

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION BY PREVAILING WIND PARK, LLC  
FOR A PERMIT FOR A WIND ENERGY FACILITY IN BON HOMME, CHARLES MIX,  
AND HUTCHINSON COUNTIES, SOUTH DAKOTA, FOR PREVAILING WIND  
PARK ENERGY FACILITY**

**SD PUC DOCKET EL18-026**

**PRE-FILED SUPPLEMENTAL DIRECT TESTIMONY OF PETER PAWLOWSKI  
ON BEHALF OF PREVAILING WIND PARK, LLC**

**August 10, 2018**

**I. INTRODUCTION AND QUALIFICATIONS**

**Q. Please state your name, employer, and business address.**

A. My name is Peter Pawlowski. I am Vice President, Wind, at Sustainable Power Group, LLC ("sPower"), 2180 South 1300 East, Suite 600, Salt Lake City, Utah 84106.

**Q. Please describe your educational and professional background.**

A. In my current position, I am responsible for sPower's wind business plan and implementation.. I have held this position since 2017. In 2016, I was a project manager with sPower, where I oversaw the construction of the 80-megawatt Pioneer Wind Park in Glen Rock Wyoming. Prior to that, I worked with two renewable energy companies developing wind projects. Overall, I have approximately 20 years working in energy development. I have a Bachelor of Science in Aerospace Engineering from the University of Maryland, College Park.

**Q. What is your role with respect to the Prevailing Wind Energy Project ("Project")?**

A. I supervise the sPower team working on the Project and am directly responsible for planning and implementation of all aspects of Project development.

**Q. Did you previously provide prefiled testimony in this docket?**

A. No. However, as noted below, I am adopting James Damon's Direct Testimony as my own going forward, since Mr. Damon recently left sPower.

**II. PURPOSE OF TESTIMONY**

**Q. What is the purpose of your Direct Testimony?**

A. The purpose of my testimony is to provide updates to certain information in the Application. Specifically, I will:

- Discuss the current status of local permitting for the Project;

- Provide an update on turbine model selection for the Project; and
- Describe commitments the Applicant is making with respect to the Project.

In addition, I am adopting Mr. Damon's Direct Testimony and am sponsoring the associated Application sections with the exception of Section 20.1.2.3, Property Value Impacts, which is being addressed by Michael MaRous in his supplemental direct testimony. Mr. MaRous is also supporting Appendix P (2009 Berkeley Property Values Study) and Appendix Q (2013 Berkeley Property Values Study).

**Q. What exhibits are attached to your Supplemental Testimony?**

A. The following Exhibits are attached to my Supplemental Testimony:

- Exhibit 1: Resume
- Exhibit 2: Example of a Federal Aviation Administration ("FAA") Determination of No Hazard for a Project turbine location

**III. LOCAL PERMITTING UPDATE**

**Q. Please provide an update regarding the status of the Project's local permitting.**

A. Since submitting the Application in May 2018, Prevailing Wind Park has continued to pursue the local permits that will be required for the Project. An update on the permitting status in each county where Project facilities are proposed follows:

- Bon Homme: Prevailing Wind Park submitted its application for a wind energy system approval to the Bon Homme County Board of Commissioners on August 2, 2018, and expects a decision on that application in August 2018.
- Hutchinson: Prevailing Wind Park plans to submit applications for conditional use permits for the Project to Hutchinson County in mid-August 2018.
- Charles Mix: Charles Mix County does not currently have a zoning ordinance, but does issue building permits. Prevailing Wind Park received building permits for the Project in July 2018. Prevailing Wind Park submitted an affidavit making setback and other commitments for the Project facilities located in Charles Mix County. The Charles Mix County Board of

Commissioners formally accepted the affidavit at its meeting on August 9, 2018 noting that the commitments were responsive to the county's concerns. In addition, Prevailing Wind Park will be seeking appropriate approvals this fall from Yankton County for a substation and portion of the 115 kV transmission line that will interconnect the Project with the transmission system.

#### **IV. TURBINE MODELS**

**Q. Has Prevailing Wind Park selected the turbine model it will use for the Project?**

A. Yes. Prevailing Wind Park has selected the GE 3.8-137 wind turbine model for the Project.

**Q. At the July 12, 2018 public input hearing, some members of the public expressed concern over the height of the proposed turbine models being considered for the Project. Do you have a response?**

A. Yes. I understand that some commenters expressed concern regarding the height of the turbine models under consideration for the Project. However, it is important to understand that the Project has been designed to comply with all applicable requirements, including setbacks, noise, shadow flicker, and FAA requirements. Therefore, while the turbines may be taller than other turbines in the area, they must meet the same – or even more stringent – requirements.

**Q. Has Prevailing Wind Park sought FAA review and approval of the proposed turbine locations accounting for the height of the proposed turbine model?**

A. Yes. Prevailing Wind Park filed Notices of Proposed Construction (Form 7460-1) with the FAA for all wind turbine and permanent meteorological tower locations. In accordance with its requirements for structures of the height of the proposed turbine, on May 17, 2018, the FAA issued a public notice advising that it was undertaking an aeronautical study that includes all 63 proposed turbine sites. The notice provided a comment period through June 23, 2018, and stated:

Preliminary FAA study indicates that the above-mentioned structure would:

- have no effect on any existing or proposed arrival, departure, or en route instrument flight rules (IFR) operations or procedures.
- not exceed traffic pattern airspace.
- have no physical or electromagnetic effect on the operation of air navigation and communications facilities.
- have no effect on any airspace and routes used by the military.

After its study and the comment period, on June 28, 2018, the FAA issued a Determination of No Hazard to Air Navigation ("DNH") for each of the proposed turbine sites. An example DNH is attached as Exhibit 2.

## V. AIRCRAFT DETECTION LIGHTING SYSTEM

### Q. What is ADLS?

A. ADLS involves the installation of radar units around the perimeter of a wind project. So long as the radar does not detect an aircraft it sends a signal to the wind turbine lighting telling them to stay off. When the radar detects aircraft, it stops sending the stay off signal and the wind turbine lighting activates. At other times, the wind turbine lighting remains off. ADLS continues to be a relatively new technology, and use of ADLS at a wind project requires FAA approval. sPower, under my direction, installed the first ADLS system on the Pioneer Wind Park in Wyoming which became operational in October 2016. As I noted during my presentation at the public input hearing, Prevailing Wind Park intends to install ADLS on the Project, provided that the FAA approves the use of this technology for the Project.

**VI. OTHER PROJECT COMMITMENTS**

**Q. Is Prevailing Wind Park willing to make other commitments related to the design, construction, and operation of the Project?**

A. Yes. After reviewing the permit conditions the South Dakota Public Utilities Commission imposed on the Dakota Range Project in Docket No. EL 18-003, Prevailing Wind Park has determined that it is generally willing to accept the same permit conditions for this Project. We plan to coordinate with Commission Staff to develop a specific list of conditions to propose at the evidentiary hearing, but I will highlight a few specific commitments:

- Prevailing Wind Park is committed to funding an escrow account to set aside funds for decommissioning that is based on the decommissioning cost estimate set forth the Decommissioning Cost Analysis provided with the Supplemental Direct Testimony of Daniel Pardo.
- Prevailing Wind Park is committed to having a public liaison officer appointed for the Project.
- Prevailing Wind Park is committed to addressing potential blade icing concerns via the same methods outlined in paragraph 40 of the Dakota Range Permit conditions.
- As noted above, Prevailing Wind Park is committed to installing ADLS on the Project, provided that the FAA approves the use of this technology for the Project.



148 **VII. CONCLUSION**

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150 **Q. Does this conclude your Supplemental Direct Testimony?**

151 A. Yes.

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153 Dated this 10<sup>th</sup> day of August, 2018.

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157 Peter Pawlowski

A handwritten signature in blue ink, appearing to read "Peter Pawlowski", is written over a horizontal line. The signature is stylized with a large initial "P" and a long, sweeping underline.