

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

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**IN THE MATTER OF THE APPLICATION  
OF SWEETLAND WIND FARM, LLC FOR  
PERMITS OF A WIND ENERGY  
FACILITY AND A 230-KV  
TRANSMISSION FACILITY IN HAND  
COUNTY, SOUTH DAKOTA**

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**MOTION FOR EXEMPTION  
FROM SETTLEMENT  
STIPULATION CONDITION  
NO. 35**

**EL 19-012**

Applicant Sweetland Wind Farm, LLC ("Sweetland"), by and through counsel, files this motion requesting that the Commission approve an exemption from Settlement Stipulation Condition No. 35. Sweetland makes this request pursuant to Settlement Stipulation Condition No. 44, which authorizes requests for exemption from Permit terms and conditions.

The South Dakota Department of Game, Fish and Parks ("GFP") has requested that Sweetland provide funding for a 3-year prairie grouse telemetry study at the Sweetland Wind Farm ("Project") in lieu of conducting a second year of post-construction mortality monitoring. In order to comply with the GFP's request, Sweetland is requesting an exemption from Settlement Stipulation Condition No. 35, and the GFP has provided the attached letter of support (*see* attached **Exhibit A**). As detailed in the GFP's letter, GFP and Sweetland propose complying with the following in lieu of Condition No. 35:

Applicant agrees to undertake one year of independently conducted post-construction avian and bat mortality monitoring for the Project, and to provide a copy of the report and all further reports to the United States Fish and Wildlife Services, South Dakota Game, Fish & Parks (SD GF&P), Western Area Power Administration (WAPA) and the Commission. Applicant also agrees to allocate the funds that would have been used for a second year of post-construction mortality monitoring to help fund a three-year grouse telemetry study at the Project. In the event the State Wildlife Grant does not authorize funding for the proposed three-year grouse telemetry study at the Project, Applicant would then conduct a second year of post-construction avian and bat mortality monitoring.

