

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

IN THE MATTER OF THE APPLICATION OF)	<u>AMENDED</u> NOTICE OF)
NAVITAS ENERGY, INC. FOR AN ENERGY)	APPLICATION; ORDER FOR)
CONVERSION FACILITY PERMIT FOR THE)	AND NOTICE OF PUBLIC)
CONSTRUCTION OF THE WHITE WIND FARM)	INPUT HEARING; NOTICE)
AND ASSOCIATED COLLECTION)	OF OPPORTUNITY TO)
SUBSTATION AND ELECTRIC)	APPLY FOR PARTY STATUS)
INTERCONNECTION SYSTEM)	EL06-020

On July 11, 2006, White Wind Farm, LLC, a wholly owned subsidiary of Navitas Energy, Inc. (Navitas) filed an application with the Public Utilities Commission (Commission) seeking an energy conversion facility permit to construct and operate the White Wind Farm. The White Wind Farm is a proposed 200 MW wind energy electricity generating facility and ancillary services located on approximately 93 acres in Sherman Township, southeast of White, South Dakota in Brookings County. The project consists of up to 105 2 MW wind turbine generators, associated electric collector lines, a collection substation and interconnection and upgrades to the WAPA White Substation.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B and ARSD Chapter 20:10:22.

Pursuant to SDCL 49-41B-15 and 49-41B-16, the Commission will hold a public hearing on Navitas's application on Thursday, August 24, 2006, at 5:30 p.m. CDT at the McKnight Community Center, 300 West Main Street, White, South Dakota. The purpose of the hearing will be to hear public comment regarding Navitas's application. At the public input hearing, Navitas will present a brief description of the project, following which interested persons may appear and present their views, comments and questions regarding the application. A copy of the application is on file with the Brookings County Auditor pursuant to SDCL 49-41B-15(5) and the Commission's office in the Capitol Building in Pierre, and the application and all other documents in the case may be accessed on the Commission's web site at www.puc.sd.gov under "Commission Actions," "Commission Dockets," "2006 Electric Dockets," "EL06-020."

Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, the parties to this proceeding are currently Navitas and the Commission. Further, each municipality, county, and governmental agency in the area where the facility is proposed to be sited; any non-profit organization, formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the facility is to be sited; or any interested person, may be granted party status in this proceeding by making written application to the Commission. Applications for party status will be available at the public input hearing. Applications for party status must be received by the Commission on or before September 11, 2006.

Following the public input hearing, the Commission may schedule one or more subsequent formal evidentiary hearings conforming to SDCL Chapter 1-26 to consider any issues raised by any intervening party, Commission Staff or the Commission itself. At such formal hearing, all parties will have the opportunity to appear, present evidence and cross-examine the other parties' witnesses and exercise all other rights afforded by SDCL Chapters 1-26, 49-1 and 49-41B and ARSD 20:10:01 and 20:10:22. Absent a contested issue, the Commission will schedule the matter for decision at a regular or special meeting of the Commission.

For approval, Navitas must show that the proposed ~~transmission line~~ wind farm project will comply with all applicable laws and rules, will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety or welfare of the inhabitants, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether the permit should be granted, denied or granted upon such terms, conditions or modifications of the construction, operation or maintenance as the Commission finds appropriate.

The parties will have the right to appeal the final decision in this case to the appropriate Circuit Court by serving and filing a notice of appeal of the decision in accordance with SDCL 1-26-31, within thirty (30) days after the date of service of the notice of entry of decision in this case.

It is therefore

ORDERED, that the application by Navitas shall be and the same is, incorporated as if set forth in full herein; and it is

FURTHER ORDERED, that pursuant to SDCL 49-41B-17.1, a party may receive all material filed in this matter by making a specific request to the Commission for personal service of the material. Absent such a specific request, the County Auditor for Brookings County is the designated agent for service of process upon all other parties to this proceeding; and it is

FURTHER ORDERED, that the Commission shall hold a public input hearing on Thursday, August 24, 2006, at 5:30 p.m., at McKnight Community Center, 300 West Main Street, White, South Dakota; and it is

FURTHER ORDERED, pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, that applications for party status be filed within 60 days from the date Navitas' application was filed with the Commission. Therefore, an application for party status must be filed with the Commission on or before September 11, 2006.

Pursuant to the Americans with Disabilities Act, this hearing is being held in a physically accessible location. Please contact the Public Utilities Commission at 1-800-332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 15th day of August, 2006.

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, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Melanie Kalbs</u>
Date:	<u>8/15/06</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr
ROBERT K. SAHR, Chairman

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner

Gary Hanson
GARY HANSON, Commissioner