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From the office of Miles F. Schumacher
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January 10, 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. EL19-003
Application to the SD PUC for a Facility Permit to Construct
A 300 Megawatt Wind Facility

Dear Ms. Van Gerpen:

The purpose of this letter is to respond to the South Dakota Public Utilities Commission ("Commission") Staff's January 8, 2020 letter that requested Crowned Ridge Wind, LLC ("CRW") explain how the status of the Aircraft Detection Lighting System ("ADLS") complies with Condition No. 33 of the Final Order that reads: "Applicant shall utilize an Aircraft Detection Lighting System approved by the Federal Aviation Administration." Staff also requested that CRW explain how the current status of the ADLS complies with SDCL 49-41B-25.2, which reads"

For any wind energy facility that receives a permit under this chapter after July 1, 2019, the facility shall be equipped with an aircraft detection lighting system that meets the requirements set forth by the Federal Aviation Administration for obstruction marking and lighting in Chapter 14 of FAA Advisory Circular (AC) 70/7460-1L, 'Obstruction Marking and Lighting,' dated December 4, 2015. Any cost associated with the installation, operation, or maintenance of a system under this section is solely the responsibility of any owner of the wind energy facility.

CRW is in compliance with both Condition No. 33 of the Final Order and SDCL 49-41B-25.2, because CRW is in the process of obtaining Federal Aviation Administration ("FAA") approval of a ADLS and will comply with its commitment to have the ADLS installed within one year of FAA approval.

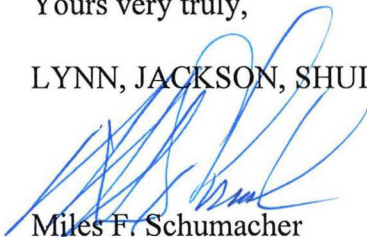
As explained in CRW's January 3, 2020 Response to Intervener Complaints, after the deferral of 100 MWs of the CRW project in September 2019, the ALDS system was moved and studied as part of the 200 MW array and electrical system. Notwithstanding the move and re-study, which took several months, CRW is on track to meet its commitment set forth in CRW Exhibit A44 at page 11 (Rebuttal Testimony of Massey and Wilhelm) that it will install and operate an ADLS within a year of FAA approval. In fact, at this time, CRW expects FAA approval of an ADLS to occur by mid-April 2020, and to install and operate the ADLS by June 2020.¹

After months of working to finalize the details of the relocation of the ADLS on the CRW 200 MW array, on January 9, 2020 filed for FAA approval of an ADLS as required and consistent with Chapter 14 of FAA Advisory Circular (AC) 70/7460-1L, "Obstruction Marking and Lighting," dated December 4, 2015 ("Chapter 14"). As shown in Attachment 1, CRW's request for approval of an ADLS has been submitted to the FAA.² Also, CRW's request for FAA approval is provided as Attachment 2. As the information in Attachment 2 shows, CRW has prepared a detailed ADLS request, including proposing the FAA approve a known and tested ADLS technology. CRW fully expects the FAA will approve ADLS under Chapter 14 for the CRW wind project by mid-April 2020, and, also, fully expects it will be operational on or before June 2020. Given CRW's progress to satisfy its commitment to implement an ADLS on the CRW array within a year of FAA approval, CRW is in compliance with both Condition No. 33 of the Final Order and SDCL 49-41B-25.2.

If you have any questions, please contact me.

Yours very truly,

LYNN, JACKSON, SHULTZ & LEBRUN, P.C.



Miles F. Schumacher

¹ Although CRW expected to file the request for an ADLS with the FAA in August 2019 (see, CRW Response to Staff Data Request 2-10), because of the deferral of the 100 MW array until such time that the MISO and SPP studies support the construction and operation of the 100 MW array, CRW needed to move the ADLS to the 200 MW array, which required considerable study to support the January 9, 2020 request for approval from the FAA of an ADLS at the new location.

² CRW's request for approval of an ADLS will be posted on the FAA's public website after the FAA completes its initial review of the application and finds it complete.