

June 29, 2020

VIA ELECTRONIC FILING

Ms. Patricia Van Gerpen
Executive Secretary
South Dakota Public Utilities Commission
500 E. Capitol Avenue
Pierre, SD 57501-5070

RE: In the Matter of the Application by Prevailing Wind Park, LLC for a Permit of a Wind Energy Facility in Bon Homme County, Charles Mix County and Hutchinson County, South Dakota, for the Prevailing Wind Park Project Docket EL 18-026

Condition 42 Sound Monitoring

Dear Ms. Van Gerpen:

Prevailing Wind Park, LLC (“Prevailing Wind Park”) submits this letter to request concurrence from the South Dakota Public Utilities Commission (“Commission”) with Prevailing Wind Park’s plans to measure sound at three of the five intervenor residences to “verif[y] compliance with the sound level requirement at the residences of Intervenors” as mandated by Condition 42 of the Commission’s November 28, 2018 Final Decision and Order Granting Permit to Construct Facilities and Notice of Entry (“Final Decision”).¹

Intervenor Outreach

Prevailing Wind Park retained professional acoustician Mark Bastasch to conduct sound monitoring. The monitoring is expected to begin the week of July 13, 2020 and continue for a minimum of two weeks. In preparation for the sound study, Prevailing Wind Park wrote to the seven intervenors in the case (“Intervenors”) to request consent for Mr. Bastasch’s team to access their five residential properties to place equipment for the recording of sound levels and to access their properties for maintaining the equipment. A copy of Prevailing Wind Park’s May 18, 2020 letter, which was distributed by the liaison, is enclosed. After receiving responses from the Intervenors, Prevailing Wind Park had follow-up communications with each of the

¹ The Final Order directed that the study be completed within 60 days of full operation. The Commission extended this deadline to August 31, 2020 by Order dated May 5, 2020.

Attorneys & Advisors / Fredrikson & Byron, P.A.
main 612.492.7000 / 200 South Sixth Street, Suite 4000
fax 612.492.7077 / Minneapolis, Minnesota
fredlaw.com / 55402-1425

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Intervenors to address landowner concerns, seek clarification and, where possible, confirm consent for the sound monitoring. The status of the Intervenors' consent after those communications are as follows:

- Lisa and Paul Schoenfelder, Kellie Pazour and Karen Jenkins: With assistance from Commission Staff, Prevailing Wind Park discussed site specific details with these Intervenors and reached agreement for sound monitoring to take place at their three residences.
- Gregg and Marcia Hubner: The Hubners requested that Prevailing Wind Park not access their property. The correspondence with is enclosed.
- Sherman Fuerniss: Correspondence from Mr. Fuerniss warned Prevailing Wind Park of dangerous conditions on his property that Prevailing Wind Park concluded would preclude sound monitoring. The correspondence with Mr. Fuerniss is enclosed.

Given the responses from intervenors, Prevailing Wind Park intends to measure at the Schoenfelder, Pazour and Jenkins residences. Mr. Bastasch will prepare a report based on the data collected which will be submitted to the Commission pursuant to Condition 42.

Commission Request

Prevailing Wind Park respectfully requests that the Commission confirm that sound measurements do not have to be taken at the Hubner or Fuerniss residences to comply with Condition 42 of the Permit.

Thank you for your attention to this matter.

Sincerely,

/s/ Lisa M. Agrimonti

Lisa M. Agrimonti

Attorney at Law

Direct Dial: 612.492.7344

Email: lagrimonti@fredlaw.com

Encls.

cc: Certificate of Service/Service List

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