

**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)	EL24-023
WIND PROJECT)	

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.

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