

**From:** Sherman Fuerniss [REDACTED]  
**Sent:** Monday, July 8, 2019 11:58 AM  
**To:** PUC-PUC [REDACTED]  
**Cc:** & Sherman, Lori [REDACTED]  
**Subject:** [EXT] Corrected address added to comments on EL 19-003

Please post the following comments to docket EL 19-003, thank you.

Dear Commissioners,

Thank you for considering these few brief comments on docket EL 19-003.

We have with this docket, of course, the obligatory multiple copies of the same form letter in support of some form of generic wind/renewable energy sent to each member of the Commission, thus giving the appearance of a great deal of support for this project to the casual observer. Also, of course, the senders of these comments live at such distances from this particular project so as to not be impacted by its negative effects. This seems to be an "industry standard".

A meager gleaning of the filed documents for this application presents what appears to be more than a little doubt about the legitimacy of the work done for the applicant by a previously, but not during the time period in question, licensed engineer. It is doubtful that even the electrical wiring work done for a simple farm shop would be inspected and approved by the state of South Dakota if performed by a previously, but not currently, licensed electrician. Let us hope this is not an "industry standard" for multi-hundred million dollar energy projects.

Of note also with this project is that an accurate final project layout map was not available to the intervenors, Staff and Commission only a few days before the evidentiary hearing. Despite work on this project and application having gone on apparently for several years, the Commission graciously granted the applicant time to produce such a final map, only to have this "final project layout map" superseded by a "replacement 'final project layout map' " during the evidentiary hearing itself. How many more opportunities will the applicant be given to provide 'replacements' for 'finals' in the future? Another "industry standard"?

There is this matter of a "substantially complete application". Is this politically correct speech for an "incomplete application"? Try to get a driver's license in South Dakota with an incomplete application. Try to get a passport with an incomplete application. Try to get a loan for education, a car or real estate with an incomplete application. And yet, the applicant for the permit for this multi-hundred

million dollar project, literally years in the making, fully expects to gain approval based on a "substantially complete application". This does appear to be another "industry standard", due in part to the infinitesimal wisdom of the South Dakota legislature which requires the PUC to approve or deny an application with uncompleted studies due to time constraints (no, another three months won't make much difference to companies that have years to work with and routinely have applications approved regardless of uncompleted studies) and unfortunately, applications seem not to be denied until such time as all studies can actually be completed. It seems to be accepted practice that all studies undertaken by the applicant will eventually be favorable to the applicant. In the case of the Prevailing Wind project the WAPA Environmental Assessment was not completed until several months after the permit was approved (and as 50% of the contributors to the study were employed by the applicant, what could one expect but a most glowing outcome?) The only study that seems to never need to be completed, or even started for that matter, is the community awareness study that has been proposed by Mr. Hessler multiple times. Of course, that would make inhabitants of the project area actually consider the negative implications of said project, especially in an area where the local ordinances are so outrageously outdated and ineffective as is the case with EL 19-003.

Perhaps denial of this application at this time would give the applicant sufficient opportunity to set its affairs in order after presenting such slipshod work. Such denial may also demonstrate to current and future developers (and the state legislature) a new and elevated standard of concern for the welfare and well-being of all the inhabitants of a project area, as well as putting developers on notice that they may no longer play fast and loose with the laws, regulations and rules.

Thank you again for your consideration,

Sherman Fuerniss

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