



Gary Hanson, Chairman  
Chris Nelson, Vice Chairman  
Kristie Fiegen, Commissioner

*South Dakota*

**PUBLIC UTILITIES COMMISSION**

500 East Capitol Avenue  
Pierre, South Dakota 57501-5070  
[www.puc.sd.gov](http://www.puc.sd.gov)

(605) 773-3201

Consumer Hotline  
1-800-332-1782

Email  
[puc@state.sd.us](mailto:puc@state.sd.us)

November 18, 2020

Patricia Van Gerpen  
Executive Director  
SD Public Utilities Commission  
500 E. Capitol Ave.  
Pierre, SD 57501

**RE: Docket EL19-003, Crowned Ridge Wind Aircraft Detection Lighting System**

Ms. Van Gerpen,

At the November 12, 2020, Commission meeting, Ms. Christenson commented that Crowned Ridge's Aircraft Detection Lighting System (ADLS) is not functioning properly. Ms. Christenson followed up her public comment with a comment letter filed in the docket.

Regarding the ADLS, it is clear that Staff and Ms. Christenson have different interpretations of Crowned Ridge's Permit, SDCL 49-41B-25.2, and the Settlement in Docket EL20-002. Staff finds that Crowned Ridge's ADLS meets the intent of the ADLS requirement and explained our reasoning for such in a letter that was filed on July 31, 2020, in docket EL20-002. Staff's position has not changed on the matter since that letter was filed and, therefore, the analysis will not be restated herein. For reference, Staff's July 31, 2020, letter can be found at the following link: <https://puc.sd.gov/commission/dockets/electric/2020/EL20-002/ltr073120.pdf>.

Staff and Crowned Ridge do not dispute Ms. Christenson's claims that the lights are on frequently during the night. Prior to Ms. Christenson raising the ADLS concern on November 2, Crowned Ridge self-reported to Staff on October 16 that the lights are being activated by migrating birds. Crowned Ridge also communicated that they were working on radar filters to minimize the detection of migrating birds to the extent they can do so without compromising safety to aircraft. After Ms. Christenson filed her letter on the ADLS, Staff asked Crowned Ridge to provide a report to Staff on the ADLS activity so that we could understand what impact fall migration has on the ADLS. That report was provided to Staff on November 10. After reviewing the report, Staff asked Crowned Ridge to file that report in the docket since it provided a detailed explanation of what is occurring with the ADLS. Crowned Ridge filed the report on November 12. Staff is receiving weekly ADLS updates from Crowned Ridge in order to ensure the duration the lights are on returns to pre-migration levels after migration ends. These weekly updates will not be placed in the docket since Staff finds there is no need for Commission action at this time.

Staff disputes Ms. Christenson's claims that the ADLS is not functioning properly. The purpose of an ADLS is to minimize the amount of time the aircraft warning lights are on to the extent it can be done so safely. Aircraft safety is the *highest* priority when it comes to optimizing an ADLS. In order to ensure safety to aircraft is maintained, a methodical approach is used by ADLS vendors to filter out radar signals that are not aircraft. This approach may result in continued detection of aircraft-like objects, such as migrating birds, if the ADLS vendor believes further refinement could cause a safety issue for actual aircraft. Since ADLS technology is new

for South Dakota wind projects, it will take some time to learn what the actual technical capabilities of the systems are and to develop reasonable performance expectations that match the technical capabilities of the systems.

Finally, after the October 13, 2020, Commission meeting, Staff advised Ms. Christenson to contact Mr. Riniker, the public liaison officer, if she has any concerns so that Staff can investigate those matters. Staff further communicated to Ms. Christenson that if she disagreed with Staff's resolution of her concern, she could then follow the complaint process set out in the administrative rules and file a formal complaint in accordance with ARSD 20:10:01:07:01. Attached is a copy of Staff's communication to Ms. Christenson following the October 13, 2020, Commission meeting.

To date, Staff is not aware of a formal complaint properly filed by Ms. Christenson in accordance with the administrative rules nor has Ms. Christenson reached out to Staff for guidance on how to properly file a formal complaint. As such, there has not been a formal complaint filed regarding ADLS that has required Commission action.

Sincerely,

A handwritten signature in black ink, appearing to read "Darren Kearney", with a stylized flourish at the end.

Darren Kearney  
Staff Analyst