

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

IN THE MATTER OF THE APPLICATION BY)	ORDER GRANTING PARTIAL
DEUEL HARVEST WIND ENERGY SOUTH LLC)	EXEMPTION OF PERMIT
FOR ENERGY FACILITY PERMITS OF A WIND)	CONDITIONS
ENERGY FACILITY AND A 345-KV)	
TRANSMISSION FACILITY IN DEUEL COUNTY,)	
SOUTH DAKOTA, FOR THE SOUTH DEUEL)	
WIND PROJECT)	EL24-023

On June 28, 2024, the Commission received an 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 9, 2025, Deuel Harvest filed a Request for Partial Exemption from Order Granting Permits to Construct Facilities (Request), specifically partial exemptions of Conditions. 4, 7, 14, 29, and 44 to allow limited construction of mud mats at turbine site numbers 37 and 38. Deuel Harvest filed a supplement to the Request on July 11, 2025. On July 14, 2025, Intervenor Arla Hamann Poindexter filed a Letter Objecting to Deuel Harvest Wind Energy South LLC's Request for Exemption and Deuel Harvest filed a Response to Intervenor Arla Hamann Poindexter's Opposition to Exemptions.

At its regularly scheduled meeting on July 15, 2025, the Commission considered this matter. Staff recommended the Commission grant Deuel Harvest's requested partial exemption of certain permit conditions pursuant to Condition 38.

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

Finding good cause to grant, in part, Deuel Harvest's Request, and further finding that Commission Staff was able to complete its review of the pre-construction information required by Condition 38, the Commission voted unanimously to grant a partial exemption of certain permit conditions pursuant to Condition 38. 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. 37 and 38. At the Commission meeting, Deuel Harvest agreed that it would comply with Condition 4 requiring Applicant to provide notice to all landowners within the Project Area and landowners within one-half mile outside of the Project Area and Condition 44 requiring Applicant to submit monthly reports to the Commission during construction for the entire Project Area, therefore, the Commission did not grant an exemption related to Condition 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 37 and 38. Unless otherwise ordered by the Commission, the bond shall remain in place for two years or completion of construction, whichever is later.

Dated at Pierre, South Dakota, this 18th day of July 2025.

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: Jenni L. Thurst

Date: 07/18/2025

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner