

NOTICE OF LIMITED CONSTRUCTION

May 4, 2026

RE: In the Matter of the Application by Deuel Harvest Wind Energy South LLC for Energy Facility Permits of a Wind Energy Facility and a 345-kV Transmission Facility in Deuel County, South Dakota, Docket No. EL24-023

Deuel County Landowner:

You are receiving this notice because you own property within the South Deuel Wind project area or within one-half mile outside of the project area. Deuel Harvest Wind Energy South LLC plans to undertake limited construction for the South Deuel Wind Project. The scope of this limited construction includes the excavation for and installation of two mud mats for turbine numbers 11 and 28. Turbine number 11 is located in the SW1/4 of Section 2, Township 114N, Range 49W, Deuel County, South Dakota. Turbine number 28 is located in the SE1/4 of Section 15, Township 114N, Range 49W, Deuel County, South Dakota. The extent of this work will be limited to these locations.

A mud mat is thin concrete that is installed at the base of a turbine location after excavation of the dirt, and provides a clean surface below grade for the future installation of a turbine foundation. The areas for turbine numbers 11 and 28 will be excavated and concrete will be poured. Upon curing, the mud mats will be back filled leaving a slight mound. Construction and installation of turbine towers and turbine foundations are not part of this phase of construction.

Access for this limited construction will exclusively use state and Brandt Township roads. South Deuel Wind will coordinate with the South Dakota Department of Transportation and Township as needed. This limited construction is anticipated to begin on May 25, 2026, and take approximately two to three weeks to complete. For your safety, and the safety of our crews, we ask you do not enter worksites or marked off areas at any time and that you obey all warning signs. The mud mat work will also involve transporting large machinery, equipment and materials. Please follow all warning signs and watch for escort vehicles.

Included with this notice as **Attachment A**, is the project construction/maintenance damage compensation plan and procedure. If you are not the owner of the property where this limited construction is located, the use of this is not applicable. However, it is being provided for your benefit and general awareness of this process. **Attachment B** is a copy of the South Dakota Public Utility Commission's Order and Permit Conditions for this limited construction.

If you have any questions about the Project, please do not hesitate to get in touch.

Sincerely,

Michael Iacopetti
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Aidan O'Connor
Senior Manager, Development, Invenergy LLC
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South Dakota Public Utilities Commission
Address: 500 E. Capitol Ave., Pierre, SD 57504-5070
Website: <https://puc.sd.gov/>
Phone: (605) 773-3201

ATTACHMENT A**PROJECT CONSTRUCTION/MAINTENANCE DAMAGE COMPENSATION PLAN AND
PROCEDURE**

If during the construction and/or maintenance activities of the South Deuel Wind Project (“Project”), crops or infrastructure on your property have been damaged as a result of Deuel Harvest Wind Energy South LLC (“South Deuel Wind”) employees or representatives, please contact South Deuel Wind’s land agent representative to assist with documenting such damage. Currently, the current land agent representative contact information is listed below. If this information changes, South Deuel Wind will provide notice with the updated contact.

Brandon Chestnut
C&R Land Resources, on behalf of Invenergy
(817) 800-2487
brandon@crlandresources.com

Damage will be assessed and compensation will be evaluated on a case-by-case basis. This process includes documentation like crop compensation forms, reimbursement forms, and if needed, crop data, photos, and other means of documentation as necessary. After these assessments and evaluations have been completed, any payment or reimbursement, as applicable, will be provided to the owner or appropriate party (such as a tenant) within a reasonable time.

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

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| IN THE MATTER OF THE APPLICATION BY) DEUEL HARVEST WIND ENERGY SOUTH LLC) FOR ENERGY FACILITY PERMITS OF A WIND) ENERGY FACILITY AND A 345-KV) TRANSMISSION FACILITY IN DEUEL COUNTY,) SOUTH DAKOTA, FOR THE SOUTH DEUEL) WIND PROJECT) | ORDER GRANTING PARTIAL EXEMPTION OF PERMIT CONDITIONS EL24-023 |
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On June 28, 2024, the Commission received an Application for Energy Facility Permits (Application) from Deuel Harvest Wind Energy South LLC (Deuel Harvest or Applicant), an affiliate of Invenergy LLC. Deuel Harvest proposed to construct a wind energy facility and a 345 kilovolt (kV) transmission line (Gen-Tie Line) to be located in Deuel County, South Dakota, known as the South Deuel Wind Project (Project). The total installed capacity of the Project, which includes up to 68 wind turbines and an approximately 6-mile long 345 kV generator transmission tie line, would not exceed 260 megawatts (MW) of nameplate capacity and deliver up to 250 MW to the point of interconnection. On March 10, 2025, the Commission issued a Final Decision and Order Granting Permits to Construct Facilities; Notice of Entry (Order). On July 18, 2025, the Commission issued an Order Granting Partial Exemption of Permit Conditions pursuant to Condition 38, to allow Deuel Harvest to conduct limited construction activities at two turbine sites. On April 13, 2026, Deuel Harvest filed a Request for Partial Exemption from the Order to allow Deuel Harvest to conduct limited construction activities at two additional turbine sites. On April 14, 2026, Intervenor Arla Hamann Poindexter filed a Letter objecting to the request for partial exemptions. On April 17, 2026, Deuel Harvest filed a written response to Ms. Hamann Poindexter’s Letter.

At its regularly scheduled meeting on April 23, 2026, the Commission considered this matter. Staff did not object to Deuel Harvest’s requested partial exemption of certain permit conditions pursuant to Condition 38. Intervenor Arla Hamann Poindexter did not appear.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B.

Finding good cause to grant, in part, Deuel Harvest’s Request, the Commission voted unanimously to grant a partial exemption of certain permit conditions pursuant to Condition 38 to the extent those exceptions were similarly granted by upon similar request by Order dated July 18, 2025. Specifically, the Commission granted, in part, Deuel Harvest’s Request for the partial exemptions sought as described in the Request for Conditions 7, 14, and 29, with the condition that Deuel Harvest provide financial assurance in the form of a surety bond for the benefit of the affected landowners to cover decommissioning costs associated with the limited construction of mud mats for turbine site nos. 11 and 28. The Commission did not grant an exemption related to Conditions 4 and 44.

It is therefore

ORDERED, that Applicant’s request for partial exemption of certain permit conditions pursuant to Condition 38 is hereby granted for Conditions 7, 14, and 29. It is further

ORDERED, that the Applicant shall provide financial assurance in the form of a surety bond

for the benefit of the affected landowners to cover decommissioning costs associated with the limited construction of mud mats at turbine sites 11 and 28. Unless otherwise ordered by the Commission, the bond shall remain in place for two years or until completion of construction, whichever is later.

Dated at Pierre, South Dakota, this 28th day of April 2026.

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| CERTIFICATE OF SERVICE |
| The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail. |
| By: <u><i>Kristie Fiegen</i></u> |
| Date: <u>28 April 2024</u> |

BY ORDER OF THE COMMISSION:

Chris Nelson

CHRIS NELSON, Chairman

Kristie Fiegen

KRISTIE FIEGEN, Commissioner

Gary Hanson

GARY HANSON, Commissioner