

**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 APPROVING
ESCROW AGREEMENT**

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 proposed 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). On May 30, 2019, the Commission issued a Final Decision and Order Granting Permit to Construct Facilities; Notice of Entry (Permit).

Condition 36 of the Permit requires Deuel Harvest to file an escrow agreement that provides a decommissioning escrow account, at least 60 days prior to commencement of commercial operation, with the Commission for Commission approval. On October 5, 2020, Deuel Harvest filed an Escrow Agreement between Applicant and U.S. Bank National Association. On October 8, 2020, Deuel Harvest filed an Amended and Restated Escrow Agreement (Escrow Agreement) to address concerns raised by Commission staff.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-41B.

On October 13, 2020, at its regularly scheduled meeting, the Commission considered this matter. Commission staff recommended granting approval of the Escrow Agreement as filed on October 8, 2020, subject to any non-substantive changes. The Commission voted unanimously to approve the Escrow Agreement as filed on October 8, 2020, with an allowance for changes which are not material to be made before the Escrow Agreement is executed.

It is therefore

ORDERED, that Applicant's request for approval of the Escrow Agreement, filed on October 8, 2020, as required in Condition 36 of the Final Order, is hereby granted.

Dated at Pierre, South Dakota, this 14th day of October 2020.

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><i>Arash M. Reiss</i></u>
Date: <u>10/14/2020</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner