

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

**IN THE MATTER OF THE APPLICATION OF)
DEUEL HARVEST WIND ENERGY LLC FOR)
A PERMIT OF A WIND ENERGY FACILITY)
AND A 345-KV TRANSMISSION LINE IN)
DEUEL COUNTY)**

**ORDER DENYING
MOTION FOR DENIAL**

EL18-053

On November 30, 2018, the South Dakota Public Utilities Commission (Commission) received an Application for Facility Permits (Application) from Deuel Harvest Wind Energy 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 with an associated 345-kV interconnection substation to be located in Deuel County, South Dakota, known as the Deuel Harvest North Wind Farm (Project). The Project would be situated within an approximately 48,730-acre project area, in the townships of Portland, Lowe, Altamont, Glenwood, and Herrick (Project Area). The total installed capacity of the Project would not exceed 310.1 megawatts (MW) of nameplate capacity. The proposed Project includes up to 112 wind turbine generators, access roads to turbines and associated facilities, underground 34.5-kV electrical collector lines, underground fiber-optic cable, a 34.5-kV to 345-kV collection substation, up to four permanent meteorological towers, a 345-kV interconnection substation, an approximately 150-foot long 345-kV transmission line connecting the Project substation and the Interconnection substation, and an operations and maintenance facility. The Project would interconnect to the regional electric grid along the Big Stone to Brookings 345-kV transmission line via a new 345-kV Interconnection Substation located in Glenwood Township and be able to deliver 300 MW of electricity. Deuel Harvest is negotiating a Generator Interconnection Agreement with Otter Tail Power Company and Midcontinent Independent System Operator, Inc. The Project is expected to be completed in 2020. Applicant estimates the total construction cost to be \$400 million.

On December 6, 2018, the Commission electronically transmitted notice of the filing and the intervention deadline of January 29, 2019, to interested persons and entities on the Commission's PUC Weekly Filings electronic listserv. On December 12, 2018, the Commission issued a Notice of Application; Order for and Notice of Public Input Hearing; Notice of Opportunity to Apply for Party Status. On January 24, 2019, a public input hearing was held as scheduled in Clear Lake, South Dakota. On January 25, 2019, Commission staff submitted a Motion for Adoption of Procedural Schedule. The Commission received applications for party status from ten individuals. On February 5, 2019, the Commission issued an Order Granting Party Status; Order Establishing Procedural schedule. On March 6, 2019, the Commission issued an Order Granting Withdrawal of Party Status to Nancy Henslin, Ruby Holborn, and George Holborn.

On March 8, 2019, Intervenor Christina Kilby filed a Motion for Denial. On March 11, 2019, a Brief in Support of the Motion for Denial was filed. On March 11, 2019, the Commission issued an Order for and Notice of Evidentiary Hearing. On March 12, March 15, March 26, and March 27, 2019, Intervenor Garret Homan, John Henslin, and Heath Stone filed letters in support of the Motion for Denial. On March 19, 2019, the Commission issued an Order for and Notice of Motion Hearing on Less Than 10 Days' Notice. On March 20, 2019, Deuel Harvest filed its Response to the Motion for Denial. On March 26, 2019, Intervenor Christina Kilby filed a Reply Brief.

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

At an ad hoc meeting on March 27, 2019, the Commission considered the Motion for Denial. Having heard the oral arguments and having reviewed the written submission of the parties, the Commission finds all matters suitable for an evidentiary hearing; therefore, the Commission voted unanimously to deny the Motion for Denial. It is therefore

ORDERED, that the Motion For Denial is hereby denied.

Dated at Pierre, South Dakota, this 29th day of March 2019.

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>Adam DeHuelle</u>
Date: <u>3/29/19</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner