

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

IN THE MATTER OF THE APPLICATION BY)	ORDER ASSESSING FILING
BUFFALO RIDGE II LLC, A SUBSIDIARY OF)	FEE
IBERDROLA RENEWABLES, INC. FOR AN)	
ENERGY CONVERSION FACILITY PERMIT)	EL08-031
FOR THE CONSTRUCTION OF THE BUFFALO)	
RIDGE II WIND FARM AND ASSOCIATED)	
COLLECTION SUBSTATION AND ELECTRIC)	
INTERCONNECTION SYSTEM)	

On October 31, 2008, Buffalo Ridge II LLC (Buffalo Ridge) filed an application with the Public Utilities Commission (Commission) for an Energy Conversion Facility Permit for the Construction of the Buffalo Ridge II Wind Farm and Associated Collection Substation and Electric Interconnection System. The applicant proposes to construct and operate a wind farm on up to 77 acres dispersed throughout portions of up to 77 sections of land in Brookings and Deuel County as well as a 13-mile long 115 kilovolt overhead transmission line. The proposed wind farm could have a name plate capacity of up to 306 megawatts.

On November 6, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of December 30, 2008, to interested individuals and entities.

SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent of the first one hundred million dollars of estimated construction costs of the facility. However, the minimum total fee chargeable may not be less than eight thousand dollars. The fee shall be deposited in the South Dakota Public Utilities Commission's (SDPUC) regulatory assessment fee fund to defray Commission expenses incident to analyzing and ruling upon this type of filing.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-1, 49-41B-2, 49-41B-2.1, 49-41B-4, 49-41B-6, 49-41B-7, 49-41B-8, 49-41B-9, 49-41B-10, 49-41B-11, 49-41B-12, 49-41B-13, 49-41B-14, 49-41B-15, 49-41B-16, 49-41B-17, 49-41B-17.1, 49-41B-19, 49-41B-20, 49-41B-21, 49-41B-22, 49-41B-24, 49-41B-26, 49-41B-33, 49-41B-35, 49-41B-36, 49-41B-38, and ARSD Chapter 20:10:22.

On November 12, 2008, at its regularly scheduled meeting, the Commission, pursuant to SDCL 49-41B-12, unanimously voted to assess Buffalo Ridge a filing fee not to exceed \$200,000, with an initial deposit of \$8,000, the minimum fee allowed by law as requested by the Deputy Executive Director. It is therefore

ORDERED, that Buffalo Ridge shall be assessed a filing fee of not to exceed \$200,000; and it is further

ORDERED, that Buffalo Ridge shall make an initial deposit in the SDPUC regulatory assessment fee fund in the amount of the minimum filing fee of \$8,000 and shall from time to time make such additional deposits up to the total amount of the assessment as requested by the Deputy Executive Director. At the meeting, Buffalo Ridge stated that the \$8,000 filing fee had been paid at the time the application was filed.

