

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

IN THE MATTER OF THE APPLICATION
BY NORTH BEND WIND PROJECT, LLC
FOR A PERMIT TO CONSTRUCT AND
OPERATE THE NORTH BEND WIND
PROJECT IN HYDE COUNTY AND
HUGHES COUNTY, SOUTH DAKOTA.

EL21-018

**MOTION TO APPROVE
ESCROW AGREEMENT**

COMES NOW the Applicant, North Bend Wind Project, LLC, by and through its attorney of record, and moves the Commission for an Order approving the attached proposed escrow agreement as required by the permit conditions.

In support of its motion, the Applicant states that the document has been offered to staff for comments, and all comments have been incorporated. The language included in the document contains some changes from the escrow agreement in the Triple H Wind Farm docket, at the request of the bank. As the commission is aware, Applicant cannot force the terms of the agreement upon this or any financial institution. The terms included do not appear, in Applicant's observation, to be damaging to the purpose of the account or its long-term viability.

The Applicant asks that this be placed for discussion and consideration by the Commission at the earliest possible time.

Dated this 12 day of May, 2023.

MAY, ADAM, GERDES & THOMPSON LLP

BY: _____


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CERTIFICATE OF SERVICE

12 Brett Koenecke of May, Adam, Gerdes & Thompson LLP hereby certifies that on the day of May, 2023, he electronically served, via the Public Utilities Commission filing system, a true and correct copy of the foregoing in the above-caption matter to the parties listed in the service list of docket EL21-018.



BRETT KOENECKE