

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

980I0659

SENATE BILL NO. 166

Introduced by: Senator Diedrich (Larry) and Representative Begalka

1 FOR AN ACT ENTITLED, An Act to prevent any harmonic or inductive interference by wind
2 power production facilities with existing telecommunications facilities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Any person as defined in subdivision 49-41B-2(7) that constructs, maintains, or
5 operates a wind power production facility, including transmission or distribution facilities, shall,
6 in constructing, maintaining, or operating the facilities, take any reasonable measures necessary
7 to prevent any harmonic or inductive interference with existing overhead or underground
8 telecommunications facilities. These measures shall include, prior to the engineering and
9 construction of any wind energy project, including transmission or distribution facilities, the
10 initiation of coordinated planning with any telecommunications company having
11 telecommunications facilities within one mile of the wind power production facility, including
12 transmission or distribution facilities.

13 Upon request of the telecommunications company, made either prior to or after construction
14 of a power production facility, the Public Utilities Commission may mediate any differences
15 between the parties relating to harmonic or inductive interference.

16 The nonbonding mediation by the commission is an additional remedy and does not limit any



1 rights of action or other remedies available under law.