BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION BY PRAIRIEWINDS SD1, INC., A SUBSIDIARY OF BASIN ELECTRIC POWER COOPERATIVE, FOR A WIND ENERGY FACILITY PERMIT FOR THE PRAIRIEWINDS SD1 WIND FARM AND ASSOCIATED FACILITIES

ORDER GRANTING JOINT
MOTION FOR APPROVAL
OF DECOMMISSIONING
PLAN AND STIPULATION
OF FINANCIAL
ASSURANCE

EL09-028

On December 30, 2009, PrairieWinds SD1, Inc., a wholly-owned subsidiary of Basin Electric Power Cooperative (Basin) submitted an application for a Wind Energy Facility Permit for the Construction of the PrairieWinds SD1 Wind Farm and Associated Facilities. The applicant proposed to construct and operate a 151.5 MW, with flexibility up to 165 MW, wind energy facility near Crow Lake, South Dakota. The project would include up to 110 wind turbines and associated access roads, underground collector lines, a collector substation, an O&M building, and approximately 13 miles of 230 kV transmission line.

On December 31, 2009, the Commission electronically transmitted notice of the filing and the intervention deadline of February 28, 2010, to interested individuals and entities. On June 4, 2010, PrairieWinds SD1, Inc., and Staff filed a Joint Motion for Approval of Stipulation and the Stipulation. On June 8, 2010, Staff filed Responses from Staff's Data Requests, Public and Confidential.

On July 14, 2010, the Commission issued an Order Approving Joint Motion for Approval of Stipulation (Permit) authorizing the construction of the Project. Condition 40 of the Permit required Basin to submit a Project status report, an updated decommissioning plan for the Project, and financial information in accordance with ARSD 20:10:22:33.01 for the Commission's review and approval on or before June 1, 2021. Further, Condition 40 also states that at such time the Commission will determine whether the Applicant shall be required to provide a bond, letter of credit, guarantee or other security to assure adequate funding is available for decommissioning. On June 1, 2021, Basin filed a Wind Project Decommissioning Plan for the Crow Lake Wind Project.

On June 2, 2021, Commissioner Chris Nelson filed a letter delivered to Governor Kristi Noem advising of a conflict of interest under SDCL 49-1-9 regarding ownership of property that is part of the PrairieWinds SD1 Wind Farm. On June 8, 2021, Governor Noem filed a letter to Secretary of State Steve Barnett appointing Commissioner of School and Public Lands Ryan Brunner to serve as Acting Commissioner in place of Commissioner Nelson pursuant to SDCL 49-1-9.

On October 13, 2021, Basin and Commission staff filed a Joint Motion for Approval of Decommissioning Plan and Stipulation of Financial Assurance.

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

At its regularly scheduled meeting on October 28, 2021, the Commission considered this matter. After hearing comments from Basin and Staff, the Commission voted unanimously to approve the Joint Motion for Approval of Decommissioning Plan and Stipulation of Financial Assurance. It is therefore

ORDERED, that the Joint Motion for Approval of Decommissioning Plan and Stipulation of Financial Assurance is hereby granted. It is further

ORDERED, that Basin, within 90 days of this order, shall file with the Commission a surety bond consistent with the Stipulation of Financial Assurance, for Commission review and approval, in the amount of \$15,112,233 to cover Basin's decommissioning obligations.

Dated at Pierre, South Dakota, this ____ day of November 2021.

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.
By: Adam defreck
Date: 1/ / 21
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

KRISTIE FIEGEN, Commissioner

Say Hanson

GARYHANSON, Commissioner