

September 9, 2019

VIA ELECTRONIC FILING

Ms. Patricia Van Gerpen
Executive Secretary
South Dakota Public Utilities Commission
500 E. Capitol Avenue
Pierre, SD 57501-5070

**RE: In the Matter of the Application of Dakota Range III, LLC for a Permit of a Wind Energy Facility and a 345-kV Transmission Line in Grant and Roberts Counties
Docket EL18-046**

Request for Exemption from Condition No. 36

Dear Ms. Van Gerpen:

Pursuant to Condition 41 of the Settlement Stipulation approved by the South Dakota Public Utilities Commission (“Commission”) in its February 22, 2019 Order Granting Joint Motion for Approval of Settlement Stipulation and Granting Permits to Construct Facilities (“Order”) in the above-referenced docket, Dakota Range III, LLC (“Dakota Range III”) requests an exemption for the Dakota Range III Wind Project (“Project”) from Condition 36 (public liaison condition).

At the time Dakota Range III and Commission Staff entered into the Settlement Stipulation, the orders issued in recent wind siting dockets had included a public liaison condition. However, since issuance of the Order approving the Settlement Stipulation in this docket, the Commission issued orders approving settlements in two other dockets – Sweetland Wind Farm, LLC (EL 19-012) and Triple H Wind Project LLC (EL 19-007) – that did not include a public liaison condition. Since Dakota Range III was likewise an uncontested docket, and the Commission previously commended Dakota Range III for its community outreach efforts, Dakota Range III believes there is a strong basis for granting the requested exemption.

Based on communications with Commission Staff, Dakota Range III understands that Commission Staff is not opposed to Dakota Range III requesting an exemption from

Attorneys & Advisors
main 612.492.7000
fax 612.492.7077
fredlaw.com

Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, Minnesota
55402-1425

Ms. Patricia Van Gerpen
September 9, 2019
Page 2

Condition 36, but Dakota Range III defers to Commission Staff to provide further input. Dakota Range III will work with Commission Staff to take any steps necessary to amend the Settlement Stipulation, should the exemption request be granted.

Finally, if the exemption request is granted, Dakota Range III would withdraw its previously filed request for approval of Mr. Murray A. McKay as a public liaison officer. The filing was made to ensure compliance with Condition 36 while Dakota Range III consulted with Commission Staff concerning the potential for this exemption request.

Please let me know if you have any questions.

Sincerely,

/s/ Mollie M. Smith

Mollie M. Smith
Attorney at Law

Direct Dial: 612.492.7270

Email: msmith@fredlaw.com

Enclosure

cc: Certificate of Service/Service List

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