

BEFORE THE PUBLIC UTILITIES COMMISSION
STATE OF SOUTH DAKOTA

In the Matter of the Application by)
CROWNED RIDGE WIND II, LLC *for a*) Docket EL19-027
Permit of a Wind Energy Facility in)
Deuel, Grant and Codington Counties)

NOTICE OF FILING OF AFFIDAVIT OF STEVEN GREBER, AND
MOTION FOR EXAMINATION OR ADMISSION UPON STIPULATION OF COUNSEL

Under the Commission’s Order for and Notice of Evidentiary Hearing, dated October 1, 2019, and the prior Order Granting Motion Establishing Procedural Schedule, etc., dated September 20, 2019, Intervenor Steven Greber, together with Mary Greber, hereby give notice of herewith submitting the Affidavit of Steven Greber (hereafter “Greber Affidavit,” dated and signed November 13, 2019), such being intended to state and reflect their respective interests in this matter.

Intervenors further given notice they will not be available for examination by Applicant or others during the course of the hearing February 4-7, 2020, for reasons stated on p. 1 of the Greber Affidavit, lines 6 through 20. As counsel, I was further advised by email on November 15, 2019 that Greber presently expects his pending departure will take place “Thanksgiving Holiday weekend,” and the “latest will be the following week,” while he expects to return to the United States in the “April-May time frame.” While Greber has been on these excursions before with a 3-month commitment, he believes this one will be closer to four months.

If all counsel would carefully consider the Greber Affidavit, and wish to conduct cross-examination of Steven Greber based on the statements and averments therein, there is a small window of time during which this could be accomplished – with the Commission’s approval – by telephone, when and as such arrangements can be made prior to the Thanksgiving Holiday. Mr. & Mrs. Greber are departing for Florida today (November 17), but the undersigned is confident that with the Commission’s consent and arrangements for a reporter, counsel for interested parties can examine Mr. Greber, upon the Greber Affidavit, by means of telephone, provided this is done during this short time frame. As an alternative, if counsel for Applicant, and Commission’s staff, as well as other intervenors, are willing to do so, I would ask that the Greber Affidavit be marked and received as evidence during the course of hearing, with cross-examination of this witness being waived. *Undersigned requests that each party’s counsel promptly confirm to all parties, by email, your respective intentions or wishes, or willingness to so stipulate, as outlined.* Dated at Canton, South Dakota, this 16th day of November, 2019.

Respectfully submitted,

A.J. Swanson
ARVID J. SWANSON, P.C.
27452 482nd Ave.
Canton, SD 57013
605-743-2070
E-mail: aj@ajswanson.com

/s/ A.J. Swanson

A.J. Swanson
State Bar of South Dakota # 1680

GARRY EHLEBRACHT, STEVEN GREBER,
MARY GREBER, RICHARD RALL, AMY RALL
and LARETTA KRANZ, *Intervenors & Parties*