

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

**IN THE MATTER OF THE APPLICATION OF
CROWNED RIDGE WIND II, LLC FOR A FACILITIES PERMIT TO
CONSTRUCT A 300.6 MEGAWATT WIND FACILITY**

Docket No. EL19-027

**REBUTTAL TESTIMONY
OF TYLER WILHELM**

January 8, 2019

1 **Q. STAFF WITNESS HESSLER (PAGE 5, LINES 7-11) CLAIMS THAT CRW II MAY**
2 **BE ABLE TO FURTHER OPTIMIZE SOUND THROUGH THE USE OF 6**
3 **ALTERNATIVE TURBINE LOCATIONS (94, 97, 103, 113, 134, AND ALT6). DO**
4 **YOU AGREE?**

5 A. Based on the review of these alternative turbine locations as set forth in the testimonies of
6 CRW II witnesses Thompson and Sappington, CRW II agrees to make the following
7 turbine locations 94, 97, 134, and ALT6 primary, and agrees to relegate turbine locations
8 13, 72, 77, and ATL5 to alternative status. The reduction in sound and shadow flicker
9 from these changes is set forth in the rebuttal testimony of CRW II witness Haley, which
10 shows the sound reduction associated with the use of turbine locations 94, 97, 134, and
11 ALT6.

12
13 **Q. STAFF WITNESS KEARNEY (PAGE 14, LINES 23-32) TESTIFIES HE WAS**
14 **UNABLE TO DETERMINE IF TURBINE LOCATION CRII-64 IS CLOSER THAN**
15 **1 MILE TO THE CITY LIMITS OF KRANZBURG, BECAUSE OF A LACK OF A**
16 **DESCRIPTION OF THE MUNICIPAL BOUNDARY. PLEASE ADDRESS THIS**
17 **CONCERN.**

18 A. To determine if turbine location CRII-64 is closer than 1 mile to the city limits of
19 Kranzburg, CRW II searched for the annexation document to determine when the original,
20 unincorporated lands were included within the municipal boundary of Kranzburg. CRW
21 II visited and met with officials at the offices of the Register of Deeds, Director of
22 Equalization, Treasurer, and Auditor in Codrington County and was unable to find any
23 annexation documentation. CRW II also met with officials at the city offices, including

1 the Chairman of the village board, Dale Plunkett, and it was concluded that no records of
2 the annexation exist since the annexation took place between 1900 and 1975, when lands
3 were annexed to accommodate the placement of drill wells to support the city water system.
4 In addition, CRW II reviewed the breakdown of tax bills to understand which properties
5 paid taxes to the city of Kranzburg to help determine the municipal boundary of Kranzburg.
6 The Northwest quarter of Section 1 indicates that taxes are paid to the City of Kranzburg
7 but not to any local Townships, which shows the inclusion of this parcel within the
8 Kranzburg municipal boundary. The opposite is the case for the Northeast quarter of
9 Section 1, which does not pay taxes to the City of Kranzburg, as it only pays taxes to the
10 local Township. Based on this tax information, CRW II concluded that the Northwest
11 Quarter of Section 1 marks the northernmost boundary of Section 1, which is the location
12 utilized to confirm the distance of turbine CRWII-64 from the city limit of Kranzburg. CRW
13 II believes the available tax bill breakdown information is the best information in
14 determining the described municipal boundary in place of annexation documents that do
15 not exist at either the county or city offices.

16
17 **Q. STAFF WITNESS KEARNEY (PAGES 21-22) PROPOSES A**
18 **DECOMMISSIONING FINANCIAL ASSURANCE CONDITION BASED ON THE**
19 **UNDERSTANDING THAT NORTHERN STATES POWER COMPANY (NSP)**
20 **WILL PURCHASE CRW II. DO YOU AGREE WITH THE CONDITION?**

21 **A.** Yes, it is consistent with the conditions used on other Commission dockets where NSP was
22 the purchaser of the wind facility.

23

1 **Q. STAFF WITNESS MEYER (PAGE 21) RECOMMENDS THAT CRW II**
2 **COORDINATE WITH SOUTH DAKOTA GAME, FISH, AND PARKS 60 DAYS**
3 **PRIOR TO THE START OF CONSTRUCTION TO COORDINATE PUBLIC**
4 **ACCESS TO WALK-IN AREAS THAT MAY BE TEMPORARILY IMPACTED**
5 **DUE TO CONSTRUCTION. DO YOU AGREE WITH THIS**
6 **RECOMMENDATION?**

7 A. Yes, we will coordinate if there is a possibility that the Project will make impact to a walk
8 in area. At this time, there is no anticipated impact on such areas.

9

10 **Q. STAFF WITNESS OLSON (PAGES 6-8) RECOMMENDS FOUR CONDITIONS**
11 **RELATED TO CULTURAL RESOURCES. DO YOU AGREE WITH THESE**
12 **CONDITIONS?**

13 A. Yes, these four conditions are the same conditions agreed to in Docket No. EL19-003
14 (Crowned Ridge Wind I).

15

16 **Q. INTERVENER WITNESS EHLEBRACHT (PAGE 3, LINES 28-31) TESTIFIED**
17 **THAT DURING A TELEPHONE CONVERSATION WITH A LAND AGENT**
18 **ASSOCIATED WITH CRW II, THE LAND AGENT LAUGHED AT HIS**
19 **REQUEST THAT THE WIND TURBINES SHOULD BE MOVED FURTHER**
20 **AWAY FROM HIS HOME? HAVE YOU DISCUSSED THIS CONCERN WITH**
21 **YOUR LAND AGENTS?**

1 A. Yes, I have discussed this matter with the land agent. The land agent's laugh was
2 inadvertent in the context of hoping to lighten what he perceived was becoming a heated
3 conversation. After the conversation, the land agent was instructed to not engage further
4 with Mr. Ehlebracht.

5


6 **Q. DOES THIS CONCLUDE YOUR REBUTTAL TESTIMONY?**

7 A. Yes, it does.

1

STATE OF FLORIDA)
) ss
COUNTY OF PALM BEACH)

I, Tyler Wilhelm, being duly sworn on oath, depose and state that I am the witness identified in the foregoing prepared testimony and I am familiar with its contents, and that the facts set forth are true to the best of my knowledge, information and belief.


Tyler Wilhelm

Subscribed and sworn to before me this 6th day of January 2020.

SEAL


Notary Public

My Commission Expires _____

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