

LAW OFFICES

Lynn, Jackson, Shultz & Lebrun, P.C.

LAWYERS ALSO ADMITTED IN MINNESOTA, IOWA, NORTH DAKOTA, AND WYOMING

www.lynnjackson.com

110 N. MINNESOTA AVENUE
SUITE 400
SIOUX FALLS, SD 57104
605-332-5999
FAX 605-332-4249

135 E. COLORADO BOULEVARD
SPEARFISH, SD 57783-2755
605-722-9000
FAX 605-722-9001

909 ST. JOSEPH STREET
SUITE 800
RAPID CITY, SD 57701
605-342-2592
FAX 605-342-5185

REPLY TO: Sioux Falls 605-332-5999

From the office of Miles F. Schumacher

e-mail address: mschumacher@lynnjackson.com

February 19, 2020

Ms. Patricia Van Gerpen, Executive Director
South Dakota Public Utilities Commission
Capital Building, 1st Floor
500 East Capital Avenue
Pierre, SD 57501-5070

Re: Docket No. EL19-027
Application to the SD PUC for a Facility Permit to Construct
A 300.6 Megawatt Wind Facility

Dear Ms. Van Gerpen:

At the February 5, 2020 evidentiary hearings (afternoon recording at 1:48:45-1:51:15) Intervenor's attorney questioned Crowned Ridge Wind II ("Crowned Ridge II") witness Tyler Wilhelm on whether Crowned Ridge II had executed Participation Agreements with landowners who were not hosting infrastructure due to exceedances in sound or shadow flicker. Mr. Wilhelm answered there were no such agreements. After further review, it has been determined that Crowned Ridge II executed one such agreement with a landowner who was not hosting infrastructure to address a sound exceedance at the residence of over 45 dBA for Receptor No. CR2-D38-P. A sample copy of the Participation Agreement is attached with the amount of the compensation redacted.

If you have any questions, please contact me.

Yours very truly,

LYNN JACKSON, SHULTZ & LEBRUN, P.C.


Miles F. Schumacher