

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

IN THE MATTER OF THE APPLICATION) OF LOOKOUT SOLAR PARK I, LLC FOR) A PERMIT OF A SOLAR ENERGY) FACILITY IN OGLALA LAKOTA) COUNTY))))	ORDER ASSESSING FILING FEE; ORDER AUTHORIZING EXECUTIVE DIRECTOR TO ENTER INTO CONSULTING CONTRACTS EL18-059
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On December 17, 2018, the South Dakota Public Utilities Commission (Commission) received an Application for an Energy Facility Permit (Application) from Lookout Solar Park I, LLC (Lookout Solar or Applicant). Lookout Solar proposes to construct and operate a 110-megawatt (MW) solar generation facility to be located in Oglala Lakota County, South Dakota, known as the Lookout Solar Project (Project). The Project is located approximately 22 miles east of Buffalo Gap, South Dakota, on 810 acres of privately owned land in Township 41 North, Range 48 West, Section 36 and the southern portion of Section 35 on individually-owned Indian trust land on the Pine Ridge Reservation (Project Area). The Project includes 500,000 solar panels, an energy storage facility, access roads, underground 34.5 kilovolt (kV) electrical collector lines, an underground fiber-optic cable, a collection substation, an operations and maintenance facility, and temporary construction areas. The Project would interconnect to the high-voltage transmission lines owned by the Western Area Power Administration near Cottonwood Cutoff. The Project is expected to be in-service by the second quarter of 2021. Applicant estimates the total construction cost to be \$100 million.

SDCL 49-41B-12 authorizes the Commission to assess a maximum fee not to exceed one-quarter of one percent for the first \$100,000,000 of estimated construction costs plus one-twentieth of one percent of all additional estimated construction costs of the Project, with a minimum total fee chargeable of not less than \$8,000. 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.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B, specifically 49-41B-12, 49-41B-26, and ARSD Chapter 20:10:22.

At its regularly scheduled meeting on December 28, 2018, the Commission considered this matter. Commission staff requested that the Commission assess a filing fee not to exceed \$250,000 with an initial deposit of \$8,000, and to authorize the executive director to enter into consulting contracts needed for review of the Application. Applicant stated it did not object to the fee assessment. The Commission voted unanimously to assess Lookout Solar a filing fee in an amount not to exceed \$250,000 with a minimum filing fee of \$8,000 to account for actual expenses incurred in review 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 Lookout Solar shall be assessed a filing fee not to exceed \$250,000 with an initial deposit 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 4th day of January 2019.

<p style="text-align: center;">CERTIFICATE OF SERVICE</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. Bremer</u></p> <p>Date: <u>01/04/19</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Kristie Fiegen
KRISTIE FIEGEN, Chairperson

Gary Hanson
GARY HANSON, Commissioner

Chris Nelson
CHRIS NELSON, Commissioner