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March 5, 2021

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Patricia Van Gerpen
Executive Director
Public Utilities Commission
500 E Capitol Ave
Pierre SD 57501

**RE: In the Matter of the Application by Triple H Wind Project, LLC for a Permit to Construct and Operate the Triple H Wind Project in Hyde County, South Dakota
PUC Docket: EL19-007
MAGT File: 7446**

Dear Ms. Van Gerpen:

Filed on the FTP server on March 5, 2021, please find the Triple H As Built Setback Exhibit, Hyde County roads punch list items, and Landowner Punch List Summary. Our responses with those attachments is set forth below.

Permit Condition 29 requires three items to be submitted:

- a) As-built location of structures and facilities, including drawings clearly showing compliance with the setbacks required by state and local governments and the voluntary commitments set forth in Table 5-1 of the Application.
- b) The status of remedial activities for road damage, landowner property damage, crop damage, environmental damage, or any other damage resulting from Project construction activities.
- c) A summary of known landowner complaints and Applicant's plan for resolving those complaints.

My client's responses to this condition are as follows:

- a) Enclosed with this filing is an as built exhibit from our surveyor demonstrating compliance with the setbacks noted in Table 5-1. Please note that turbine J07 is 1 foot inside of the voluntary 250 foot setback that Engie uses from water features. The landowner on this parcel indicated to Engie that they had an intent to build a home in the future along 201st Street and requested that we move J07 as far to the northwest as was

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- possible. To accommodate this request, J07 was moved as far to the northwest as far as was allowed under the PUC permit and in compliance with applicable County standards.
- b) All remedial activities associated with construction on private property were completed by November to December of 2020. This includes payment of crop damages that were due pursuant to the terms of our easements. Engie is still working with Hyde County on a few minor items to close out the road maintenance agreement. Attached to this filing is the list of open punch list items, several of which cannot be completed until the weather improves in the spring time.
 - c) The attached spreadsheet documents landowner interactions that occurred throughout construction. These are primarily related to documenting the extent of crop damages to ensure accurate payments were made.

The “Triple H As Built Setback Exhibit” and “Hyde County roads punch list items” are not confidential. The “Landowner Punch List Summary” is confidential.

Please advise if there are any difficulties. Thank you for your courtesies in this matter.

Very truly yours,

MAY, ADAM, GERDES & THOMPSON LLP



BRETT KOENECKE
BK | jrw

Attachments