

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

**AMBER CHRISTENSON,  
LINDA LINDGREN AND  
TIMOTHY LINDGREN  
v.  
CROWNED RIDGE WIND LLC**

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**CE22-001  
COMPLAINANT CHRISTENSON'S  
OPPOSITION RESPONSE TO  
OBJECTION TO DISCOVERY AND  
MOTION FOR PREFILED  
TESTIMONY**

Complainant Amber Christenson hereby files her Opposition to the Objection to Discovery and Motion to Require Prefiled Testimony filed by Respondent Crowned Ridge Wind, LLC and Complainant Christenson includes in this filing, her resistance for an order to set a procedural schedule as requested by Crowned Ridge Wind at this time.

The Complainants, Tim and Linda Lindgren, by and through their attorney, have filed an Opposition to Crown Ridge Wind's Objection to Discovery and Motion for Prefiled Testimony and I hereby join them in their opposition to the Motion.

To address the Objection to Discovery by Crowned Ridge, I submitted my data request, after being informed by PUC staff, Mr. Thurber, that discovery can be requested at any time, that no procedural schedule needed to be in place. Mr. Thurber's January 20<sup>th</sup> email to Complainants: 'The complaint was filed on September 21, 2022. To Staff's knowledge, there has been no discovery sent to date. Discovery can be sent at any time.'

In past dockets, when sending/receiving data requests, the requests would include language asking for a response within 10 days, and if there was an issue meeting that time requirement, the respondent could ask for additional time to reply. That language is included in my 8 question data request to Crowned Ridge Wind. The data request is data oriented and should not be burdensome to assimilate the responses, but Crowned Ridge Wind could certainly have requested additional time from me if they deemed more time necessary, but they did not contact me for additional time, nor have they supplied a response to any of the questions I posed via data request. I am not opposed to a longer period response time, if the parties agree. I would appreciate if Crowned Ridge Wind would bring any such requests to me, to try to work things out between the parties on such matters, but so far in this complaint, CRW has not reached out to work out any of the complaint issues, including the response time of data requests. Discovery and responses are important, so if CRW requests 20 or 30 days, I would be receptive to such a timeframe.

The next point brought to the Commission by Crowned Ridge Wind to be addressed via their filed document, is their request to file a procedural schedule for the hearing they have

requested. I ask the Commission to wait for the Complainants to file a Motion for the setting of a Procedural Schedule. The Complainants will have a better understanding of what is needed for a hearing, in regards to witnesses and evidence, *after* we have received, reviewed and analyzed the data responses that have been submitted (including additional data requests which we anticipate needing to send after we receive the responses to my initial straightforward and reasonable data request). Since the Complainants request a January sound study, there is no need to limit or hinder Complainant's discovery time and efforts at this time. When Crowned Ridge Wind ultimately responds to your undersigned's data request, we will be closer to determining our timeframe for a hearing. The setting of a procedural schedule at this time is premature. Time is not of the essence here, we have ample time to move toward a procedural schedule.

Now to the point of prefiled testimony requested by Crowned Ridge Wind, I strongly resist the filing of prefiled testimony. For Complainants, it is fundamentally necessary to have the ability to call and examine witnesses at the time of the hearing. Complainants submit that while it may be more advantageous for a large wind company like Crowned Ridge to attempt to establish the prehearing narrative through written testimony, this complaint is not about what is advantageous to Crowned Ridge Wind. Complainants respectfully seek to present our evidence and testimony directly to the Commission at the hearing and the ability to fully question and cross examine any witnesses presented by Crowned Ridge Wind and Staff. Since it clearly is Complainants complaint, we would like to present our case as we deem best for the presentation of facts and testimony to the Commission. If Crowned Ridge and Staff wish to include some limited prefiled testimony to the Commission ahead of the hearing, we do not object to that, providing that prefiled testimony in no way limits the Complainants in examining and cross examining those witnesses at the time of the hearing.

The Complainants appreciate the Commission respecting that we, as residents of South Dakota, living inside the project, ask to not have to defend our complaint under the requested structure by the party we are complaining against.

In summation, my desire is for Crowned Ridge Wind to be a good neighbor. We would like Crowned Ridge Wind to work with the Complainants who live inside the project, to make this project livable for us for the next 20 years. We didn't move into their neighborhood, they moved into ours. I don't even know who 'Crowned Ridge Wind' is.

I would respectfully request that the Commission, ultimately, urge Crowned Ridge Wind to fairly and transparently work with the Complainants toward a resolution.

/s/ Amber Christenson  
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