

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

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

) **ORDER GRANTING PETITION**
) **FOR RECONSIDERATION**
) **AND ORDER GRANTING**
) **MOTION TO AMEND SOUND**
) **STUDY MITIGATION PLAN IN**
) **PART ON**
) **RECONSIDERATION**
)
) **EL19-003**

On January 30, 2019, the South Dakota Public Utilities Commission (Commission) received an application from Crowned Ridge Wind, LLC (Crowned Ridge or Applicant) for a permit to construct a wind energy conversion facility to be located in Grant County and Codington County, South Dakota (Project). On July 26, 2019, the Commission issued a Final Decision and Order Granting Permit to Construct Facility; Notice of Entry (Permit). On January 9, 2020, the Commission issued an Order Granting Temporary Waiver that approved Crowned Ridge to operate temporarily without low noise trailing edge (LNTE) blade attachments installed on all turbine blades subject to the curtailment of certain turbines and that Crowned Ridge conduct post-construction noise compliance testing in accordance with Condition 26 of the Permit. On January 15, 2021, Crowned Ridge filed its Sound Level Compliance Evaluation Report. On March 18, 2021, Crowned Ridge filed a Motion for Approval of Mitigation Plan in order to verify compliance with Condition 26 of the Permit. On April 9, 2021, the Commission issued an Order Approving Mitigation Plan. On July 29, 2021, Intervenor Christenson filed a Motion to Amend Mitigation Plan of the Sound Study Protocol of Crowned Ridge Wind, LLC Fall 2021 (Motion). On August 26, 2021, the Commission issued an Order Denying Motion to Amend Sound Study Mitigation Plan. On August 30, 2021, Amber Christenson and Allen Robish filed a Petition for Reconsideration. On September 2, 2021, Crowned Ridge filed its Answer to the August 30, 2021, Petition for Reconsideration.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B and ARSD 20:10:01:29.

On September 14, 2021, at its regularly scheduled meeting, the Commission considered the Petition for Reconsideration. The Commission voted unanimously to reconsider its Order Denying Motion to Amend Sound Study Mitigation Plan. After hearing and considering the arguments of the Parties received orally during the Commission meeting and in writing prior to the meeting, the Commission, with Commissioner Fiegen dissenting, voted 2-1 to grant Amber Christenson's original Motion, in part, to include a sound test location within 25 feet of Ms. Christenson's residence during the Fall 2021 sound study and that turbines within 1.75 miles of that location be included in the turbine on/off tests for the sound study. It is therefore

ORDERED, that Amber Christenson's and Allen Robish's Petition for Reconsideration is hereby granted. It is further

ORDERED, that Amber Christenson's Motion to Amend Mitigation Plan of the Sound Study Protocol of Crowned Ridge Wind, LLC, Fall 2021 is granted in part. It is further

ORDERED, that the Fall 2021 sound study to be conducted by Crowned Ridge shall include a test location within 25 feet of Ms. Christenson's residence and that all turbines within 1.75 miles of that location, including Crowned Ridge Wind II turbines, shall be included in the on/off tests for the sound study.

Dated at Pierre, South Dakota, this 20th day of September 2021.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>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.</p> <p>By: <u>Karen E. Cremer</u></p> <p>Date: <u>09/20/21</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

KRISTIE FIEGEN, Commissioner, Dissenting
in Part

Gary Hanson

GARY HANSON, Commissioner