

From: Christina Kilby [REDACTED]
Sent: Wednesday, January 30, 2019 12:13 PM
To: PUC <PUCPF@state.sd.us>
Subject: Re: [EXT] EL18-053

Dear Mr. Hanson,

Thank you so much for your response.

Two of the Deuel County Board of Adjustment members who signed agreements with Invenergy did vote to grant the permit to Invenergy. Invenergy released one of them, Mike Dahl, just prior to his voting on recommended amendments to the county ordinances pertaining to wind energy systems, which occurred a little less than a year before Invenergy's permit hearing.

The other, Kevin DeBoer, was not yet on the zoning board at the time of recommending amendments. But he was appointed to the zoning board by county commissioner Lynn Pederson, after DeBoer had already signed up with Invenergy. He was then released from his contract very shortly before voting to grant Invenergy's permit. He has two brothers signed up with Invenergy, one will be getting turbines according to the most recent map.

Two other members of the zoning board/board of adjustment have signed contracts with other wind companies. The zoning officer also has an agreement with Invenergy.

One county commissioner, Lynn Pederson, whose term has now expired had an agreement with Invenergy and was then released prior to voting on the ordinance amendments. Lynn Pederson was the county commissioner who appointed Kevin DeBoer to the zoning board.

Another county commissioner who voted on the ordinance amendments has an agreement with another wind company that has also received a permit from the county. This information is all according to public records. Not only did these officials not recuse themselves, but they did not disclose their interests. In fact, at Invenergy's permit hearing, all board members stated that they would not be benefitting financially from the project. Dahl and DeBoer failed to disclose they previously had agreements with Invenergy.

There are many other interesting facts regarding the situation at the county level. I am sure the Petitioners would be willing to submit more information and/or documents discovered through their petition for writ of

certiorari regarding Invenenergy's permits if the Commission would find it helpful. I am an attorney in MN and was admitted pro hac vice to assist with that petition for writ, Holborn v. Deuel County.

Sincerely,

Christina Kilby