

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

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**IN THE MATTER OF THE  
APPLICATION OF DEUEL HARVEST  
WIND ENERGY LLC FOR A PERMIT  
OF A WIND ENERGY FACILITY AND  
A 345-KV TRANSMISSION LINE IN  
DEUEL COUNTY**

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**STAFF'S FIRST SET OF DATA  
REQUESTS TO INTERVENORS**

**EL18-053**

Below, please find Staff's First Set of Data Requests to Intervenor. Please submit responses within 10 business days, or promptly contact Staff to discuss an alternative arrangement.

1-1) Provide copies of all data requests submitted to or by you and copies of all responses provided to those data requests. Provide this information to date and on an ongoing basis.

1-2) Refer to SDCL 49-41B-22.

a. Please specify particular aspect/s of the applicant's burden that you intend to personally testify on.

Turbine placement that will threaten the social and economic condition of inhabitants and expected inhabitants in the siting area.

Turbine placement near environmentally sensitive areas.

b. Please specify particular aspect/s of the applicant's burden of proof that you intend to call a witness to testify on.

None at this time.

1-3) Refer to SDCL 49-41B-25. Identify any "terms, conditions, or modifications of the construction, operation, or maintenance" that you would recommend the Commission order. Please provide support and explanation for any recommendations.

a. Specifically, what mitigation efforts would you like to see taken if this Project is constructed.

I recommend the Commission to order the applicant to adhere to the 2-mile buffer given to the eagle nests outside of the project area to be the same for the eagle nest that has been monitored the past two years, north of Lake Alice a half mile.

I recommend the Commission to review the placement of turbines that are in close proximity of bird movement corridors and concentrated bird and/or bat use areas. Set back of 1 mile to these areas.

I recommend the Commission to study the impact that turbine placement will have on future development of non-participating landowners. Currently, if the project was completed to today, future development on my property at the old homestead would

**EXHIBIT**

**HS9**

be within the setback established in the Deuel County Ordinance B2004-01 Section 1215.03 Section 2a. Distance from existing Non-Participating residence and businesses shall be not less than four times the height of the wind turbine. Distance from existing Participating residences, business and public buildings shall be not less than fifteen hundred feet. Non-Participating property owners shall have the right to waive the respective setback requirements. I want the setback from the building site to be what the county ordinance reads. My property is located Glenwood Township T-116-N, R 48 Sec. 34

I recommend the Commission to reevaluate turbine placements next to ecological sensitive areas and give them a 2 mile setback.

I recommend the commission to review turbine placements next to non participants and give them a setback of 1 mile from their property line to protect their rights.

No further support or explanation at this time.

- 1-4) Please list with specificity the witnesses that you intend to call. Please include name, address, phone number, credentials and area of expertise.

None at this time

- 1-5) Do you intend to take depositions? If so, of whom?

None at this time