

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

IN THE MATTER OF THE APPLICATION) BY PRAIRIEWINDS SD1, INC., A) SUBSIDIARY OF BASIN ELECTRIC) POWER COOPERATIVE, FOR A WIND) ENERGY FACILITY PERMIT FOR THE) PRAIRIEWINDS SD1 WIND FARM AND) ASSOCIATED FACILITIES)	MOTION TO APPROVE BOND EL09-028
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Pursuant to prior Commission order, Basin Electric Power Cooperative (Basin Electric), through its attorney, hereby moves the Public Utilities Commission for the State of South Dakota (“the Commission”) for an order approving the attached bond. Basin Electric provides that the bond form is consistent with prior commission orders and is in the required amount, and ready for approval.

Dated this 31 Day of January 2022.

BASIN ELECTRIC POWER COOPERATIVE



Casey Jacobson
Basin Electric Power Cooperative
1717 E. Interstate Avenue
Bismarck, ND 58501
Bismarck, ND 58501
Phone: (701) 557-5413
cjacobson@bepc.com

Decommissioning Bond

Bond No. 190049358

KNOW ALL MEN BY THESE PRESENTS:

That we, **Basin Electric Power Cooperative** as Principal, and **Liberty Mutual Insurance Company**, as Surety, are held and firmly bound unto the **South Dakota Public Utilities Commission** in the full and just sum of Fifteen Million One Hundred Twelve Thousand Two Hundred Thirty Three (\$15, 112, 233.00) Dollars in lawful money of the United States of America, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is that the said Principal has agreed to furnish this bond as a condition precedent to the Stipulation of Financial Assurance as outlined in the Joint Motion for Approval of Decommissioning Plan and Stipulation of Financial Assurance dated October 12, 2021.

Now, Therefore, this bond shall comply with the provisions of SDCL 49-41B-39, and if said Principal shall comply with the provisions set forth in the Wind Project Decommissioning Plan, then this obligation shall be void; otherwise, to remain in full force and effect.

This bond shall be further subject to the following conditions:

1. The bond shall be continuous and shall remain in full force until the Surety is released from liability by the South Dakota Public Utilities Commission or until the bond is cancelled by the Surety as herein provided. This bond may be cancelled by Surety by giving ninety (90) days written notice to the Obligee by certified mail. Such cancellation shall not affect any liability the surety has incurred under this bond prior to the effective date of the termination.
2. Upon receipt of cancellation notice, Principal must provide a replacement security acceptable to Obligee as demonstrated through a Commission order approving the replacement security.
3. If principal does not provide a replacement security acceptable to Obligee, the Surety shall: (1) rescind the bond cancellation, or (2) promptly arrange for the decommissioning of the Project as required per the Wind Project Decommissioning Plan, or (3) pay the bond beneficiary and/or the assignee(s) of the beneficiary's interest for any out of pocket costs incurred to decommission the Project, minus salvage value.
4. In no event shall the total liability of the Surety for any one or more recoveries under this bond exceed in the aggregate the total sum hereof.
5. Any suit brought upon this bond must be instituted before the expiration of one years after the release, cancellation or termination hereof.

IN WITNESS HEREOF, said Principal and said Surety have caused these presents to be duly signed and sealed this 27th day of December, 2021.

Basin Electric Power Cooperative

By: 

Tom E. Toussaint CEO + General Manager
Name and Title

Liberty Mutual Insurance Company

By: 

Ann Higgins, Attorney In Fact



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8205014- 190057

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Ann Higgins; Danielle Schmitt; Kelsey Ratcliffe; Kesha N. Greene; Michele L. Grogan

all of the city of Minneapolis state of MN each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 11th day of March, 2021.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY

On this 11th day of March, 2021 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 27th day of December 2021



By: Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

ACKNOWLEDGMENT BY SURETY

STATE OF Minnesota }
County of Hennepin } ss.

On this 27th day of December, 2021, before me personally
appeared Ann Higgins, known to, me to be the Attorney-in-Fact of
Liberty Mutual Insurance Company

_____, the corporation
that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and
year in this certificate first above written.





Notary Public in the State of Minnesota
County of Hennepin