FOR
LEAVE TO CORRECT CLERICAL
ERROR**

Appellees Crowned Ridge Wind, LLC and South Dakota Public Utilities Commission Staff hereby move for leave to correct clerical error pursuant to SDCL 15-6-60(a). In support of this motion, Appellees state:

1. This appeal originates from a docket before the South Dakota Public Utilities Commission docketed as EL19-003.
2. Throughout its Memorandum Opinion and Order Affirming Decision, the Circuit Court incorrectly listed the docket number as EL18-003.
3. With the exception of the docket number, all other details including the case name correctly refer and relate to the matter now on appeal to this Court.
4. The incorrect docket number was clearly a clerical error.
5. The settled record has been transmitted to the Clerk of the Supreme Court as of the filing of this Joint Motion.

SDCL 15-6-60(a) provides

Clerical mistakes in judgments, orders, or other parts of the record
and errors therein arising from oversight or omission may be

corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders. During the pendency of an appeal, such mistakes may be so corrected before the settled record is transmitted to the clerk of the Supreme Court and thereafter while the appeal is pending may be so corrected with leave of the Supreme Court.

Because the settled record has already be transmitted to the clerk of the Supreme Court, it is necessary to seek leave of the Supreme Court in order to have the clerical error corrected.

WHEREFORE, Appellees jointly respectfully request this Court grant leave for the docket number to be corrected by the Honorable Carmen Means, Circuit Court Judge.

Dated this 27th day of October 2020.

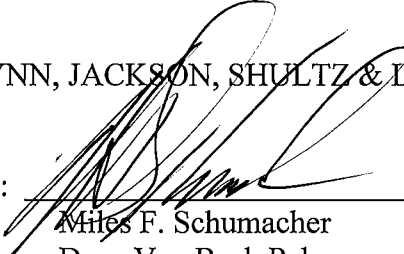


Kristen N. Edwards (#4124)
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Phone (605)773-3201
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Dated this 27 day of October, 2020.

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.

By:



Miles F. Schumacher
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Sioux Falls, SD 57104
605-332-5999
mschumacher@lynnjackson.com
Attorneys for Crowned Ridge Wind, LLC

CERTIFICATE OF SERVICE

Kristen N. Edwards, an attorney for Staff of the South Dakota Public Utilities Commission hereby certifies that on the 27th day of October, 2020, she electronically filed the foregoing document with the Clerk of the Supreme Court via e-mail at SCClerkBriefs@uj.s.state.sd.us, and further certifies that the foregoing document was also e-mailed to:

R. Shawn Tornow
Tornow Law Office, P.C.
PO Box 90748
Sioux Falls, SD 57109-0748
Telephone: (605) 271-9006
Rst.tlo@midconetwork.com
Attorney for Appellants

The undersigned further certifies that the original and two (2) copies of the **APPELLEES' JOINT MOTION FOR LEAVE TO CORRECT CLERICAL ERROR** in the above-entitled action were hand delivered to Ms. Shirley A. Jameson-Fergel, Clerk of the Supreme Court, State Capitol, 500 East Capitol, Pierre, SD 57501 on the above-written date.

/s/ Kristen N. Edwards
Kristen N. Edwards