

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

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| IN THE MATTER OF THE APPLICATION BY) | ORDER FOR AND NOTICE OF |
| DEUEL HARVEST WIND ENERGY SOUTH) | POST-HEARING BRIEFING |
| LLC FOR ENERGY FACILITY PERMITS OF) | SCHEDULE AND DECISION |
| A WIND ENERGY FACILITY AND A 345-KV) | DATE |
| TRANSMISSION FACILITY IN DEUEL) | |
| COUNTY, SOUTH DAKOTA, FOR THE) | |
| SOUTH DEUEL WIND PROJECT) | EL24-023 |

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 proposes to construct a wind energy facility and a 345 kilovolt (kV) transmission line (Gen-Tie Line) located in Deuel County, South Dakota, known as the South Deuel Wind Project (Project). The Project would be situated within an approximately 34,339-acre project area, in the townships of Blom, Brandt, Clear Lake, Norden, and Scandinavia. The total installed capacity of the Project would not exceed 260 megawatts (MW) of nameplate capacity and deliver up to 250 MW to the point of interconnection. The proposed Project includes up to 68 wind turbines, electrical collection and supervisory control and data acquisition systems, a 34.5 kV to 345 kV collector substation, an approximately six-mile long 345 kV generator transmission tie line, improvements to enable the interconnection of the Project into the existing 345 kV Astoria interconnection switchyard, an operations and maintenance facility, up to two aircraft detection lighting system towers; access roads, and up to three meteorological towers. The Project will also include temporary construction areas: crane paths, public road improvements, a general construction laydown yard, staging areas, and a concrete batch plant, as needed. The Gen-Tie Line will transmit electricity approximately six miles from the collector substation to the point of interconnection at the existing Astoria 345 kV interconnection switchyard owned by Otter Tail Power Company. The Project is expected to be in commercial operation in December 2026.

On July 9, 2024, the Commission issued a Notice of Application; Order for and Notice of Public Input Meetings; Notice of Opportunity to Apply for Party Status. Pursuant to ARSD 20:10:22:40, the deadline to file an application for party status was August 27, 2024. A public input meeting was held on August 22, 2024, in Clear Lake, South Dakota. The Commission has granted party status to Matthew Holden, Arla Hamann Poindexter, the Lake Cochrane Improvement Association, Inc., Jay Grabow, and Josh Bekaert.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 1-26 and SDCL 49-41B. The Commission may rely upon any or all of these or other applicable laws in making its determination, including ARSD Chapters 20:10:01 and 20:10:22.

Pursuant to the procedural schedule agreed upon by the Parties and set by the Commission's order dated September 25, 2024, Order Granting Motion for Procedural Schedule, an evidentiary hearing was held in this matter beginning at 9:30 a.m., CST on January 21, 2025, at the Matthews Training Center located in the Foss Building, 523 East Capitol Avenue, Pierre, South Dakota. Parties in appearance were Applicant, Arla Hamann Poindexter, and Commission Staff.


Following the evidentiary hearing, the Parties agreed to work together to develop a post-hearing briefing schedule and communicate the same to Commission Counsel. It is therefore

ORDERED, that Parties may file simultaneous opening post-hearing briefs on or before February 14, 2025, at 4:00 p.m. CT. Parties may but are not required to file proposed findings of fact and conclusions of law with their post-hearing brief. It is further

ORDERED, that Parties may file simultaneous response briefs, including responses to any proposed findings of fact and conclusions of law, on or before February 21, 2025, at 4:00 p.m. CT. It is further

ORDERED, that the matter shall come before the Commission for a decision on February 28, 2025, during its regularly scheduled meeting in Room 413 of the State Capitol Building, Pierre, South Dakota. Oral arguments responding to the parties' briefs will be heard at that time. Each party shall have ten minutes for oral argument and Applicant shall have three minutes for rebuttal argument.

Dated at Pierre, South Dakota, this 29th day of January 2025.

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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></u> |
| Date: <u>29 January 2025</u> |

BY ORDER OF THE COMMISSION:


GARY HANSON, Chairperson


CHRIS NELSON, Commissioner


KRISTIE FIEGEN, Commissioner