

September 24, 2019

VIA ELECTRONIC FILING

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

**RE: 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, South Dakota
Docket EL18-053**

Dear Ms. Van Gerpen:

In its Final Decision and Order Granting Permit to Construct Facilities; Notice of Entry (“Order”), the South Dakota Public Utilities Commission (“Commission”) included Condition No. 43 which provides:

43. No turbine may be constructed within two miles of Lake Alice as currently specified in the Deuel County zoning ordinance unless

- a) This ordinance is modified by a zoning ordinance amendment promulgated by the Deuel County Commission; or
- b) The current ordinance is found by a court of law to mean something other than the stated language of two miles from Lake Alice.

Deuel Harvest Wind Energy LLC (“Deuel Harvest”) provides this notice that the condition has been satisfied. The Deuel County Board of Commissioners adopted Ordinance B2004-01-28A on August 6, 2019 which amends Section 1215.03.2.d of the Deuel County Zoning Ordinance as follows:

d. Distance from the Lake Park District located at Lake Cochrane: 3 miles; Distance from the Lake Park District located at Lake Alice: 2 miles; And distance from the Lake Park District at Bullhead Lake: 1 mile.

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Id. (emphasis added). The Ordinance establishes that the two-mile setback is from the Lake Park District at Lake Alice on the southern side of Lake Alice, rather than Lake Alice. The Ordinance, enclosed, became effective September 3, 2019.

Please contact me with any questions.

Sincerely,

/s/ Lisa Agrimonti

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Enclosure
cc: Certificate of Service

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