

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

**IN THE MATTER OF THE APPLICATION)
BY CROWNED RIDGE WIND, LLC FOR A)
PERMIT OF A WIND ENERGY FACILITY)
IN GRANT AND CODINGTON COUNTIES)**

**ORDER DENYING
MOTION TO REVOKE**

EL19-003

On January 30, 2019, the South Dakota Public Utilities Commission (Commission) received an Application for a Facility Permit for a wind energy facility (Application) from Crowned Ridge Wind, LLC (Crowned Ridge or Applicant) to construct a wind energy conversion facility to be located in Grant County and Codington County, South Dakota (Project). On July 26, 2019, the Commission issued a Final Decision and Order Granting Permit to Construct Facility; Notice of Entry. On July 31, 2019, the Commission issued an Order Granting Request to Approve Liaison Officer. On October 23, 2019, the Commission issued an Order Granting 60-Day Extension to Certain Requirements of Permit Condition 45. On November 14, 2019, the Commission issued an Order Approving Third-Party's Credentials and Lek Survey Methodology. On December 20, 2019, the Commission issued an Order Approving Escrow Agreement. On January 9, 2020, the Commission issued an Order Approving Temporary Waiver. On February 3, 2020, Amber Christenson, Patrick Lynch, Melissa Lynch, Kristi Mogen, and Allen Robish (Intervenors) filed a Motion to Revoke Docket EL19-003. On February 19, 2020, the Commission issued an Order Approving Post Construction Noise Compliance Test Protocol. On February 20, 2020, Applicant filed a letter requesting Dismissal of Intervenors' Complaints. On February 24, 2020, Commission staff filed Staff's Response to Motion to Revoke.

The Commission 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.

On March 17, 2020, at its regularly scheduled meeting, the Commission considered the Motion to Revoke. After hearing oral presentations from the parties and having thoroughly reviewed the filings in the docket, the Commission, after public discussion, voted unanimously to deny the Motion to Revoke without prejudice, finding that it lacked jurisdiction while the matter is on appeal. It is therefore

ORDERED, that Intervenors' Motion to Revoke is hereby denied without prejudice.

Dated at Pierre, South Dakota, this 23rd day of March 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:

Karen E. Cromer

Date: March 23, 2020

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner