

Prevailing Wind Park  
Compliance Filing – Condition 30

Prevailing Wind Park, LLC (“Prevailing Wind”) provides the following information required pursuant to paragraph 30 of the Permit Conditions approved by the South Dakota Public Utilities Commission (“Commission”) and included as Attachment A to its November 28, 20-19 Final Decision and Order Granting Permit to Construct Facilities and Notice of Entry in Docket EL 18-026.

*30. Within 90 days of the Project’s commercial operation date, Applicant shall submit a report to the Commission that provides the following information:*

- a) *As-built location of structures and facilities, including drawings clearly showing compliance with setbacks required by state and local governments and the voluntary commitments set forth in Table 9-2 of the Application.*

Prevailing Wind: As-built maps providing the information required in subpart (a) are provided as Attachment A.

- b) *The status of remedial activities for road damage, landowner property damage, crop damage, environmental damage, or any other damage resulting from Project construction activities; and*

Prevailing Wind: Information regarding each category identified in subpart (b) is provided below:

- Road Damage: An amended Road Use and Repair Agreement addressing impacts to asphalt roads in Bon Homme County was executed on July 7, 2020. Repairs in Bon Homme County are ongoing. Once repairs are complete, the certificate of completion for Bon Homme County will be executed and filed separately. Approval of close out of the Hutchinson County Road Use and Repair Agreement and execution of the certificate of completion is expected to occur during the Commissioners Meeting on August 18, 2020. The Road Use and Repair Agreements for Charles Mix County, Choteau Creek Township, and Oak Hollow Township are in place and being followed, with final work and certificates of completion to be executed during Q3 2020.
- Landowner Property Damage: Property restoration activities began in Q2 2020 following construction activities in each given area. Restoration activities are ongoing and estimated to be approximately 65 percent complete. Fences impacted during construction have been approximately 80 percent repaired. Property restoration and fence repairs are expected to be completed by the end of Q3 2020.
- Crop Damages: Crop damage reimbursement for all 2019 crop damage claims is complete. Reimbursement for 2020 crop damage claims is mostly complete with a few claims still being submitted.
- Environmental Damage: No long-term environmental damage has occurred.

- c) *A summary of known landowner complaints and Applicant’s plan for resolving these complaints.*

Prevailing Wind: All but two landowner complaints were presented to the liaison, who in turn provided reports to the Public Utilities Commission. The two additional landowner complaints and their resolutions are described

here:

- In early June 2020, Prevailing Wind received a complaint from a landowner regarding fence repairs completed at his property. The landowner indicated to Prevailing Wind that he would be happy to complete his own fence repairs to his satisfaction if Prevailing Wind provided gates. The complaint was resolved the same day when Prevailing Wind delivered the requested gates to the landowner.
- On April 7, 2020, Prevailing Wind received a complaint from a landowner regarding shadow flicker at the landowner's residence. Prevailing Wind recently reached an agreement with the landowner that addresses the concerns.

There are no outstanding landowner complaints that Prevailing Wind is aware of.