

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

**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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EL 19-012

SETTLEMENT STIPULATION

This Settlement Stipulation (“Stipulation”) is entered into by and among Sweetland Wind Farm, LLC (“Sweetland”), the Applicant, and Theresa Lichty (“Lichty”), an Intervenor. Sweetland, Lichty, and the South Dakota Public Utilities Commission Staff (“Staff”) are individually referred to herein as a “Party” and collectively referred to as the “Parties.”

STIPULATED FACTS

- A. Sweetland is developing the Sweetland Wind Farm Project and associated Generation Tie-In Transmission Facility (collectively, the “Project”) in Hand County in South Dakota;
- B. On March 6, 2019, Sweetland applied to the South Dakota Public Utilities Commission (“Commission”) for Facility Permits for the Project (Docket EL 19-012);
- C. Lichty petitioned to intervene as a party in Docket EL 19-012 on May 6, 2019, and was granted party status by the Commission on May 15, 2019;
- D. On June 4, 2019, the Parties met in Miller, South Dakota, to discuss Lichty’s concerns, and thereafter discussed potential resolution of Lichty’s concerns via conference call on June 19 and 20, 2019; and
- E. Lichty and Sweetland have agreed that it is in their best interest to enter into this Stipulation to document the agreed-upon terms of a settlement between them.

Therefore, Lichty and Sweetland agree as follows:

STIPULATION

1. Removal of Turbine 55. Sweetland shall not construct a turbine in the location identified as Turbine 55 on Revised Figure A-2 – Project Layout (filed in the docket on April 24, 2019) and Sweetland shall not construct a turbine within ½ mile of the Lichty property (SE4 of S16, T111N, R066W).

2. Turbine 48. Lichty agrees that she no longer has an objection to the location identified as Turbine 48 on Revised Figure A-2 – Project Layout (filed in the docket on April 24, 2019).

3. Withdrawal of Party Status. Lichty withdraws her party status in Docket EL 19-012.

4. Conditions of Commission Order. The terms of this Stipulation shall be referenced in and included as conditions to any order issued by the Commission granting Facility Permits for the Project.

5. Commission Approval. The terms of this Stipulation are only effective if the Stipulation is approved by the Commission.

Dated: June 25, 2019

SWEETLAND WIND FARM, LLC

By /s/ Mollie M. Smith
Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402
Phone: (612) 492-7000
Fax: (612) 492-7077

Dated: June 26, 2019

THERESA J. LICHTY

/s/ Theresa J. Lichty
703 N Broadway Avenue
Miller, SD 57362

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