

Sunday, May 31, 2020.

Mr. Thurber and Staff,

I appreciate your effort of sending me the link to the Staff letter posted on docket EL 20-002. However, once again as outlined below, please consider this as yet another/additionally necessary complaint as related to these matter(s).

I draw your attention to two important items listed below I have copied from the aforementioned Staff letter posted on docket 20-002:

1. *“B. If the ADLS is not operational at the Crowned Ridge Wind Project by May 20, 2020, Crowned Ridge further agrees to deposit a second check in the permanent school fund, the sum of which will be calculated by \$2,000 times the number of calendar days that have elapsed after May 20, 2020 until the ADLS is operational. The second check, if required, shall be deposited within 14 business days following the date the ADLS is operational.”*
2. *“On May 18, 2020, the Crowned Ridge public liaison officer, Brian Riniker, notified Commission Staff of an informal complaint asserting that the ADLS was not working properly and the lights rarely turn off.”*

Item one above ‘If the ADLS is not operational...by May 20, 2020’. As my earlier letter to you clearly shows, the system is **NOT** operational. ADLS may well have been attempted to be installed, but it is **not operational**. [By way of a fair analogy, I’d submit that if a governmental entity was required to install an operational traffic control red-yellow-green light at a dangerous intersection – could not/would not be able to say it’s “operational” if only defaulted to flashing yellow “blinking” over 95% of the time.] Consequently, it appears clear that – if the imposed conditions/requirements have any meaning beyond disingenuous appeasement-intended lip service by the State – CRW must necessarily be held responsible for the additional \$2,000 per day fine and any other penalty provided for under the Stipulation.

Item two, listed above, refers to a complaint filed with the liaison officer on May 18th. However, as you know from my earlier correspondence/complaint, I filed my complaint with the liaison officer on May 21st. As such, I apparently was at least the second complaint made and received; however, there certainly could have been more.

Of course, important to that point is that the mandated operational ADLS is *still* not operational as of today, May 31, 2020. To that end, the recent unsupported ‘table’ provided without affidavit attribution by one of the CRW’s attorneys (i.e., not a CRW witness) is both incomplete and, I and my neighbors argue, inaccurate. (As in, how on earth, could simple random “movements other than aircraft” reasonably or logically be expected to cause ‘false positive [lighting] activations’ for over 8-9 hours a night.* This is disturbing us in rural Codrington County – certainly not downtown Minneapolis! *See, proposed “Table” on both May 4-5 and, again, May 15-16). Without seeing a valid proposed ‘Table’ and in otherwise personally observing these annoying lights on – nearly every hour during the times of the

night that I'm up – I would instead venture to suggest that most likely every time the lights blink off, CRW counts that as the light being off as attributed to the ADLS, as compared to its normal 'blink'. Once again, however, please consider this yet another formal complaint to the extent that these annoying and intrusive lights/lighting remain on for the significant majority of each night.

Finally, I find it both unacceptable and entirely prejudicial that my submissions are not posted to the public docket within EL 20-002. I am of course an interested and involved party to the docket in EL 19-003. However, the State's arbitrary decision (with absolutely no due process to parties like me) to supposedly look to address the ongoing lack of CRW compliance to the conditions set for docket 19-003 – inexplicably to the new docket [20-002, for some reason including no permitted input to the State's eventually-imposed \$170,000 fine] certainly appears to be an apparent attempt to bureaucratically obscure and/or obfuscate the ongoing problem of this statutorily required system failing to be operational is, in fact, offensive and objectionable to the entire community living with this unacceptable situation here in the area as well as to all South Dakota taxpaying and voting-eligible citizens.

Respectfully Submitted,

/s/Amber Christenson

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