

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

**IN THE MATTER OF THE APPLICATION
OF SWEETLAND WIND FARM, LLC FOR
A PERMIT OF A WIND ENERGY FACILITY
AND A 230 KV TRANSMISSION LINE IN
HAND COUNTY**

**NOTICE OF APPLICATION; ORDER
FOR AND NOTICE OF PUBLIC
INPUT HEARING; NOTICE OF
OPPORTUNITY TO APPLY
FOR PARTY STATUS**

EL19-012

On March 6, 2019, the South Dakota Public Utilities Commission (Commission) received an Application for Facility Permits (Application) from Sweetland Wind Farm, LLC (Sweetland or Applicant), a subsidiary of Scout Clean Energy. Sweetland proposes to construct a wind energy facility and a 230-kilovolt (kV) transmission line to be located in Hand County, South Dakota, known as the Sweetland Wind Farm (Project). The Project would be situated within an approximately 20,979-acre project area, located southeast of the City of Miller (Project Area). The Project Area is in Pearl, Hulbert, and Rose Hill Townships. The total installed capacity of the Project would not exceed 200 megawatts (MW) of nameplate capacity. The proposed Project includes up to 71 wind turbine generators, access roads to turbines and associated facilities, underground 34.5 kV electrical collector lines, underground fiber-optic cable, a 34.5-kV to 230-kV collection substation, up to four permanent meteorological towers, an approximately 7-mile long 230-kV gen-tie line connecting the Project, and an operations and maintenance facility. The Project would interconnect to Western Area Power Administration's existing Fort Thompson to Huron 230-kV transmission line in Rose Hill Township and be able to deliver 200 MW of electricity. The Project is expected to be completed in 2020. Applicant estimates the total construction cost to be \$240 million.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-41B and ARSD Chapter 20:10:22.

Pursuant to SDCL 49-41B-15 and 49-41B-16, **the Commission will hold a public input hearing on the Application on Thursday, April 25, 2019, at 5:30 p.m., CDT, at the Miller Community Center, 526 N. Broadway Ave., Miller, South Dakota.**

The purpose of the public input hearing will be to hear public comments regarding the Application and the Project. At the hearing, Sweetland will present a brief description of the Project, after which interested persons may appear and present their views, comments, and questions regarding the Application. A copy of the Application is on file with the Hand County Auditor pursuant to SDCL 49-41B-15(5) and at the Commission's office in Pierre. The Application and all other documents in the case, including detailed maps of the Project, may be accessed on the Commission's web site at www.puc.sd.gov under Commission Actions, Commission Dockets, Electric Dockets, 2019 Electric Dockets, EL19-012 or by contacting the Commission in person at the Capitol Building, 500 E. Capitol Ave., Pierre, SD, or by phone at (605) 773-3201 or (800) 332-1782.

Pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, the parties to this proceeding are currently the Applicant and the Commission. Any person residing in the area of the Project; each municipality, county, and governmental agency in the area where the Project is proposed to be sited; any non-profit organization formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health or other biological values, to preserve historical sites, to promote consumer interests, to represent commercial and industrial groups, or to promote the orderly development of the area in which the Project is to be sited; or any interested person, may be granted party status in this proceeding by making written application to the Commission. Applications for party status will be available at the public input hearing or may be obtained from

the Commission's web site or by contacting the Commission. **Applications for party status must be received by the Commission on or before 5:00 p.m., CDT, May 6, 2019.** The Commission will also be accepting comments in writing from anyone, either by mail, personal delivery, or e-mailing the Commission right up until the time of the decision. You only need to apply for party status if you want to participate formally in the case by putting on actual testimony or other factual evidence, conducting discovery, cross-examining witnesses, making legal arguments, and to preserve your right to appeal to the courts if you do not believe the Commission's decision is legally correct.

Following the public input hearing, the Commission may schedule a formal evidentiary hearing conforming to SDCL Chapter 1-26 to consider any issues raised by any intervening party, the Commission's staff, or the Commission itself. At such a formal hearing, all parties will have the opportunity to appear, present evidence, and cross-examine the other parties' witnesses and exercise all other rights afforded by SDCL Chapters 1-26, 49-1, and 49-41B and ARSD Chapters 20:10:01 and 20:10:22, including rights of appeal to the courts.

For approval, Sweetland must show that the proposed Project will comply with all applicable laws and rules, will not pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the siting area, will not substantially impair the health, safety or welfare of the inhabitants, and will not unduly interfere with the orderly development of the region with due consideration having been given to the views of governing bodies of affected local units of government. Based upon these factors, the Commission will decide whether a permit to construct should be granted, denied, or granted upon such terms, conditions, or modifications of the construction, operation, or maintenance as the Commission finds appropriate. It is therefore

ORDERED, that the Commission will hold a public input hearing on the Application and Project on **Thursday, April 25, 2019, at 5:30 p.m., CDT, at the Miller Community Center, 526 N. Broadway Ave., Miller, South Dakota.** It is further

ORDERED, that pursuant to SDCL 49-41B-17 and ARSD 20:10:22:40, **applications for party status must be filed on or before 5:00 p.m., CDT, on May 6, 2019.**

Pursuant to the Americans with Disabilities Act, these hearings will be held in physically accessible locations. Please contact the Public Utilities Commission at (605) 773-3201 or (800) 332-1782 at least 48 hours prior to the hearing if you have special needs so arrangements can be made to accommodate you.

Dated at Pierre, South Dakota, this 8th day of March 2019.

<p 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>Adam de Hueck</u></p> <p>Date: <u>3/8/19</u></p> <p align="center">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Chris Nelson
CHRIS NELSON, Commissioner

Kristie Fiegen
KRISTIE FIEGEN, Commissioner