

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

IN THE MATTER OF THE APPLICATION)	
BY CROWNED RIDGE WIND II, LLC FOR)	STAFF’S PARTIAL JOINDER OF
A PERMIT OF A WIND ENERGY)	MOTION TO STRIKE
FACILITY IN DEUEL, GRANT AND)	
CODINGTON COUNTIES)	EL19-027
)	
)	
)	

Staff hereby submits this Partial Joinder of Motion to Strike filed by Crowned Ridge Wind II, LLC (Applicant) on January 14, 2020. The witnesses proffering the testimony have not been qualified as experts, therefore, Staff joins in Applicant’s argument supporting striking portions of the testimony in which the witness is offering legal opinion. In addition, the statements in the testimony that the witness attributes to their lawyer are hearsay and should be stricken.

However, Staff disagrees with Applicant as to what testimony should be stricken for the above-mentioned reasons and would not go as far as Applicant in the Motion to Strike. Rather, Staff limits its Joinder to the following portions of testimony:

- Greber
 - Page 3, line 18 at “including” through line 26
 - Page 4, lines 6-7 and 29-30 beginning at “I am advised”
- Rall – Staff does not join in the Motion as to any portion of this testimony.
- Ehlebracht
 - Page 3, lines 16-17 as requested
 - Page 4, lines 14-15, only the words “having been advised by my counsel”
 - Page 4, lines 20-22 as requested
 - Page 4, lines 24-25, first sentence only

Staff believes this fairly balances the need to abide by the rules of civil procedure and the desire to allow for a full explanation of landowner concerns.

Dated this 31st day of January 2020.

A handwritten signature in blue ink that reads "Kristen Edwards". The signature is written in a cursive style and is positioned above a horizontal line.

Kristen N. Edwards

Staff Attorney

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