

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

**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)
)**

**ORDER APPROVING
DEPOSIT AGREEMENT
SUBJECT TO FIRST
AMENDMENT
EL19-007**

On February 6, 2019, the South Dakota Public Utilities Commission (Commission) received Triple H Wind Project, LLC's (Triple H) filing for a permit to construct the Triple H Wind Project (Project), a wind energy facility located on approximately 27,247 acres of land in Hyde County, South Dakota, approximately 3.2 miles southwest of Highmore, South Dakota. The total installed capacity of the Project would not exceed 250.24 MW nameplate capacity. The Project would interconnect to the existing Leland Olds to Fort Thompson transmission line via a new 500-foot transmission interconnection line within the Project area. On July 24, 2019, the Commission issued a Final Decision and Order Granting Permit to Construct Facility; Notice of Entry with Permit Conditions (Permit).

Condition 40 of the Permit requires Triple H to file an escrow account plan, at least 60 days prior to commencement of commercial operation, with the Commission for Commission approval. On November 2, 2020, Triple H filed a Deposit Agreement Among Triple H Wind Project, LLC and Citibank, N.A. (Deposit Agreement). This matter was heard and deferred at Commission meetings on November 12 and 24, 2020.

On December 4 and December 9, 2020, Triple H filed a First Amendment to Deposit Agreement to address concerns raised by the Commission.

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

On December 9, 2020, at its regularly scheduled meeting, the Commission considered this matter. Commission staff recommended granting approval of the Deposit Agreement as filed on November 2, 2020, subject to the First Amendment to Deposit Agreement filed on December 9, 2020. The Commission voted unanimously to approve the Deposit Agreement as filed on November 2, 2020, subject to the First Amendment to Deposit Agreement filed on December 9, 2020. It is therefore

ORDERED, that Triple H's request for approval of the Deposit Agreement, filed on November 2, 2020, and subject to the First Amendment of the Deposit Agreement filed on December 9, 2020, as required in Condition 40 of the Final Order, is hereby granted.

Dated at Pierre, South Dakota, this 15th day of December 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>Karen E. Cremer</u>
Date: <u>12/15/20</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner