

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

**IN THE MATTER OF THE APPLICATION )  
OF DAKOTA RANGE III, LLC FOR A )  
PERMIT OF A WIND ENERGY FACILITY )  
AND A 345-KV TRANSMISSION LINE IN )  
GRANT AND ROBERTS COUNTIES )  
)**

**ORDER ASSESSING  
FILING FEE; AUTHORIZING  
EXECUTIVE DIRECTOR TO ENTER  
INTO CONSULTING CONTRACTS**

**EL18-046**

On October 26, 2018, the South Dakota Public Utilities Commission (Commission) received an application from Dakota Range III, LLC to construct an approximately 8-mile 345-kilovolt interconnection transmission line and an up to 151.2-megawatt wind energy conversion facility (Project). The Project will be in Grant County and Roberts County, South Dakota, with the wind portion in an 18,717-acre area. The transmission line will run from the Project's substation located in section 13 of Blooming Valley Township, outside the public right of way along 455th Avenue, turning east on Farmington Township's 150<sup>th</sup> Street to the Otter Tail Power Company switchyard located in section 14 of Mazeppa Township. The Project is expected to be in service by December 31, 2020, with a total of up to 42 wind turbines and associated facilities. Dakota Range estimates the total cost of the proposed Project to be approximately \$200 million.

SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent for the first one hundred million dollars of estimated construction costs of the Project plus one-twentieth of one percent of all additional estimated construction costs of the Project. However, the minimum total fee chargeable may not be less than eight thousand dollars. The fee shall be deposited in a subfund in the Commission's Regulatory Assessment Fee Fund to defray Commission expenses incident to analyzing and ruling upon the Application.

At its regularly scheduled meeting on November 15, 2018, the Commission considered this matter. Commission Staff requested that the Commission assess a filing fee not to exceed \$300,000 with an initial deposit of \$8,000 and to authorize the Executive Director to enter into consulting contracts needed for review of the Application. Dakota Range III, LLC stated it did not object to the fee assessment. The Commission voted unanimously to assess Dakota Range III, LLC a filing fee in an amount not to exceed \$300,000, with a minimum filing fee of \$8,000 to account for actual expenses incurred in review of the wind energy facility portion of this filing commencing from the filing date. The Commission further voted unanimously to authorize the Executive Director to enter into necessary consulting contracts. It is therefore

**ORDERED**, that Dakota Range III, LLC shall be assessed a filing fee not to exceed \$300,000 for the wind energy facility portion of the Application. It is further

**ORDERED**, that Dakota Range III, LLC shall make an initial deposit with the Commission 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 Commission's Finance Manager. It is further

ORDERED, that the Executive Director is authorized to enter into necessary consulting contracts.

Dated at Pierre, South Dakota, this 21<sup>st</sup> day of November 2018.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>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.</p> <p>By: <u>Karen E. Cremer</u></p> <p>Date: <u>11/21/18</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Kristie Fiegen

KRISTIE FIEGEN, Chairperson

Gary Hanson

GARY HANSON, Commissioner

Chris Nelson

CHRIS NELSON, Commissioner