

**From:** Karen Jenkins [REDACTED]  
**Sent:** Friday, July 27, 2018 4:39 PM  
**To:** PUC-PUC <PUC@state.sd.us>  
**Subject:** [EXT] EL18-026

In reference to the response of Commissioner Hansen to Mr. Brouwer's question:

"I guess I am questioning if any application will be denied unless there is something so grossly negligent within the application?"

Part of Commissioner Hansen's response:

For the commission to deny a siting permit we need to have actual 'evidence'. Evidence must be from testimony of expert witnesses who are available for cross examination. They cannot come from books or newspaper or magazine clippings. Neither can they be based upon individual's beliefs that flicker or wind turbine noise is harmful. There must be proof to substantiate the claims. Emotional requests, personal feelings, speculation is not considered evidence. Our decisions cannot even be based upon our own feelings. We are not legislators. Our feelings do not count. Whether we like a project or not we must make the decision based upon evidence presented at the evidentiary hearing. That is the law. If we do not follow the law our decisions will be overturned by the circuit court or the Supreme court.

Why then does the PUC hold a Public Meeting and take comments from the Public?

What part of this process is considered in denying an application?

What do you consider evidence?

Respectfully,

Karen Jenkins

<https://puc.sd.gov/commission/dockets/electric/2018/EL18-026/comments/brouwerresponse072718.pdf>

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