
From: PUC

Sent: Tuesday, April 30, 2019 5:02 PM

To: [REDACTED]

Subject: EL19-012

Ms. Iverson,

Thank you for sharing your view of wind energy and the Sweetland siting permit request, docket EL19-012, currently before the South Dakota Public Utilities Commission.

My fellow commissioners and I take several factors into account when considering whether or not to grant a wind siting permit. The primary duty of the commission is to ensure the location, construction, and operation of the facilities will produce minimal adverse effects to the health, safety, and welfare of the environment and citizens. The standards we must follow are defined in South Dakota Codified Laws and Administrative Rules.

You also mentioned conflict of interest concerns. I will consider **evidence** presented to the Commission regarding conflict of interest in areas that fall under the responsibilities of the Commission. SDCL 49-41B-22 states four requirements of the applicant in order to receive a siting permit from the PUC. If there is evidence that the applicant cannot or will not comply with any one of these requirements, then I believe they should not receive a permit. However, I emphasize that evidence must be presented regarding conflict of interest if the Commission is to consider the issue. Any concerns you have regarding the Hand County Zoning Board, the Hand County commissioners, and the potential of a conflict of interest are matters you should also refer to the State's Attorney or the Attorney General's Office. A circuit court has direct jurisdiction regarding these issues. The statutes addressing conflicts of interest are found in South Dakota law, Chapter 6-1, and in particular 6-1-17 through 6-1-21, <http://sdlegislature.gov/statutes>.

Your message and my response will be posted under Comments and Responses in the docket so my fellow commissioners and other interested individuals can access them: <http://puc.sd.gov/Dockets/Electric/2019/EL19-012.aspx>.

This Siting Guide explains the commission's processing of siting dockets such as this, <http://puc.sd.gov/commission/dockets/electric/2019/e119-012/sitinghandout.pdf>.

Gary Hanson, Chairman
South Dakota Public Utilities Commission
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