

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

IN THE MATTER OF THE APPLICATION BY)
PREVAILING WINDS, LLC FOR A WIND)
ENERGY FACILITY PERMIT FOR THE)
PREVAILING WINDS WIND ENERGY FACILITY)
)

**ORDER GRANTING
MOTION TO WITHDRAW
WITHOUT PREJUDICE**

EL16-022

On June 28, 2016, the South Dakota Public Utilities Commission (Commission) received an application from Prevailing Winds, LLC (Prevailing Winds) for a wind energy facility permit (Application) to construct the Prevailing Winds Wind Energy Facility (Project), a 201-megawatt (MW) nameplate capacity wind energy facility located on the Dry Choteau Creek Coteau, an upland divide that rises 300 to 350 feet above the Choteau Creek Valley along its western boundary and then gradually descends for several miles to the east (Project Area), near Avon, South Dakota, in Bon Homme and Charles Mix Counties. The Project Area is approximately 36,000 acres. The proposed Project includes up to 100 wind turbines, associated access roads, an underground electrical power collector system, a collector substation, an operations and maintenance (O&M) facility, and associated transmission interconnection facilities. The Project would interconnect at a new Western Area Power Administration (Western)-owned switching station to be constructed within the Project Area adjacent to Western's Fort Randall to Utica Junction 230-kilovolt double-circuit transmission line, or alternatively at Western's existing Utica Junction 230-kV switching station, approximately 22 miles east of the Project Area. The Project would generate utility scale electric power for residential, commercial, and industrial consumers.

On June 30, 2016, the Commission electronically transmitted notice of the filing and the intervention deadline of August 29, 2016, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. On July 7, 2016, the Commission issued a Notice of Application; Order for and Notice of Public Input Hearing; Notice of Opportunity to Apply for Party Status. On August 24, 2016, the Commission held a public input hearing on the Application at Avon, South Dakota. On August 30, 2016, Prevailing Winds, LLC filed a Motion to Withdraw the Application Without Prejudice.

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

At its regularly scheduled meeting on September 13, 2016, the Commission considered this matter. Commission staff had no objection to Prevailing Wind's motion. The Commission voted unanimously to grant Prevailing Wind's Motion to Withdraw the Application Without Prejudice. It is therefore

ORDERED, that Prevailing Winds' Motion to Withdraw the Application Without Prejudice is hereby granted.

Dated at Pierre, South Dakota, this 19th day of September, 2016.

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. Premer</u>
Date: <u>09/19/2016</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson
CHRIS NELSON, Chairman

Kristie Fiegen
KRISTIE FIEGEN, Commissioner

Gary Hanson
GARY HANSON, Commissioner