

Public Utilities Commission
Capital Building, 1st Floor
500 E Capital Ave.
Pierre, SD 57501

RE Docket EL 18-026

As I listened to Vicki May, Sherm Fueniss, Jerome Powers, Scott Rueter, describe how turbines affected their health and how they live. Sleepless nights, headaches, vertigo issues, dizziness were just a few of the problems presented during the hearing. I wondered how you as public servants (public utility commissioners) could even consider sentencing one more South Dakotan to live near tortuous health destroying turbines too close to their homes? You were elected and are paid to do a job that is clearly outlined and explained before each hearing.

*For approval, Prevailing Winds must show that the Project will comply with all applicable laws and rules, will not pose a threat of serious injury to the environment not to the social and economic condition of the inhabitants or expected inhabitants in the siting area, **will not substantially impair the health, safety, or welfare of the inhabitants**, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether the wind energy facility permit should be granted, denied, or granted upon such terms, conditions, or modifications of the construction, operation or maintenance of the Project as the Commission finds appropriate. The parties will have the right to **appeal** the final decision in this case to the appropriate Circuit Court by serving and filing a notice of appeal of the decision in accordance with SDCL 1-26-31, within thirty (30) days after the date of service of the notice of decision in this case.*

During the Prevailing Winds evidentiary hearing, the applicant did not show the project would be safe for inhabitants. We, including the public utility commissioners and staff, heard David Hessler the PUC hired expert, state that the noise or sensation from turbines does affect people. So, will the commission decide on allowing turbines and to affect some people. I did not read in the above rule “some inhabitants” or the ones who can afford to hire experts. Mr. Hessler went on say that if there was a serious problem it would be all over the news. Does Mr. Hessler not know about the confidentiality clauses in the wind turbine contracts? I know the PUC commissioners and staff have seen several wind contracts with confidentiality clauses. I personally know one participator who is being sued because he /she talked about how the turbines ruined his/her life?

I hope the South Dakota PUC uses current science like the American National Standards Institute guidelines for community noise and not some out of date arbitrary number. Mr. Hessler, Richard James use ANSI to evaluate infrasound and community noise and how it will affect inhabitants. WHO has set a 40DBA maximum that is based on science. Will the Commission grant protections for residents whose health cannot handle the sensations of infrasound? Just because the applicants sound evaluation did not consider infrasound does not mean the PUC can ignore the effects on inhabitants as presented in this case.

The PUC rules clearly state that the project will *not pose a threat of serious injury to the environment not to the social and economic condition of the inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety, or welfare of the inhabitants*, after hearing all the information presented from intervenors and witnesses how could anyone believe the Prevailing Winds project will fit these parameters? At the Dakota Range final hearing, I was told that nothing could be done about the setbacks, while the PUC added other “acceptable to industry” conditions. This docket clearly shows that the DBA must be 40DBA maximum or lower, will the PUC set scientific based (ANSI) conditions on sound levels and protect South Dakotans health, safety and welfare? We are watching, we will support an appeal and we are readying ourselves with base line tests to defend our property, our homes, our health and our quality of life.

Kristi Mogen

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