

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

<b>IN THE MATTER OF THE APPLICATION ) BY TRIPLE H WIND PROJECT, LLC FOR ) A PERMIT OF A WIND ENERGY FACILITY ) IN HYDE COUNTY, SOUTH DAKOTA ) ) )</b>	<b>ORDER ASSESSING FILING FEE; ORDER AUTHORIZING EXECUTIVE DIRECTOR TO ENTER INTO CONSULTING CONTRACTS</b>
	<b>EL19-007</b>

On February 6, 2019, the South Dakota Public Utilities Commission (Commission) received a Facility Permit Application for an Energy Facility Permit (Application) from Triple H Wind, LLC (Triple H or Applicant), a wholly-owned subsidiary of ENGIE North America, Inc. Triple H proposes to construct a wind energy facility to be located in Hyde County, South Dakota (Project). The Project would be located on 27,247.5 acres of privately held land, approximately 3.2 miles southwest of Highmore in the townships of Eagle, Chapelle, Highmore, and Holabird, South Dakota (Project Area). The total installed capacity of the Project would not exceed 250.24 megawatts (MW) of nameplate capacity. The proposed Project includes up to 92 wind turbine generators, access roads to turbines and associated facilities, underground 34.5-kilovolt (kV) electrical collector lines, underground fiber optic cable, a 34.5-kV to 345-kV collection substation, one permanent meteorological tower, a 345-kV interconnection switching station, a Sonic Detection and Ranging Unit, and an operations and maintenance facility. The Project will interconnect to the high-voltage transmission grid via the Leland Olds to Fort Thompson 345-kV transmission line, which crosses the Project Area. Applicant has entered into two 30-year power purchase agreements, one with Walmart for 150 MW and one for 48 MW with a confidential institutional buyer. The remaining 52 MW will be sold on a merchant basis. The Project is expected to be completed in 2020. Applicant estimates the total cost of the Project to be \$300 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 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 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.

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 February 15, 2019, the Commission considered this matter. Commission staff requested that the Commission assess a filing fee not to exceed \$350,000 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 Triple H a filing fee in an amount not to exceed \$350,000, with an initial deposit 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 Triple H shall be assessed a filing fee not to exceed \$350,000 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 22<sup>nd</sup> day of February 2019.

<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>02/22/19</u></p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Gary Hanson

GARY HANSON, Chairman

Chris Nelson

CHRIS NELSON, Commissioner

Kristie Fiegen

KRISTIE FIEGEN, Commissioner