

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

**IN THE MATTER OF THE FILING BY )  
LOOKOUT SOLAR PARK I PROJECT )  
REGARDING ITS NOTIFICATION OF )  
INTENT TO APPLY FOR A PERMIT FOR )  
AN ENERGY CONVERSION FACILITY )  
)  
)  
)**

**ORDER DESIGNATING  
AFFECTED AREA AND  
DESIGNATING LOCAL REVIEW  
COMMITTEE**

**EL18-007**

On February 23, 2018, the South Dakota Public Utilities Commission (Commission) received a Notification of Intent to submit a permit application for an energy conversion facility from Lookout Solar Park I, LLC (Lookout Solar). Lookout Solar proposes to construct, own, and operate a 110-megawatt solar generation facility located on the Pine Ridge Indian Reservation in Oglala Lakota County, South Dakota. Associated facilities will include a substation with 110 MVA, and approximately eighteen 34.5 kilovolt single line transmission cables crossing 11 miles in Custer County, South Dakota. The energy conversion facility, known as Lookout Solar Park I, is proposed to be located on the following tracts: the 3395 and 3395-A tracts of Section 36, Township 41N and Range 48W; and the 6368 tract of Section 35, Township 41N and Range 48W, Oglala Lakota County, South Dakota.

On February 28, 2018, Commission staff filed two exhibits along with its recommendation of the affected siting area and local review committee. Specifically, Commission staff recommended the Commission establish an affected area of 5-miles from the project location. On March 1, 2018, the Commission electronically transmitted notice of the filing and the intervention deadline of March 16, 2018, to interested entities and persons on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-5 and 49-41B-6, as well as ARSD 20:10:22:01. Pursuant to SDCL 49-41B-6, the Commission is required to designate the affected area relative to this filing and also to designate a local review committee within thirty days after the filing of the notification of intent. According to SDCL 49-41B-2(10), the term "siting area" is defined as "that area within ten miles in any direction of a proposed energy conversion facility or which is determined by the commission to be affected by a proposed energy conversion facility." In ARSD 20:10:22:01(1), "affected area" is defined as "that area which may be affected environmentally, socially, or economically by the location of a facility at a proposed site."

At its regularly scheduled meeting on March 20, 2018, the Commission considered these matters. The Commission voted unanimously to designate the affected area as a five-mile radius from the proposed energy conversion facility. In accordance with SDCL 49-41B-6, the Commission voted unanimously to designate the local review committee which shall be comprised of the following individuals, ex officio:

- (1) The presidents of the Boards of Education of Oglala Lakota, Hot Springs, and Custer School Districts;
- (2) The chairs of the Oglala Lakota, Custer, and Fall River County Commissions;
- (3) The president of the Oglala Sioux Tribe; and

(4) A representative of Lookout Solar.

Any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by its successor, who shall promptly notify the Commission of such succession. It is therefore

ORDERED, that for the purpose of this energy conversion facility, the affected area shall be a five-mile radius from the proposed energy conversion facility. It is further

ORDERED, that the local review committee shall be comprised of the above referenced individuals, serving ex officio, and that any person on the committee who ceases to hold such office or appointment shall be replaced on the committee by his or her successor, who shall promptly notify the Commission of such succession.

Dated at Pierre, South Dakota, this 26<sup>th</sup> day of March 2018.

<b>CERTIFICATE OF SERVICE</b>
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>Karen E. Cromer</u>
Date: <u>03/26/18</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Kristie Fiegen  
KRISTIE FIEGEN, Chairperson

Gary Hanson  
GARY HAMSON, Commissioner

Chris Nelson  
CHRIS NELSON, Commissioner