

PUC Hearing Comments:

Tonight I would like to address three areas of concern regarding the Crocker Wind Farm: The first is the written application to the PUC which I've documented in a seven page list of misrepresentations, incorrect statements etc. This document will be submitted later this week along with the notarized application for party status.

The second issue I want to address is Crocker's compliance with the Conditional Use Permit; or rather their lack of compliance.

Second Issue: CUP Compliance

Telecommunications Interference

Item # 17 in the *Written Findings of the County Board of Adjustment* states that the applicant has conducted a 3rd party telecommunications study and any electromagnetic interference disruptive of microwave, television, radio or navigation signals is unlikely.

The 3rd party study conducted by Comsearch **does not** say that interference is unlikely. Comsearch clearly indicated that their studies were inconclusive. The Applicant needs to provide the physical attributes of the turbines and their exact siting location before their study can be completed.

Three Quarter Mile Setback

The Conditional Use Permit was approved with the condition that the setback from non participating residences shall be $\frac{3}{4}$ mile. In defiance of this condition, the applicant has submitted four turbine siting maps to the PUC, each depicting a 2000 ft setback.

Recently a 5th map was submitted with a $\frac{3}{4}$ mile setback showing its effect on turbine placement. This map was accompanied by a letter stating a 3920 ft setback. 3920 ft is 40 ft short of $\frac{3}{4}$ mile!

By the way, how many of you folks here tonight realize that the proposed wind turbines are more than 20% taller than the turbines just north of town? And it was issues with those turbines that lead to the $\frac{3}{4}$ mile setback.

Aircraft Detection Lighting

Another condition of the CUP approval required that the Applicant make a good faith effort to employ an aircraft detection lighting system to control the blinking red lights. The Applicant was to commission a feasibility study and present results to the County Board of Adjustment. Five months have passed and to my knowledge, the Applicant has not addressed this requirement.

Interstate Telecommunications Cooperative (ITC)

The potential interference issue with ITC was deemed so significant that it was incorporated in the conditions of the CUP approval. I quote: "The testimony provided by Interstate Telecommunications Cooperative does necessitate that applicant make agreement with the cooperative, specifically incorporating the terms and conditions contained in a Resolution proposed by Interstate Telecommunications Cooperative which resolution is a part of the file in this matter."

The Applicant's lack of response on this issue indicates that they do not take it seriously. Nothing in the Conditional Use Permit suggests that this item is negotiable.

The third issue I want to address, deals with the permit application process moving forward.

Third Issue: Moving Forward

Until turbine siting is finalized, impact assessments cannot be completed; communications interference and other studies cannot be completed, and many of the required agency permits cannot be issued. Until litigation between the Applicant and the County is concluded, turbine siting will remain in limbo.

In a letter dated 5 September, the Applicant's attorney suggests that the PUC follow a **"permit the box"** approval process whereby the final turbine siting could be delayed and submitted prior to construction. Following this suggestion would delay completion of many mandated PUC application requirements and is strongly discouraged.

My suggestion is to suspend the PUC permit application process until the litigation has concluded and turbine placement finalized. This would give the Applicant time to amend its application where needed; find a buyer for the power; find a buyer for the project and avoid a lot of unnecessary work by the PUC

Thank you,

Shad Stevens

