

 Commission Dockets | [previous page](#)

**EL18-003 - In the Matter of the Application by Dakota Range I, LLC and Dakota Range II, LLC
for a Permit of a Wind Energy Facility in Grant County and Codington County, South Dakota,
for the Dakota Range Wind Project**

Date Filed: 01/24/18 ♦ Intervention Date: 03/26/18 ♦

Date of Notice of Filing: 01/25/18 ♦ Pending

Service List

Agendas:

[July 10, 2018, Agenda of Ad Hoc Commission Meeting](#)

[May 21, 2018, Agenda of Ad Hoc Commission Meeting](#)

[May 15, 2018, Agenda of Commission Meeting](#)

[April 3, 2018, Agenda of Commission Meeting](#)

[February 8, 2018, Agenda of Commission Meeting](#)

Minutes:

[Minutes of July 10, 2018, Ad Hoc Commission Meeting](#)

Contact [Precision Reporting](#) to order a written transcript of [EL18-003](#) discussion for the Ad Hoc Commission Meeting 7/10/18.

[Minutes of May 21, 2018, Ad Hoc Commission Meeting](#)

Contact [Precision Reporting](#) to order a written transcript of [EL18-003](#) discussion.

[Minutes of May 15, 2018, Commission Meeting](#)

[Minutes of April 3, 2018, Commission Meeting](#)

Contact [Precision Reporting](#) to order a written transcript of the [EL18-003](#) discussion.

[Minutes of February 8, 2018, Commission Meeting](#)

Party Status Applications

Click For Comments and Responses

**Pre-filed Testimonies and Exhibits, Rebuttal Testimonies and Exhibits and Surrebuttal
Testimony and Exhibit**

Pre-filed Exhibits for Evidentiary Hearing

Hearing:

Public input hearing on the Application on March 21, 2018, at 5:30 p.m., CDT, at Waverly-South Shore School Gymnasium, 319 Mary Place, Waverly, S.D.

- [Notice of Application; Order for and Notice of Public Input Hearing; Notice of Opportunity to Apply for Party Status](#)
- [Party Status Application](#)
- [Energy Conversion & Electric Transmission Facilities Siting Info Guide](#)
- [Sign In Sheets](#)
- [Recording](#)
- [Dakota Range I, LLC and Dakota Range II, LLC's Presentation](#)
- Contact [Precision Reporting](#) to order a written transcript of the [EL18-003](#) discussion.
- [Kelly Owen's Comments](#)
 - [Kelly Owen's Comments](#) (not available to the public)
- [Richard Pike's Comments](#)
 - [Richard Pike's Comments](#) (not available to the public)
- [Corey Amdahl's Comments](#)
 - [Corey Amdahl's Comments](#) (not available to the public)
- [Carol Miller's Comments](#)
 - [Carol Miller's Comments](#) (not available to the public)
- [Alexis Hanson's Comments](#)
 - [Alexis Hanson's Comments](#) (not available to the public)
- [Dylan Lau's Comments](#)
 - [Dylan Lau's Comments](#) (not available to the public)

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- [Les Gooch's Comments](#)
 - [Les Gooch's Comments](#) (not available to the public)
- [Alice Moyer's Comments](#)
 - [Alice Moyer's Comments](#) (not available to the public)
- [Sean Coyle's Comments](#)
 - [Sean Coyle's Comments](#) (not available to the public)
- [Kristi Mogen's Comments](#)
 - [Kristi Mogen's Comments](#) (not available to the public)
- [Wade Falk's Comments](#)
 - [Wade Falk's Comments](#) (not available to the public)
- [Jeff Haverly, Governor's Office of Economic Development's Comments](#)
- [Steve Schaefer's Comments](#)
 - [Steve Schaefer's Comments](#) (not available to the public)
- [Leonard Stengel's Comments](#)
 - [Leonard Stengel's Comments](#) (not available to the public)
- [Linda Lindgren's Comments](#)
 - [Linda Lindgren's Comments](#) (not available to the public)
- [Jim Newcomb, SummitWind, LLC's Comments](#)
- [Wayne Soren, South Dakota Farmers Union's Comments](#)
 - [Wayne Soren, South Dakota Farmers Union's Comments](#) (not available to the public)
- [Vince Meyer's Comments](#)
 - [Vince Meyer's Comments](#) (not available to the public)
- [Kathy Tyler's Comments](#)
 - [Kathy Tyler's Comments](#) (not available to the public)
- [Matt O'Farrell's Comments](#)
 - [Matt O'Farrell's Comments](#) (not available to the public)
- [Gregg Hubner's Comments](#)
- [Marsha Hubner's Comments](#)
- [Ruby Holborn's Comments](#)
 - [Ruby Holborn's Comments](#) (not available to the public)
- [George L. Holborn's Comments](#)
 - [George L. Holborn's Comments](#) (not available to the public)
- [03/29/18 - Comments of Beth Soholt, Wind on the Wires](#)
 - [Attachment](#)

Evidentiary Hearing

A hearing will be held beginning at 1:30 p.m., CDT, Tuesday, June 12, 2018, through Friday, June 15, 2018, with the marking of exhibits to begin at 1:00 p.m., CDT, on June 12, 2018, in Room 413 of the Capitol Building, 500 E. Capitol Ave., Pierre, South Dakota

- [05/15/18 - Order for and Notice of Evidentiary Hearing](#)
- [Recordings](#)
 - June 12, 2018
 - [Afternoon Recording](#)
 - June 13, 2018
 - [Morning Recording](#)
 - [Afternoon Recording](#)
 - June 14, 2018
 - [Morning Recording](#)
 - [Confidential Recording](#)
- [Sign In Sheets](#)
 - June 12, 2018
 - June 13, 2018
 - June 14, 2018
- [Exhibits](#)
- [Contact Precision Reporting](#) to order written transcripts.

Orders:

- [01/31/18 - Notice of Application; Order for and Notice of Public Input Hearing; Notice of Opportunity to Apply for Party Status](#)

- 02/15/18 - Order Assessing Filing Fee; Authorizing Executive Director to Enter Into a Consulting Contract
- 04/06/18 - Order Granting Party Status and Establishing Procedural Schedule (Teresa Kaaz; Daniel D. Seurer; Vincent Meyer; Diane Redlin; Jared Krakow; Kevin Krakow; Matt Whitney; Timothy J. Lindgren; Linda M. Lindgren; Christian Reimche; Derek Nelson; Paul Nelson; Kelly Owen; Kristi Mogen; Wade Bauer; and Patricia Meyer)
- 05/15/18 - Order for and Notice of Evidentiary Hearing
- 05/16/18 - Order Granting Withdrawal of Party Status (Dan Seurer, Christian Reimche, Paul Nelson, and Derek Nelson)
- 05/16/18 - Order for and Notice of Motion Hearing on Less Than 10 Days' Notice
- 05/24/18 - Order Granting Motion to Exclude Portions of Exhibits
- 06/18/18 - Order Setting Post-Hearing Briefing Schedule and Decision Date
- 07/23/18 - Final Decision and Order Granting Permit to Construct Wind Energy Facility; Notice of Entry with Attachment A

Filed Documents:

- 01/24/18 - Dakota Range's Letter regarding Application
 - Application
 - Appendix A - Figures
 - Appendix B - Agency Coordination
 - Appendix C - Dask/Posk Habitat Survey
 - Appendix D - 2016 Raptor Nest Survey
 - Appendix E - 2017 Raptor Nest Survey
 - Appendix F - Avian Use Survey
 - Appendix G - 2016 Grouse Lek Survey
 - Appendix H - 2017 Grouse Lek Survey
 - Appendix I - Sound Level Modeling Report
 - Appendix J - Shadow Flicker Modeling Report
 - Appendix K - County Conditional Use Permits
 - Appendix L - Property Value Effects Studies
 - Appendix M - Level I Cultural Resources Report Confidential (not available to the public)
 - Appendix N - Cultural Resources Monitoring and Management Plan Redacted
 - Appendix N - Cultural Resources Monitoring and Management Plan Confidential (not available to the public)
 - Appendix O - Architectural Survey Report Confidential (not available to the public)
 - Appendix P - Decommissioning Plan
 - Pre-filed Testimony of Mark Mauersberger on Behalf of Dakota Range I, LLC and Dakota Range II, LLC
 - Exhibit 1 - Mark Mauersberger's Curriculum Vitae
 - Exhibit 2 - Brenna Gunderson's Curriculum Vitae
 - Pre-filed Testimony of Robert O'Neal on Behalf of Dakota Range I, LLC and Dakota Range II, LLC
 - Exhibit 1 - Robert O'Neal's Curriculum Vitae
 - Pre-filed Testimony of David Phillips on Behalf of Dakota Range I, LLC and Dakota Range II, LLC
 - Exhibit 1 - David Phillips' Curriculum Vitae
 - Exhibit 2 - Ryan W. Henning's Curriculum Vitae
- 01/31/18 - Dakota Range's Certificate of Service for County Auditors
- 02/02/18 - PUC Staff's Letter to SD Newspaper Association regarding Notice of Public Hearing
 - Notice of Public Hearing
- 02/16/18 - PUC Staff's First Set of Data Requests to Dakota Range I, LLC and Dakota Range II, LLC Certificate of Service
- 02/22/18 - Dakota Range I, LLC and Dakota Range II, LLC's Letter regarding Proof of Mailing to Landowners
 - Proof of Mailing
 - Attachment A - Letter to Landowners; Public Input Hearing Notice; and Project Area Map

- Attachment B - List of Landowners - Inside Project Area Confidential (not available to the public)
- Attachment C - List of Landowners - Outside Project Area Confidential (not available to the public)
- 03/22/18 - PUC Staff's Watertown Public Opinion's Affidavit of Publication (February 21, and March 14, 2018)
- 03/22/18 - PUC Staff's South Shore Gazette's Affidavit of Publication (March 1, and March 15, 2018)
- 03/22/18 - PUC Staff's Grant County Review's Affidavit of Publication (Feb. 21, and March 14, 2018)
- 03/28/18 - PUC Staff's Motion for Adoption of Procedural Schedule
 - Certificate of Service
- 03/30/18 - Notice of Appearance (Lisa M. Agrimonti)
- 03/30/18 - Dakota Range I, LLC and Dakota Range II, LLC's Letter regarding Response to Applications for Party Status and Staff's Motion for Adoption of Procedural Schedule
 - Response to Applications for Party Status and Staff's Motion for Adoption of Procedural Schedule and Certificate of Service
- 04/03/18 - Teresa Kaaz's Email regarding Party Status Application
- 04/03/18 - Diane Redlin's Comments
 - Attachment - Applicants' Response to Applications for Party Status and Staff's Motion for Adoption of Procedural Schedule and Certificate of Service
- 04/06/18 - PUC Staff's Second Set of Data Requests to Dakota Range I, LLC and Dakota Range II, LLC Certificate of Service
- 04/06/18 - PUC Staff's Letter to Paige Olson - State Historic Preservation Office, Subpoena and Admission of Service
- 04/06/18 - PUC Staff's Letter to Thomas Kirschenmann - SD Department of Game, Fish and Parks, Subpoena and Admission of Service
- 04/06/18 - Dakota Range I, LLC and Dakota Range II, LLC's Pre-Filed Testimony and Exhibits
- 04/09/18 - PUC Staff's First Set of Data Requests to Intervenor's Certificate of Service
- 04/09/18 - PUC Staff's Third Set of Data Requests to Dakota Range I, LLC and Dakota Range II, LLC Certificate of Service
- 04/11/18 - PUC Staff's Fourth Set of Data Requests to Dakota Range I, LLC and Dakota Range II, LLC Certificate of Service
- 04/12/18 - PUC Staff's Fifth Set of Data Requests to Dakota Range I, LLC and Dakota Range II, LLC Certificate of Service
- 04/12/18 - Admission of Service (Thomas Kirschenmann)
- 04/16/18 - PUC Staff's Sixth Set of Data Requests to Applicant Certificate of Service
- 04/19/18 - PUC Staff's Seventh Set of Data Requests to Applicant Certificate of Service
- 04/23/18 - Jared Krakow's Comments
- 04/24/18 - Admission of Service (Paige Olson)
- 04/27/18 - Wade Bauer's Comments
- 04/30/18 - Kevin Krakow Comments
- 05/02/18 - Dan Seurer's Email requesting Party Status Withdrawal
- 05/04/18 - Christian Reimche's Email requesting Party Status Withdrawal
- 05/04/18 - Staff's Pre-filed Testimonies and Exhibits
- 05/07/18 - Paul Nelson's Email requesting Party Status Withdrawal
- 05/10/18 - Derek Nelson's Email requesting Party Status Withdrawal
- 05/10/18 - Comments of Derek Nelson
- 05/15/18 - Applicants' Motion to Exclude Portions of Testimony and/or Exhibits of Intervenor's Teresa Kaaz and Kristi Mogen and Request Regarding Hearing Participation
 - Certificate of Service
- 05/16/18 - Staff's Response to Applicants' Motion and Motion for Judicial Notice
 - Certificate of Service
- 05/24/18 - PUC Staff's Eighth Set of Data Requests to Applicant Certificate of Service
- 06/07/18 & 06/08/18 - Applicants' Witness and Exhibit List and Pre-Filed Exhibits
- 06/08/18 - Prefiled Surrebuttal Testimony of David Lawrence and Exhibit
- 06/08/18 - Staff's Witness and Exhibit List and Pre-Filed Exhibits
- 06/08/18 - Kristi Mogen's Pre-Filed Exhibits
- 06/11/18 - Intervenor Teresa Kaaz's Witness List & Exhibit List
- 06/11/18 - Staff's Motion to Compel Discovery

- Attachment 1 - Applicant's Responses to Staff's Eighth Set of Data Requests
- Certificate of Service
- 06/12/18 - Applicants' Exhibit A19
- 06/13/18 - Applicants' Exhibit A18
- 06/13/18 - Applicants' Exhibit A20
- 06/14/18 - Applicants' Exhibit A21 through A27
- 06/14/18 - Staff's Exhibit S7
- 06/21/18 - Xcel Energy's Letter regarding Ownership of Dakota Range Wind Farm
- 07/02/18 - Dakota Range I, LLC and Dakota Range II, LLC's Letter regarding Post-Hearing Brief and Conditions and Proposed Findings of Fact
 - Dakota Range I, LLC and Dakota Range II, LLC's Post-Hearing Brief
 - Dakota Range I, LLC and Dakota Range II, LLC's Post-Hearing Brief Confidential (not available to the public)
 - Dakota Range I, LLC and Dakota Range II, LLC's Proposed Findings of Fact, Conclusions of Law and Order
 - Applicants' Recommended Permit Conditions¹
 - Dakota Range I, LLC and Dakota Range II, LLC's Recommended Condition 40 and Proposed Findings of Fact 65 Confidential (not available to the public)
 - Certificate of Service for Confidential Documents
 - Certificate of Service for Public Documents
- 07/02/18 - Staff's Additional Recommended Conditions
 - Certificate of Service
- 07/02/18 - Staff's Post-Hearing Brief
 - Staff's Post-Hearing Brief Confidential (not available to the public)
 - Certificate of Service for Confidential Documents
 - Certificate of Service for Public Documents
- 07/02/18 - Kristi Mogen Post-Hearing Brief Requesting Denial of the Permit Application
- 07/05/18 - Teresa Kaaz Post-Hearing Brief Requesting Denial of the Permit Application
- 07/05/18 - Staff's Objection to Confidential Treatment
 - Staff's Objection to Confidential Treatment Confidential (not available to the public)
 - Certificate of Service
- 07/06/18 - Dakota Range I, LLC and Dakota Range II, LLC's Letter regarding Applicants' Response to Staff's Objection to Confidential Treatment
 - Applicants' Response to Staff's Objection to Confidential Treatment
 - Applicants' Recommended Permit Condition 40 and Proposed Finding of Fact 65
 - Certificate of Service
- 07/10/18 - Comments of Wade Bauer
- 07/10/18 - Amendments Proposed by Commissioner Nelson to Applicants' Recommended Permit Conditions
- 07/19/18 - Dakota Range I, LLC and Dakota Range II, LLC's Affidavits of Publication (Watertown Public Opinion, Grant County Review and South Shore Gazette)
- 08/17/18 - Dakota Range I, LLC and Dakota Range II, LLC's Letter regarding Paragraph 22 of the Permit Conditions
 - Affidavit of Brenna Gunderson Providing Notice of Turbine Adjustments Up to 250 Feet
 - Exhibit A - Maps of Turbine Adjustments
 - Exhibit A - Maps of Turbine Adjustments Confidential (not available to the public)
 - Exhibit B - Summary of Turbine Adjustment Requirement Compliance
 - Exhibit C - Updated Sound Level Analysis Results
 - Exhibit D - Updated Shadow Flicker Analysis Results
 - Certificate of Service
- 08/17/18 - Dakota Range I, LLC and Dakota Range II, LLC's Letter regarding Paragraph 22 of the Permit Conditions
 - Affidavit of Brenna Gunderson in Support of Request for Approval of Turbine Adjustments
 - Exhibit A - Maps of Turbine Adjustments
 - Exhibit A - Maps of Turbine Adjustments Confidential (not available to the public)
 - Exhibit B - Summary of Turbine Adjustment Requirement Compliance
 - Exhibit C - Updated Sound Level Analysis Results
 - Exhibit D - Updated Shadow Flicker Analysis Results

- Certificate of Service