

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

EL18-026 - 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

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APPLICANT'S RESPONSES TO
STAFF'S FOURTH SET OF DATA
REQUESTS TO APPLICANT

EL18-026

Below please find Applicant's Responses to Staff's Fourth Set of Data Requests to Applicant.

- 4-1) Provide a map that shows the proposed turbines within 2 miles from the residence of Ms. Kelli Pazour. Please provide a map similar to Page 88 of 156 of Staff Exhibit_JT-1 in Docket EL18-003 for Ms. Teresa Kaaz
(<http://puc.sd.gov/commission/dockets/electric/2018/EL18-003/exhibits/staff/s1.pdf>).

Bridget Canty: Please see Applicant's Responses to Intervenors' Second Set of Data Requests, response to Second Set, Attachment 2-4.

- 4-2) Provide the predicted sound levels from the Project and the estimated annual frequency of shadow flicker associated with the operation of the Project wind turbines at the following residences:
- a) Mr. Gregg C. Hubner and Mrs. Marsha Hubner;
 - b) Mr. Paul M. Schoenfelder and Mrs. Lisa A. Schoenfelder;
 - c) Mr. Sherman Fuerniss;
 - d) Ms. Karen D. Jenkins; and
 - e) Ms. Kelli Pazour.

Chris Howell (sound) and Aaron Anderson (shadow flicker): The table below provides the modeled annual shadow flicker and turbine sound at the following residences for the Intervenors listed in (a) through (e).



Intervenor	Address (From Intervenors' Petitions to Intervene)	Sound (dBA)	Shadow Flicker (hours per year)
a) Mr. Gregg C. Hubner and Mrs. Marsha Hubner	29976 406 th Avenue Avon, South Dakota 57315	28.5	The address appears to be REC-047, which is estimated at 0 hours per year.
b) Mr. Paul M. Schoenfelder and Mrs. Lisa A. Schoenfelder;	40228 296 th Street Wagner, South Dakota 57380	35.5	The address is estimated at ~5 hours per year.
c) Mr. Sherman Fuerniss	40263 293 rd Street Delmont, South Dakota	This address includes both REC-68 and REC-69 for Fuerniss. The values there are 35.8 and 36.0, respectively.	The address includes REC-068 and REC-069, which are estimated at 2.87 hours per year (REC-068) or 2.98 hours per year (REC-069).
d) Ms. Karen D. Jenkins	28912 410 th Avenue Tripp, South Dakota 57376	28.4	The address appears to be REC-121, which is estimated at 0 hours per year.
e) Ms. Kelli Pazour.	29668 402 nd Avenue Wagner, South Dakota 57380	32.4	This address appears to be REC-024, which is estimated at 5.98 hours per year.

Dated this 25th day of September, 2018

By /s/ Lisa M. Agrimonti
Mollie M. Smith
Lisa M. Agrimonti
FREDRIKSON & BYRON, P.A.
Attorneys for Applicant
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402
Phone: (612) 492-7270
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**PUBLIC UTILITIES COMMISSION
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OF A WIND ENERGY FACILITY IN
BON HOMME COUNTY, CHARLES
MIX COUNTY AND HUTCHINSON
COUNTY, SOUTH DAKOTA FOR
THE PREVAILING WIND PARK
PROJECT**

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CERTIFICATE OF SERVICE

EL18-026

Bridget Duffus, of Fredrikson & Byron, P.A., hereby certifies that on the 25th day of September, 2018, true and correct copies of this Certificate of Service and Applicant's Responses to Staff's Fourth Set of Data Requests to Applicant were served electronically on the persons listed below:

Ms. Kristen Edwards Staff Attorney South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 Kristen.edwards@state.sd.us	Ms. Amanda Reiss Staff Attorney South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 amanda.reiss@state.sd.us
Mr. Darren Kearney Staff Analyst South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 darren.kearney@state.sd.us	Mr. Jon Thurber Staff Analyst South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 jon.thurber@state.sd.us
Ms. Lisa M. Agrimonti - Representing: Prevailing Wind Park, LLC Fredrikson & Byron, P.A. 200 South Sixth Street, Suite 4000 Minneapolis, MN 55402-1425 lagrimonti@fredlaw.com	Ms. Mollie Smith - Representing: Prevailing Wind Park, LLC Fredrikson & Byron, P.A. 200 S. 6th St., Ste. 4000 Minneapolis, MN 55402 msmith@fredlaw.com
Reece M. Almond – Representing: Gregg C. Hubner, Marsha Hubner, Paul M. Schoenfelder, and Lisa A. Schoenfelder Davenport, Evans, Hurwitz & Smith. LLP 206 West 14th Street P.O. Box 1030 Sioux Falls, SD 57101 ralmond@dehs.com	

/s/ Bridget Duffus
Bridget Duffus



Chris Howell: The noise modeling for the GE 3.8-137 turbine predicts a sound level from turbines of 33.8 dBA at this location.

- 2-4) **Provide a map that shows the proposed turbines within 2 miles from the residence of Ms. Kelly Pazour (29668 402nd Avenue, Wagner, South Dakota 57380) and the applicable setbacks for those turbines, similar to the map on Page 88 of 156 of Staff Exhibit_JT-1 in Docket EL18-003 for Ms. Teresa Kaaz (<http://puc.sd.gov/commission/dockets/electric/2018/EL18-003/exhibits/staff/sl.pdf>).**

Bridget Canty: See Attachment 2-4 for turbine locations. For setbacks, see Figure 5 in the Application.

- 2-5) **Provide a map that shows the proposed turbines within 2 miles from the residence of Mr. Jerome Powers (40427 294th Street, Wagner, South Dakota 57380) and the applicable setbacks for those turbines, similar to the map on Page 88 of 156 of Staff Exhibit_JT-1 in Docket EL18-003 for Ms. Teresa Kaaz (<http://puc.sd.gov/commission/dockets/electric/2018/EL18-003/exhibits/staff/sl.pdf>).**

Bridget Canty: See Attachment 2-5 for turbine locations. For setbacks, see Figure 5 in the Application.

- 2-6) **Provide a map that shows the proposed turbines within 2 miles from the residence of Mr. Kevin Andersh and the applicable setbacks for those turbines, similar to the map on Page 88 of 156 of Staff Exhibit_JT-1 in Docket EL18-003 for Ms. Teresa Kaaz (<http://puc.sd.gov/commission/dockets/electric/2018/EL18-003/exhibits/staff/sl.pdf>).**

Bridget Canty: See attachment 2-6 for turbine locations. For setbacks, see Figure 5 in the Application.

- 2-7) **Provide a map that shows the proposed turbines within 2 miles from the residence of Mr. Gregg Hubner (29976 406th Avenue, Avon, South Dakota 57315) and the applicable setbacks for those turbines, similar to the map on Page 88 of 156 of Staff Exhibit JT-1 in Docket EL18-003 for Ms. Teresa Kaaz (<http://puc.sd.gov/commission/dockets/electric/2018/EL18-003/exhibits/staff/sl.pdf>).**

Bridget Canty: See response to Staff Request DR 2-23.

- 2-8) **Provide a map that shows the proposed turbines within 2 miles from the residence of Mr. Paul Schoenfelder (40228 296th Street, Wagner, South Dakota 57380) and the applicable setbacks for those turbines, similar to the map on Page 88 of 156 of Staff Exhibit JT-1 in Docket EL18-003 for Ms. Teresa Kaaz (<http://puc.sd.gov/commission/dockets/electric/2018/EL18-003/exhibits/staff/sl.pdf>).**

Bridget Canty: See response to Staff Request DR 2-24.

- 2-9) **Appendix T, page 84 email from Jennifer Bell to Bridget Canty on the subject of Prevailing Winds Tribal Meeting dated Monday, March 26, 2018 10:02:20 AM. Please provide any additional correspondence between Kip Spotted Eagle and/or the leadership of the Yankton Sioux Tribe, including any agreements made in regards to cultural discoveries during the construction of the Prevailing Winds Park project.**

Lisa Agrimonti: Prevailing Wind Park objects to this request because it is overbroad and ambiguous regarding the parties to the requested communications. Prevailing Wind Park further objects to this request to the extent that it seeks confidential information.

Dated this 24th day of September,
2018.

By: /s/ Lisa M. Agrimonti

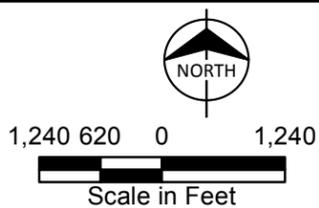
Mollie M. Smith
Lisa M. Agrimonti
FREDRIKSON & BYRON, P.A.
Attorneys for Applicant
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402
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64809191.1

Turbine	Distance to House (ft.)	Distance to Parcel (ft.)
T1	10,066	9,671
T3	7,378	6,960
T5	7,949	7,417
T7	5,105	4,510
T8	4,812	4,470
T9	2,979	2,554
T12	2,173	1,510
T15	6,468	6,005
T16	7,837	7,555
T17	7,573	6,874
T22	8,570	8,075
T29	6,547	5,871



 Wind Turbine
 Parcel Boundary

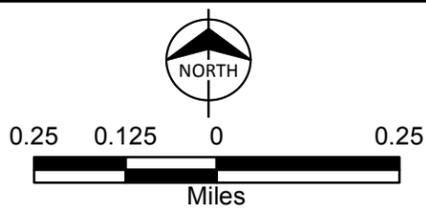


Residence of
 Mr. Jerome Powers
 40427 294th Street
 Charles Mix County
 South Dakota

Turbine	Distance to House (ft.)	Distance to Parcel (ft.)
23	8,517	7,235
37	10,012	7,543
39	6,405	3,959
41	8,502	5,683
45	10,168	7,177
48	9,575	8,813
49	3,390	1,006
57	10,447	9,703
58	4,508	2,037

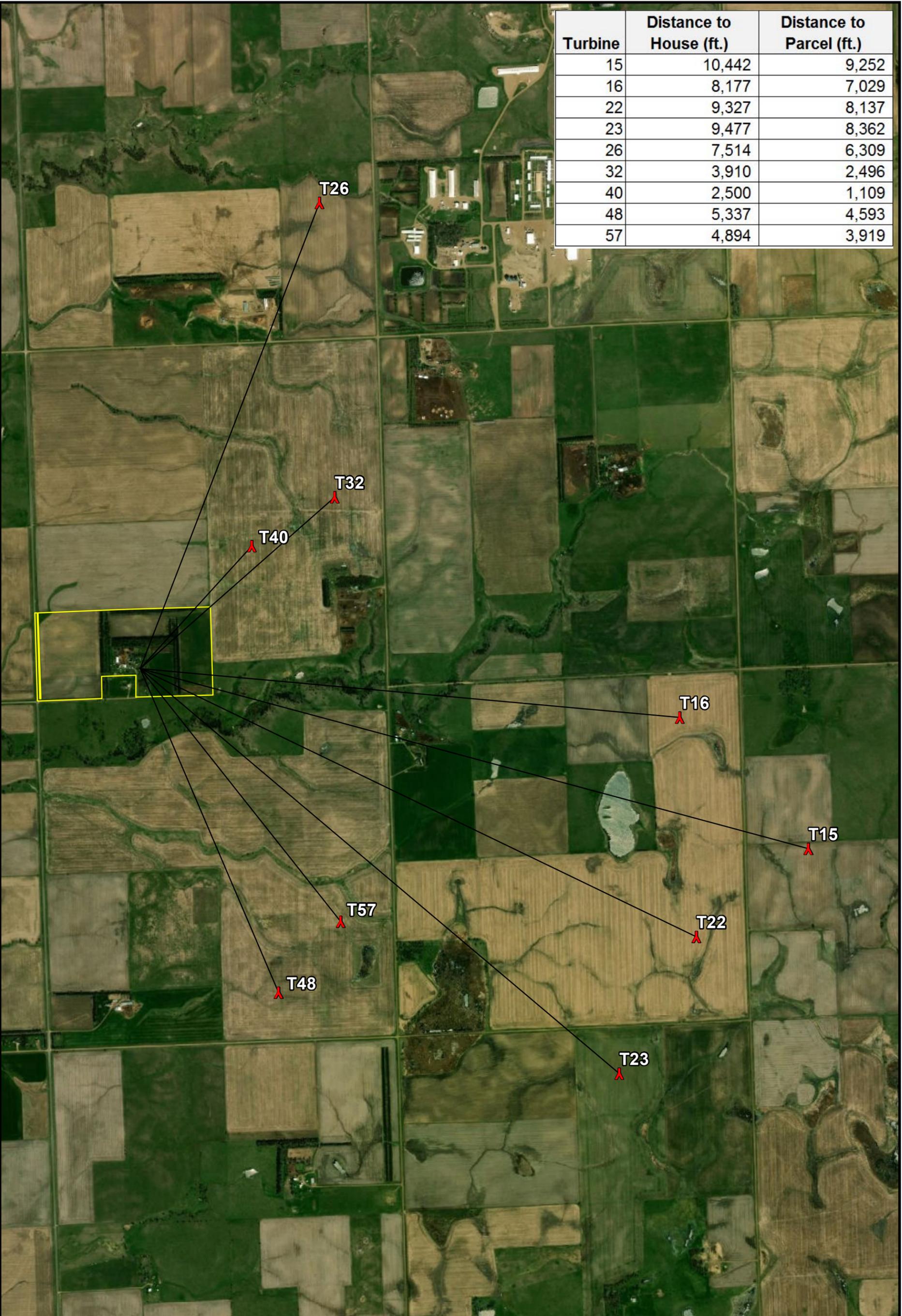


 Wind Turbine
 Parcel Boundary

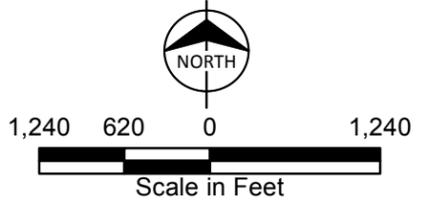


Brown Residence (Pazour)
 29668 402nd Avenue
 Charles Mix County
 South Dakota

Turbine	Distance to House (ft.)	Distance to Parcel (ft.)
15	10,442	9,252
16	8,177	7,029
22	9,327	8,137
23	9,477	8,362
26	7,514	6,309
32	3,910	2,496
40	2,500	1,109
48	5,337	4,593
57	4,894	3,919



 Wind Turbine
 Parcel Boundary



Residence of
 Kevin & Georgia Andersh
 40128 294th Street
 Charles Mix County
 South Dakota

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Bridget A. Duffus, of Fredrikson & Byron, P.A., hereby certifies that on the 24th day of September, 2018, true and correct copies of the following documents were served electronically on the persons listed below:

1. Applicant’s Responses to Intervenors’ Second Set of Data Requests; and
2. Certificate of Service.

Ms. Kristen Edwards Staff Attorney South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 Kristen.edwards@state.sd.us	Ms. Amanda Reiss Staff Attorney South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 amanda.reiss@state.sd.us
Mr. Darren Kearney Staff Analyst South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 darren.kearney@state.sd.us	Mr. Jon Thurber Staff Analyst South Dakota Public Utilities Commission 500 E. Capitol Ave. Pierre, SD 57501 jon.thurber@state.sd.us
Ms. Lisa M. Agrimonti - Representing: Prevailing Wind Park, LLC Attorney Fredrickson & Byron, P.A. 200 South Sixth St., Ste. 4000 Minneapolis, MN 55402-1425 lagrimonti@fredlaw.com	Ms. Mollie Smith - Representing: Prevailing Wind Park, LLC Fredrikson & Byron, P.A. 200 S. 6th St., Ste. 4000 Minneapolis, MN 55402 msmith@fredlaw.com
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P.O. Box 1030 Sioux Falls, SD 57101 ralmond@dehs.com	
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/s/ Bridget A. Duffus _____

Bridget A. Duffus