

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

**IN THE MATTER OF THE APPLICATION BY
CROWNED RIDGE WIND II, LLC FOR A
PERMIT OF A WIND ENERGY FACILITY IN
DEUEL, GRANT AND CODINGTON COUNTIES**

**ORDER APPROVING
POST CONSTRUCTION
NOISE COMPLIANCE
TEST PROTOCOL**

EL19-027

On July 9, 2019, the Commission received an Application for a Wind Energy Facility Permit from Crowned Ridge Wind II, LLC (CRW II), a subsidiary of NextEra Energy Resources, LLC. CRW II proposes to construct a wind energy facility to be located in Codington, Deuel and Grant counties, South Dakota (Project). The Project is located in Waverly, Kranzburg North, Kranzburg South, Troy, Rome, Goodwin, and Havana townships. On April 6, 2020, the Commission issued its Final Decision and Order Granting Permit to Construct Facility; Permit Conditions; Notice of Entry (Permit). On October 30, 2020, the Commission issued an Order Granting Motion for Approval of Transfer of Permit and Approving Transfer of Permit in which ownership of CRW II was transferred to Northern States Power Company dba Xcel Energy (NSP). NSP received sound complaints at three non-participating residences following commercial operation and voluntarily agreed to conduct field surveys and provide monitoring data verifying compliance with specified noise levels in accordance with Condition 26 of the Permit. On May 4, 2021, NSP filed a Post-Construction Sound Monitoring Protocol (Protocol) for testing that is scheduled to begin the week of May 24, 2021.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B.

On May 13, 2021, at its regularly scheduled meeting, the Commission considered whether to approve the Protocol as submitted by CRW II. After hearing oral presentations from the parties, the answers given to Commission questions, and having thoroughly reviewed the filings in the docket, the Commission, after public discussion, voted unanimously to approve the proposed Protocol with the inclusion of Commission staff's recommended revision to subpart 5 of Section 4.2 of the Protocol and a revision to section 2.2 of the Protocol to clearly show the sound measurements will be a 10-minute L_{eq} as set-forth in the Permit. It is therefore

ORDERED, that CRW II's request for approval of the proposed Post-Construction Sound Monitoring Protocol is hereby granted subject to the following revisions:

- 1) Subpart 5 of section 4.2 shall be revised to match the language in Condition 26 of the Permit, and
- 2) Section 2.2 shall be revised to clearly show that sound levels will be assessed using the L_{eq} measurement as set-forth in Condition 26 of the Permit.

Dated at Pierre, South Dakota, this 19th day of May 2021.

CERTIFICATE OF SERVICE
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.
By: <u>Adam Detwiler</u>
Date: <u>5/19/21</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner