



Jeffrey B. Durocher
Senior Counsel

May 27, 2021

VIA ELECTRONIC FILING: NDPSC@ND.gov

Mr. Steve Kahl
Director of Administration
North Dakota Public Service Commission
State Capitol Building
600 East Boulevard Avenue, No. 408
Bismarck, North Dakota 58505-0480

RE: Case No. PU-05-47 – Request by Rugby Wind LLC for Extension of Light Mitigation
Deadline for the Rugby Wind Farm

Dear Mr. Kahl:

I am writing on behalf of Rugby Wind Farm to thank the Commission for its consideration of the request to extend the deadline for Rugby Wind Farm to install light mitigation technology so that the LIDS technology would be a possible solution. While we are disappointed with the staff's May 7, 2021 recommendation (which was received by email May 17, 2021) to not approve the extension request, we are working to procure, permit, design a tower for and install ADLS at the Rugby Wind Farm in lieu of waiting further for FAA approval of the LIDS technology.

After the informal hearing with the Commission on April 14, 2021, we reached out to the FAA, and had a wind industry group familiar with LIDS technology reach out to FAA as well. Unfortunately, neither the industry group or Avangrid Renewables has heard back from the FAA on this matter.

We did, however, hear from Technostrobe, the owners of the LIDS technology, who disagree with the description of testing status by the Senator's office (see attached letter). Regardless, we feel the prudent path at this time is to install ADLS given the uncertainty around LIDS approval and the Commission's reluctance to award Rugby an extension. At this time, we are expediting the ADLS light mitigation solution in order to

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Avangrid Renewables, LLC
Jeffrey Durocher

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meet the existing statutory deadline of December 31, 2021 and will update the Commission later in the year on the status of this effort.

Please let us know if you have any questions or would like additional information.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey B. Durocher".

Jeffrey B. Durocher

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Never alone in the dark.

May 25, 2021

Pete Landoni
Avangrid Renewables, LLC
Regional Lead/Wind Asset Manager
1125 NW Couch Street. Suite 700
Portland, OR 97209

Dear Pete,

In further to your email from May 17th, 2021. I want to provide you and Avangrid Renewables, LCC my own response and update on the FAA approval process & timeline of our LIDS Technology.

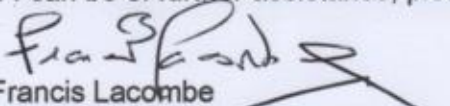
In January of 2021 we participated in a work session with the North Dakota PSC to address LIDS Technology. At that point a suggestion was made that the PSC could engage Senator Hoeven's office and contact the FAA directly for an update on LIDS. I am very thankful for the PSC's continued interest in Light Mitigation Technologies and we are here to further support HB1378. However, after reading Brian Johnson's memorandum, I believe there is a misunderstanding in regards to the current state of the approval process.

According to the information the FAA has shared with us, here is my understanding of where things sit today:

1. Testing in Oklahoma is complete.
2. Flybys in NJ have occurred with a plane flying over the runway to test lights equipped to work with LIDS Technology.
3. The lights were then sent to Rensselaer Polytechnic Institute (RPI) so that an independent facility would attest as to the accuracy of the candela output in the different dimming stages.
 - a. 10% = 200 candela +/- 25%
 - b. 30% = 600 candela +/- 25%
 - c. 100% = 2,000 candela +/- 25%
4. The results corresponded with the stated intensity levels in our documentation.
5. Further flybys were deemed necessary so that other FAA pilots could also attest as to what was observed previously to the equipment going to RPI.
6. LIDS is currently 'staled' due to the fact those FAA pilots cannot travel for final testing due to COVID restrictions in place by the FAA.
7. The final test for LIDS is to take place in Cape May New Jersey, in 2021 – if the green light to fly is given by the necessary authorities.

Just like we have done with regulatory bodies in Canada and Europe where LIDS is approved, Technostrobe is fully committed to the approval of LIDS Technology in the USA - as is demonstrated by our continuous support of the FAA's product approval process over the last 6 years.

If I can be of further assistance, please let me know.


Francis Lacombe
President