

29 June 2020

Ms. Patricia Van Gerpen, Executive Director
South Dakota Public Utilities Commission
Capitol Building, 1st Floor
500 East Capitol Avenue
Pierre, SD 57501-5070

Re: Docket No. EL 19-003
Application to the SD PUC for a Facility Permit to Construct a 300 MW Wind Facility

Dear Ms. Van Gerpen,

Crowned Ridge Wind, LLC (CRW) submitted to you a notification of their expected date of completion concerning the installation of low noise trailing edge (LNTE) attachments to 16 turbines and their expectation to no longer curtail turbines after the installation of such, as of June 30, 2020.

The PUC Commissioners issued an order granting a Temporary Waiver to CRW on January 9, 2020. In the Order, the Commission subjects the waiver to the following conditions:

- 1) The temporary waiver expires September 15, 2020;
- 2) Applicant shall file with the Commission beginning April 1, 2020, monthly progress reports explaining the status of the LNTE installation;
- 3) Applicant shall curtail 16 turbines at wind speeds above 6 meters per second in accordance with the sound model using a 0.3 ground attenuation factor; and
- 4) Applicant shall conduct post-construction sound compliance testing in accordance with Condition 26 of the Final Order during the Temporary Waiver period and again after LNTEs are installed on all turbines.

Nowhere in the Order, is CRW given permission to stop the curtailment of 16 turbines after LNTE attachments are affixed to those currently curtailed 16 turbines. The permit granted to CRW includes conditions by which the project must abide. Condition 2 states:

“2. Applicant shall construct, operate, and maintain the Project in a manner consistent with (1) descriptions in the Application, (2) Application supplements and corrections, (3) commitments made by Applicant in response to data requests, (4) the Final Decision and Order Granting Permit to Construct Facility, and attached Permit Conditions, (5) all applicable industry standards, (6) all applicable permits issued by a federal, state, or local agency with jurisdiction.”

According to the Application, evidence and testimony presented at the Evidentiary Hearing, responses to data requests, and all other information provided by CRW, the CRW project is to have ALL turbines operating with low noise trailing edge blades/attachments. There is NO provision, whether in the temporary waiver or anywhere else, that provides CRW may cease to curtail the 16 turbines listed in the Temporary Waiver until ALL turbines are operating with LNTE blades.

As an intervenor, I demand the PUC enforce the waiver and permit and not allow CRW to stop curtailment of the ordered 16 turbines until ALL turbines are fitted with LNTEs.

Respectfully,

/s/Amber Christenson
Intervenor

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