

FPL Energy

Burleigh County Wind Energy Center

Address: 308 7th St.
Wilton, ND 58579

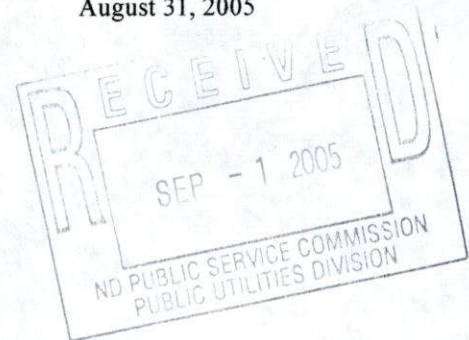
Phone: (701) 734-6111

Fax: (701) 734-6115

To: Mr. Jerry Lein
North Dakota Public Service Commission
State Capitol
12th Floor, Dept. 408
600 E. Boulevard Ave.
Bismarck, ND 58505-0480

August 31, 2005

From: Kurt Beichel - Construction Project Manager

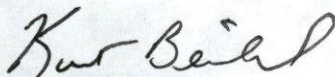


Re: Burleigh Wind Energy Center Permits, Case No. PU-05-205

Mr. Lein,

In accordance with the North Dakota Public Service Commission Siting Application, Case No. PU-05-205, Order, Paragraph Number 7. All Permits needed for construction of the Burleigh County Wind Energy Center are attached in this transmittal. In addition I am including a copy of the Railroad Crossing Permit needed for the railroad crossing by the 230KV Transmission Line.

If you have any questions please call me.


Kurt Beichel
FPLE Project Management

67 **PU-05-205** Filed: 9/1/2005 Pages: 231
Copy of all permits for construction of Burleigh
County Wind Energy Center

FPL Energy Burleigh County Wind, LLC

FPL Energy
Burleigh County Wind Energy Center

Address: 308 7th St.
Wilton ND 58579

Phone: (701) 734-6111

Fax: (701) 734-6111

Transmittal

- Finding of No Significant Impact (FONSI)
- North Dakota Pollutant Discharge Elimination System (NDPDES)
- Rail Road Crossing Permit
- Agreement to Enter and Do Work on Highway Right of Way
- Ecklund Township Driveway/Entranceway Permit
- FFA Determination of No Hazard to Air Navigation
- Environmental Assessment (EA)

United States Government

Department of Energy

Western Area Power Administration

memorandum

DATE:

REPLY TO
ATTN OF: B0400.BL

SUBJECT: Burleigh County Wind Energy Center, North Dakota.

TO: R. Harris, B0000.BL, Billings, MT

Attached, for your review and approval, are the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for the Burleigh County Wind Energy Project, North Dakota (DOE/EA-1542).

The EA was prepared by FPL Energy Burleigh County Wind, LLC. Based upon our participation in the EA and our verification that all of our interests have been addressed and incorporated into this EA, we believe that the EA meets the requirements of the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (40 CFR parts 1500-1508) and the U.S. Department of Energy NEPA Implementing Procedures (10 CFR part 1021). We also believe that all pertinent issues raised by interested parties, including Tribes, have been addressed.

Therefore, based on your responsibilities delegated to you for this project per section 5.c. of DOE Order 451.1B, NEPA Compliance Program, we recommend you approve the EA for the Burleigh County Wind Energy Project and issue the accompanying FONSI. We have coordinated with the Office of General Counsel and they concur with my recommendations.

Nicholas J. Stas
Nicholas J. Stas
Environmental Manager

Attachments

APPROVED:

Robert J. Harris

DISAPPROVED:

DATE:

8/26/05

cc:

Director, Office of NEPA Policy and Compliance, EH-42, Washington, DC
(w/copy of FONSI)

August 2005
DOE/EA-1542

**DEPARTMENT OF ENERGY
Western Area Power Administration
Finding of No Significant Impact
FPL Energy Burleigh County Wind, LLC, North Dakota**

Summary – Basin Electric Power Cooperative (Basin), on behalf of FPL Energy Burleigh County Wind, LLC (Burleigh County Wind), applied to the Department of Energy (DOE), Western Area Power Administration (Western) to interconnect the Burleigh County Wind Energy Center in Burleigh County, North Dakota, to Western's Garrison-Bismarck 230-kilovolt (kV) Transmission Line. ~~Burleigh County Wind proposes to build a wind energy center consisting of wind turbines, collection sub-transmission lines, and a collection substation. Western would construct facilities to support the interconnection at the Garrison-Bismarck 230-kV Transmission Line. Central Power Electric Cooperative (Central Power), a Basin member, would construct a 230-kV, high voltage transmission line between the proposed wind energy center and Western's interconnection facility.~~

The environmental assessment (EA) entitled "Burleigh County Wind Energy Center, North Dakota (DOE/EA-1542)" was distributed for pre-approval review by agencies, tribes, and interested parties on July 25, 2005. As a result, the EA was revised to clarify and correct information in the EA. The EA was approved concurrently with this finding of no significant impact (FONSI).

Based on findings and analysis in the EA, Western has determined that with the proposed mitigation, Phase I of the Burleigh County Wind Energy Center and associated facilities (Proposed Action) would not result in any significant environmental impacts. Therefore, the preparation of an environmental impact statement (EIS) will not be required. The basis for this determination is described in this FONSI.

Additional information and copies of the EA and FONSI are available to all interested persons and the public through the following contact:

Ted Anderson
Upper Great Plains Customer Service Region
Western Area Power Administration
P.O. Box 35800
Billings, MT 59107-5800
Phone: (406) 247-7385
Fax: (406) 247-7408
E-mail: tanderso@wapa.gov

For general information on DOE National Environmental Policy Act (NEPA) activities contact:

Carol M. Borgstrom
Director, Office of NEPA Policy and Compliance, EH-42
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
Phone: (202) 586-4600 or (800) 472-2756

Purpose and Need – Basin has applied to interconnect with Western's Garrison-Bismarck 230-kV Transmission Line. In response to this request, Western would provide an interconnection and transmission service under its Open Access Transmission Service Tariff (Tariff), protect transmission system reliability and service to existing customers, and consider the proposed project's objectives. Western's action is to decide if Phase I of the proposed Wind Energy Center can be interconnected with Western's transmission system and to construct, operate, and maintain the interconnecting switchyard.

Project Description – DOE's NEPA Implementing Procedures require an EIS to be prepared for the addition of new generation resources greater than 50 average MW. Western has determined that the average output from both phases of the Burleigh County Wind Energy Center would be less than 50 average MW. Therefore, an EA was prepared in response to the interconnection request.

Western's action for the Burleigh County Wind Energy Center would involve modifying existing Western facilities to accommodate the interconnection of the proposed Wind Energy Center with Western's existing Garrison-Bismarck 230-kV Transmission Line. The determination associated with this FONSI applies only to Phase I of the Proposed Action. Western's activities would include the following:

1. Constructing a tap to temporarily connect the proposed 230-kV high voltage transmission line into the existing Bismarck-Garrison 230-kV Transmission Line.
2. Constructing a switching station to provide a permanent point of interconnection between the 230-kV high voltage transmission line and the existing Bismarck-Garrison 230-kV Transmission Line.
3. Removing the temporary tap once the permanent switching station is built.

Western has considered the environmental impacts associated with the connected actions of Phase I of the Proposed Action. The connected actions include the following:

1. Constructing up to 33, three-blade, 1.5-megawatt (MW) turbines for Phase I of the Proposed Action. The average annual output would not exceed 50 average MW. Each turbine would be approximately 360 feet tall from the top of the swept

- area to the ground surface and sit on an operational footprint of about 50 feet by 50 feet.
2. Constructing gravel access roads to provide access to each turbine for Phase I of the Proposed Action and the area along the proposed new 230-kV high voltage transmission line to allow for construction, operation, and maintenance activities.
 3. Constructing an electrical collection system consisting of both underground and overhead, 34.5-kV sub-transmission lines to transmit electricity from each of the wind turbine transformers for Phase I of the Proposed Action to the electrical collection substation.
 4. Constructing an electrical collection substation to transfer electricity from the turbines and collection system to a 230-kV high voltage transmission line.
 5. Constructing a new, 4.4-mile, 230-kV high voltage transmission line to connect the electrical collection substation to the point of interconnection at Western's existing Garrison-Bismarck 230-kV Transmission Line.
 6. Constructing a laydown yard to store construction and maintenance materials and equipment.

Agency Consultation and Public Preparation Process – On July 8, 2005, a newsletter was distributed to landowners in the project area, and tribes and agencies having an interest in the project. The newsletter included a Notice of Floodplain Involvement to comply with DOE's requirements under 10 CFR part 1022. On July 15, 2005, Western sent a letter to Federal and state agencies with an invitation to be cooperating agencies for the EA. On July 25, 2005, the EA for pre-approval review was distributed to interested parties and Tribes as well as Federal, state, and local agencies that have jurisdiction or permitting authority for the proposed project. All substantive comments have been considered and incorporated into the EA where warranted.

The USFWS sent an e-mail to Western on July 1, 2005 regarding sightings of whooping cranes in the project area. Western sent letters to the U.S. Fish and Wildlife Service on June 23 and July 6, 2005, to request species lists and initiate informal consultation, on August 12, 2005, requesting USFWS concurrence with Western's determination of effects to listed species, and on August 22 providing a revised biological assessment. The USFWS concurred with Western's determination on August 24, 2005. With the USFWS concurrence, Western has met its obligations under the Endangered Species Act (7 U.S.C. 460 et seq.).

Western consulted with interested tribes, the North Dakota Intertribal Reinterment Committee (NDIRC) and the North Dakota State Historic Preservation Office (SHPO) to meet its obligation under the National Historic Preservation Act (NHPA, 16.U.S.C. 470 et seq.). The SHPO concurred with Western's determination of "no effect" for Phase I in a letter dated August 18, 2005. Western will continue nation-to-nation consultations with interested Native American Tribes.

Alternatives – DOE's NEPA regulations require that an EA include a discussion of the No Action alternative (10 CFR 1021.362 (c)). Under the No Action alternative, the project would not be built and site-specific and direct impacts would not occur.

Another project alternative was originally considered. This alternative would have required 28 miles of transmission line and would have crossed the Missouri River. Because these issues made the project infeasible, planners evaluated other options, including the Proposed Action. The Missouri River crossing was dismissed from full evaluation in the EA.

Environmental Impacts – Western’s conclusions about the first phase of the Proposed Action’s environmental impacts are based on information contained in the EA. The EA is available upon request. In reaching conclusions about the proposed project’s environmental impacts, Western considered environmental protection measures as defined in the EA and mitigation measures proposed by Western, Burleigh County Wind, Basin, and Central Power with the project. In addition, Western completed consultations with tribes, and SHPO before authorizing construction activities for the Phase I of the Proposed Action. In some cases, design considerations may require project facilities to be moved within the project area but to locations not subjected to detailed surveys. In these cases, surveys would be conducted and appropriate consultations and approvals would be completed prior to construction in these areas.

The existing environmental and potential environmental impacts were identified and evaluated for the following resources:

- Geology and Soil;
- Air Resources;
- Water Resources;
- Vegetation;
- Wildlife;
- Endangered, Threatened, Proposed, and Candidate Species, as well as Designated Critical Habitat;
- Socioeconomics;
- Environmental Justice;
- Land Use;
- Visual Resources;
- Noise;
- Transportation;
- Safety and Health Issues;
- Cultural Resources; and
- Native American Religious Concerns.

Western concluded that, with the environmental protection measures implemented, the Proposed Action would not require mitigation beyond that already proposed. The basis for these conclusions is summarized below.

Geology and Soil. There are no known metallic mineral deposits or oil fields in the project area. Sand and gravel deposits are of variable quality. Some small open

aggregate pits exist within the project area, but are limited in extent and are not immediately adjacent to any proposed facilities. Potential adverse impacts to soil include increased erosion from runoff and wind due to compaction of soil and loss of vegetation as well as possible impacts caused by fuel spilling from construction equipment. Soils within the project area are only moderately susceptible to water erosion on sloping topography and it has been determined that 90 percent of the project location has a low to moderate susceptibility to wind erosion. Erosion from the Proposed Action would be minimal and erosion control measures would be implemented on sloped ground and near ephemeral drainage crossings. Thus, the Proposed Action would not result in irreversible impacts to other resources. Furthermore, Phase I of the Proposed Action would not result in loss of mineral resources because of the lack of known mineral deposits in the area. Western has concluded that the Phase I of the Proposed Action would not cause direct, indirect, or cumulative significant impact to geology and soil based on the environmental protection measures.

Air Resources. The construction of the proposed Wind Energy Center and associated facilities has potential to adversely affect air resources due to fugitive dust generation and the operation of construction equipment. The limited duration of construction, along with implementation of environmental protection measures are expected to ensure compliance with Federal and state standards. In addition, Western would ensure that any complaints about fugitive dust emissions would be addressed in an efficient and effective manner and dust would be controlled on roads with watering. As a result, Western has concluded that no direct, indirect, or cumulative significant impacts to air resources would occur from the construction and operation of Phase I of the Proposed Action.

Water Resources. Construction of the Proposed Action, Phase I has the potential to degrade water resources due to erosion and fuel spills. Phase I of the Proposed Action would be designed and implemented to avoid water resources, including wetlands and comply with U.S. Army Corps of Engineers Nationwide Permit 33 and North Dakota Department of Health stormwater runoff permits.

A Notice of Floodplain/Wetlands Involvement for the Burleigh County Wind Energy Project was issued locally in a newsletter distributed to agencies, tribes, and interested persons. The newsletter was distributed July 15, 2005. The EA includes a wetland assessment, as required by DOE's Floodplain/Wetlands Environmental Review Requirements (10 CFR part 1022). The assessment is included as analysis under the *Water Resources* section describing existing conditions and environmental consequences.

Comments from the North Dakota Department of Health requested that care be taken to minimize impacts to waters of the state. The state recommended several measures to ensure the protection of water resources. Western determined that the suggested measures were already incorporated into the environmental protection measures and project description as proposed.

Design of the Proposed Action, Phase I minimizes disturbances to surface waters. The project area is approximately 10 miles east of the Missouri River. Project components would cross various drainages, including Burnt Creek and the west branch of Apple Creek. Most construction activities would be done outside of ephemeral channels and the depression cone of wetlands. Temporary or permanent disturbances would be permitted and restored as required by the U.S. Army Corps of Engineers. No changes would occur to the drainage patterns. In addition, the project would comply with other environmental protection measures, including proper fuel handling and storage, and appropriate spill contingencies. Therefore, Western has determined that no direct, indirect, or cumulative significant impacts to surface water and wetland resources would occur from the construction and operation of the Proposed Action.

Vegetation. Construction of project facilities and access roads for Phase I of the Proposed Action would cause temporary and permanent losses of vegetation. Project facilities would be sited to avoid and/or minimize impacts to native grasslands and other vegetation. This loss would not result in the listing or jeopardizing the continued existence of plant or animal species. The introduction of noxious weeds in areas of project disturbances would be mitigated through prompt revegetation with regionally native species or restoration of prior land use and adherence with the environmental protection measures. Western has concluded that Phase I of the Proposed Action would not result in direct, indirect or cumulative significant impacts to vegetation.

Wildlife. Both temporary and permanent habitat loss could lead to some loss in wildlife populations. Construction activities that remove vegetation and disturb soil may cause direct impacts to individuals of less-mobile species through direct mortality or displacement and exposure to predators. Construction-related impacts would be minimized by employing environmental protection measures that require reseeding of disturbed areas and management of waste materials that could attract predators. Construction-related wildlife losses would not cause a decline in wildlife populations.

The presence of proposed turbines, 230-kV transmission line and overhead, 34.5-kV collection, sub-transmission lines would increase the potential for avian mortalities due to collisions and electrocutions from exposed electrical connections. Phase I of the Proposed Action is proposed in an area with a low density of wetlands. Individual turbine towers would be located on ridgelines and hilltops, away from low passes and wetlands, where shorebirds and waterfowl are more likely to fly. This reduces the likelihood of avian collisions. In addition, advanced wind turbine design and strobe lights, which promote avoidance by night-flying birds, would further reduce avian collisions.

The proposed 230-kV high voltage transmission line is not expected to bisect daily movement patterns of avian species to the small amount of suitable habitat located within and adjacent to the proposed transmission line corridor. However, approved state-of-the-art line marking devices would be installed according the manufacturer's recommendations on the overhead ground wire. Electrocutions on the overhead 34.5

kV sub-transmission lines would be minimized by covering the overhead groundwire and eliminating the amount that would extend beyond the top of the poles. Pole mounted insulators would be rated for 69-kV, increasing the distance between conductors.

Western would involve the USFWS to discuss and/or mitigate any incidence of take that would occur as a part of the Proposed Action. Western has concluded that construction and maintenance of Phase I of the Proposed Action would not result in decline, which could lead to the listing or jeopardization, of the continued existence of any wildlife species. Therefore, Phase I of the Proposed Action would not result in a direct, indirect, or cumulative significant impact to wildlife.

Endangered, Threatened, Proposed, and Candidate Species. Of the Federally-listed species known to occur in North Dakota, the bald eagle (*Haliaeetus leucocephalus*), whooping crane (*Grus Americanus*), interior least tern (*Sterna antillarum*), and piping plover (*Charadrius melodus*) are all known to occasionally or frequently occur near the project area, primarily in the Missouri River corridor. Other species may be present but are either infrequently observed or have only historic range in the project area. Migrating whooping cranes could use wetlands or uplands in the vicinity of the proposed project for feeding or roosting.

While it is possible that these species could collide with turbines or overhead lines, such collisions would be unlikely because the birds tend to fly at altitudes well above the height of wind turbines. Also, since bald eagles tend to migrate along river corridors, they are unlikely to migrate through the proposed project area. Suitable nesting habitat for piping plovers or interior least terns does not exist within the project area.

Based on the above, the Proposed Action would not result in the loss of individuals of a population leading to a jeopardy opinion from the U.S. Fish and Wildlife Service or the loss of individuals leading to the Federal listing of that species. Western has determined the Proposed Action would not affect the pallid sturgeon, the piping plover or Critical Habitat for the piping plover, or the interior least tern. Western has determined the Proposed Action may affect, but is not likely to adversely affect the whooping crane and bald eagle. The Proposed Action, however, would not cause a significant direct, indirect, or cumulative impact to any endangered, threatened, proposed, candidate, or other sensitive species.

Socioeconomics. Considering the short duration proposed for construction, Phase I of the Proposed Action would not result in the degradation or commitment of existing goods and services to an extent that would limit the sustainability of existing communities. Western has determined that Phase I of the Proposed Action would not result in a significant impact on socioeconomic resources.

Environmental Justice. The Standing Rock Sioux Reservation and Fort Berhold Indian Reservation are approximately 50 miles from the proposed project and are the

closest minority and low-income populations in the region. Therefore, discrimination of or disproportionate impacts to low-income, minority, and subsistence populations are not anticipated and a significant impact would not occur.

Land Use. Land uses would be affected by the Phase I of the Proposed Action, primarily by causing interferences to agricultural uses from the proposed Wind Energy Center and related facilities. Western, Burleigh County Wind, and Central Power would fairly compensate landowners for purchased and leased land. Impacts to land uses and agricultural practices would be reduced by siting structures in previously-disturbed areas or in areas where agricultural practices are already limited (e.g., along existing roads etc). Farming and grazing could continue around facilities and except in areas, for which landowners are compensated, foreclose of future land uses would not occur. ~~Based on the compensation proposed for landowners, the implementation of environmental protection measures, and no foreclosure of future land uses, Western~~ has concluded that Phase I of the Proposed Action would not cause a direct, indirect, or cumulative significant impact to land use.

Visual Resources. The area contains no highly distinctive or important landscape features, registered cultural resources, or unique viewsheds. Therefore, Phase I of the Proposed Action would not significantly impact visual resources.

Noise. The project area for Phase I of the Proposed Action is located in a rural, predominantly agricultural area. The wind turbines would be expected to produce higher noise levels than any other component of the proposed project. The noise level for the wind turbines is expected to range between 45 and 50 A-weighted decibels (dBA) at 1,000 feet distance around the proposed wind turbines. Baseline noise levels for the area are between 38 to 48 dBA. Winds in the area would likely mask the noise generated by the turbines and would not exceed noise level standards. Furthermore, no sensitive noise receptors are located within 1,000 feet of any proposed turbine location. Western has concluded that no direct, indirect, or cumulative noise impacts would occur as a result of the proposed project.

Transportation. The proposed project is located in the vicinity of two major highways (U.S. Highway 83 to the west and State Highway 36 to the north). Other local roads in the vicinity of the project area consist of gravel roads that receive a low volume of traffic. Construction activities associated with the proposed project would use existing roads whenever possible and would likely only cause a minor, temporary increase in the flow of local traffic or disruption to traffic flow. In addition, various local roads would be improved for the purpose of transporting materials and equipment and would remain in place after construction. Western has determined that Phase I of the Proposed Action would result in no direct, indirect, or cumulative impacts to transportation.

Safety and Health Issues. Construction work plans and specifications for Phase I of the Proposed Action would be prepared to address both public and worker safety during construction. The preparation of these documents would include appropriate

performance provisions for worker protection as is required under the Occupational Safety and Health Act. Compliance with these work plans and specifications would ensure that workers and the public are optimally protected from injury.

Long-term, magnetic exposure at the root of the present health concern would be minimal for the proposed transmission line, given the distances of residences from the proposed transmission line. Exposure to magnetic fields of short duration and current design standards are not known to pose a health hazard to humans or animals. Nuisance shocks would be minimized through grounding and other measures, consistent with common industry practices. The use of low-corona line design and appropriate corona-minimizing construction practices would minimize the potential for corona noise and its related interference with radio-frequency communication.

All handling, transport, and containment of hazardous materials would be conducted in compliance with Federal, state, and local regulations. Motor vehicle traffic near the proposed project and near the planned transmission right-of-way would increase due to motorists traveling in these areas and contractors working to construct the new power generation system. Traffic management and control of the local roadways would be considered in the forward planning and implementation of the project. With these measures, the potential for a traffic fatality is low, resulting in no significant impact.

These effects would be minimized by implementation of Western's environmental protection measures. Western has concluded that Phase I of the Proposed Action would not cause significant adverse impacts related to safety, radio-frequency interference, audible noise, nuisance shocks, hazardous shocks, or electric and magnetic field exposure.

Cultural Resources. Initial research and Class III pedestrian surveys completed to date have identified several archaeological and historic sites within the project area. These sites include three prehistoric sites, one historic site, and three isolated finds. The prehistoric sites were sparse, lithic scatters. The isolates include three flakes found in a 25 square meter area, the distal end of a biface, and a single secondary flake. According to the *Summary of Results from Burleigh County Wind Energy Center: A Class III Cultural Resource Inventory in Burleigh County, North Dakota*, the prehistoric sites have not been formally evaluated for National Register of Historic Places (NRHP) eligibility because they will all be avoided by the project. However, given their sparse nature, none of the sites are likely eligible. -The historic site within the survey area is the previously recorded 32BL541. Site 32BL541 is an active railroad that was formerly part of the Soo Line built in the early 1900s. The site was recommended as not eligible for NRHP.

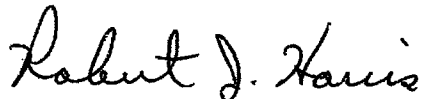
All facilities and activities associated with Phase I of the Proposed Action would avoid cultural resource sites. If any facility requires a change in location or disturbance area not already included in intensive pedestrian surveys, these areas would be surveyed and Western would consult with the SHPO and interested tribes. If historic or

prehistoric artifacts or features are discovered during construction or maintenance activities, work would be halted within 200 feet of the find. Western would be notified immediately to initiate procedures outlined in 36 CFR part 800. These procedures include evaluating the find for eligibility and determining appropriate treatment with the NDIRC, interested tribes, and the North Dakota SHPO. Based on these findings and commitments, no significant direct, indirect or cumulative impacts to cultural resources is expected as a result of construction, maintenance, or operation of Phase I of the Proposed Action.

Native American Religious Concerns. All project facilities and activities for Phase I of the Proposed Action would avoid sacred sites and traditional cultural properties (TCPs). Western would comply with state laws to notify the appropriate tribes, individuals, agencies, and authorities in the event that important cultural or historic resources are discovered during construction activities. In addition, Western would comply with the Memorandum of Agreement with the NDIRC to address any concerns expressed by the NDIRC during the course of consultation, planning, and construction. If burial or cultural sites with Native American religious values are identified prior to or during the proposed construction, interested tribes will be notified and consulted about mitigation measures. No significant impacts to Native American religious concerns, sacred sites, or TCPs are expected.

Determination – The analyses contained in the EA indicate that the Phase I of the Proposed Action is not a major Federal action significantly affecting the quality of the human environment. Western has determined that preparation of an EIS is not required.

Issued: August 26, 2005



Robert J. Harris
Regional Manager



Kenneth Stein
08/24/2005 03:06 PM

To: Kurt Beichel/FPL Energy/FPL@FPL
cc: Joe Marchese/FPL Energy/FPL@FPL, John DiDonato/FPL
Energy/FPL@FPL
Subject: Central Nationwide Permit

See below. No wetlands permit needed for windfarm -- only for Central's part of the project.

Kenneth Stein, Principal Environmental Specialist
FPL, 700 Universe Blvd., MS JES/JB, Juno Beach FL, 33408
561-691-2216 (office); 561-762-5875 (cell); 561-691-7049 (fax)

----- Forwarded by Kenneth Stein/GC/FPL on 08/24/2005 03:05 PM -----



**"Dawdy, Greg -- Tt,
Inc."
<Greg.Dawdy@tetrat
ec
h.com>**
08/24/2005 11:37 AM

To: "Stark, Judd -- MTI" <jstark@maximusa.com>,
Kenneth_Stein@fpl.com, "Kearns, Matthew -- ECI"
<Matthew.Kearns@tteci.com>
cc:
Subject: Central Nationwide Permit

I spoke with Jason this am and the Nationwide 12 Permit for the transmission line was sent out in Monday's mail. The Corps decided that a permit was not needed by FPL for crossing of the drainage in the windfarm. They decided it was not a jurisdictional water. Jason said we are good to go and if we should have any questions, give him a call. The permit was sent to Judd as agent.

Gregory C. Dawdy
Project Manager

440 Regency Centre
Collinsville, IL. 62234
Phone: 618-345-0669 Ext. 101
Fax: 618-345-1281
Cell: 314-706-4336



attyqiq.dat



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
1200 Missouri Avenue, Bismarck, ND 58504-5264
P.O. Box 5520, Bismarck, ND 58508-5520
701.328.5200 (fax)
www.ndhealth.gov



July 26, 2005

Kurt Beichel
FPL Energy - Burleigh County Wind, LLC
308 7th St.
Wilton, ND 58579

RE: Notice of Coverage under
Construction Storm Water General Permit **NDR10-1282**

Dear Mr. Beichel,

We have reviewed your application for coverage under the North Dakota Pollutant Discharge Elimination System (NDPDES) general permit for storm water discharges from construction activity. Your application has been assigned serial number:

<u>Permit #</u>	<u>Site name</u>
NDR10-1282	Burleigh County Wind Energy Center

Please remember to update the Storm Water Pollution Prevention (SWPP) Plan when necessary, and to inspect, maintain and adjust the BMP and temporary structures until the site is stabilized following construction activities. Once the site is stabilized as outlined in the general permit, you may file for termination of permit coverage.

Cities or counties may impose additional requirements and/or specific BMPs for construction affecting their storm drainage system. Please check with the local officials to be sure all local storm water management considerations are addressed.

If you have any questions, please contact me at (701) 328-5242 or at dgrossma@state.nd.us. New Notice of Intent, Notice of Termination, Transfer/Modification, and SWPP Plan forms can be found at our website: www.health.state.nd.us/wq.

Sincerely,

Dallas J. Grossman
Environmental Engineer
Division of Water Quality

Environmental Health
Section Chief's Office
701.328.5150

Air
Quality
701.328.5188

Municipal
Facilities
701.328.5211

Waste
Management
701.328.5166

Water
Quality
701.328.5210

STORMWATER DISCHARGE PERMIT

This project requires the obtaining of an NPDES General Permit No. M0000 for Storm Water Discharge. Associated with Construction Activity from the North Dakota Department of Health (DDH). The permit has effective dates October 11, 2004 to September 30, 2006. The owner shall obtain a permit and is responsible for submitting a Notice of Intent (NOI) for a permit. The owner is also responsible for developing a Storm Water Pollution Prevention Plan (SWPPP).

NOTICE OF INTENT

The permit will be obtained by the owner. Coverage is effective 7 days after a complete application is submitted unless otherwise notified by the Department. Coverage may be obtained before land disturbing construction activities may start. Construction on the site does not count as a land disturbing activity. The DDH advised the applicant to allow proper permit coverage and receive the project a permit number. The Permit Number shall be included on the postings, the notice of termination (NOTI), and any correspondence with the DDH.

NOTICE OF TERMINATION

When the permit holder has submitted a Notice of Termination (NOTI) to the DDH within thirty days of the completion of the project. The NOTI is defined as the final regulatory activities of the site have been completed and a written permit compliance cover with a quality of 70% for the area has been established for required stabilization measures have been employed and all necessary erosion control measures have been installed.

REPORTING SPIES

When a release containing a hazardous substance or any excess of a reportable quantity occurs during a 24 hour period notify the National Response Center (NRC) at 1-800-424-9333 or as soon as the permittee has knowledge of the discharge. Also notify the State of North Dakota Department of Health at 1-800-472-2121. In addition, a written notification to both the Department and the EPA shall be provided within 5 days of the time that the permittee becomes aware of the circumstances.

RETENTION OF RECORDS

The permit holder copies of the Pollution Prevention Plan, the Notice of Intent, and the permit application shall be retained for at least 1 year after the site is fully stabilized. A copy of the permit records mentioned above shall be filed on site during project construction and be made readily available to the DDH upon request.

POSTING OF NOTICE ON-SITE

The permit holder shall post the main entrance of the construction site with the following information: Permit Number, Owner Contact Name, Owner Contact Phone, Project Description, Pollution Prevention Plan (PPPP) Location.

STANDARD PERMIT CONDITIONS

The contractor is encouraged to view the listing of Standard Permit Conditions that apply to this permit. The permittee can be viewed online at the DDH website - www.health.state.nd.gov/StormWater/standard.htm. The contractor will be provided a copy of the general permit upon request.

POLLUTION PREVENTION PLAN

The DDH may notify the owner at any time that the Pollution Prevention Plan does not meet minimum requirements. After each notification, the owner shall have seven days to make changes to the plan, the contractor shall perform the required changes. The owner shall submit to the DDH a written certification that the requested changes have been made.

The owner shall amend the plan whenever there is a change in design, construction, operation, or maintenance that has a significant effect on storm water discharge.

The owner shall provide protection against disturbed areas of the construction site, nonpoint-source runoff for potential hazardous materials, which are transported by sediment tracking and the site controls. The general permit requires vegetation every 14 days and within 24 hours of the end of a storm of 0.5 inches or greater. Where parts of the construction site have undergone final stabilization, but work remains on other parts of the site, the requirements of the stabilized areas may be reduced to once per month.

The inspector mentioned above will prepare an Inspection Report. It is on file with the PPP as a discharge each report shall include the date and time of the inspection. The name of the inspector, the qualifications of the inspector, scope of inspection, any actions required based on the inspection, corrective actions taken, date and amount of all needed rework greater than 1.0 inches at 24 hours, documentation that the SWPPP plan has been amended when applicable, changes are made to the permit and required records are reported to inspectors. The form may also include dates when major grading activities identified as needed in areas and dates when areas were stabilized. A list of hazardous materials stored on site at the time of inspection should be made on the inspection form at all.

The Pollution Prevention Plan shall be updated to reflect actions taken after inspection.

Maintenance of all temporary and permanent erosion control measures is the responsibility of the contractor. Cleaning of all catch devices shall occur when they have lost 50% of their capacity.

POLLUTION PREVENTION PLAN NOTES

BURLING COUNTY WIND ENERGY CENTER

SITE DESCRIPTION

- The project, located in Burleigh County, southeast of Steele, North Dakota, involves the construction of 33 wind turbine generation and electrical transmission systems for the purpose of electricity power generation. The wind turbine generators are arranged in a linear pattern and are connected by electrical transmission cables. An access road for maintenance purposes parallels the wind pattern. The access road will contain a gravel crush and slope where possible to minimize the soil erosion and disturbance and will likely consist of a limestone base with a topsoil of 12" maximum wet base.
- The project is located on 40 different sections of land, or 6,400 acres. Foundation excavation for the wind turbines, maintenance road, electrical and underground cable trenching and the transmission line construction are scheduled for the project. The estimated disturbed area for these activities is 85 acres. The estimated start date for land disturbing activities is early September with an ending date in late December.
- Existing surface soils on the site are class B. Existing land use is mostly wheat crop with some areas reserved for cattle grazing. Soils are generally susceptible to wind and water erosion. The site is generally rolling but contains some elevated areas and some flat areas. An estimate of the runoff coefficient of the site after completion of construction activities is 0.9.
- See the Pollution Prevention Plan map for drainage patterns and slopes, location of disturbed areas, location of structural controls and/or stabilization areas, and surface waters.
- The project site generally drains into south westerly of Burnt Creek and West Branch Apple Creek. See the site map for storm drainage outlet locations.

DESIGN AND NEARBY CONTROLS

BURLING COUNTY WIND ENERGY CENTER

A. STABILIZATION

- Disturbed areas of the construction site that shall be re-stabilized for 21 days at minimum initial stabilization measures by the 14th day after the last disturbance, except as indicated by other notes.
- Minimize disturbed areas. Match existing land contours where possible. Minimize aggregate surfaces. Retain natural vegetation outside of construction areas and disturb to a minimum inside construction areas.

B. EROSION CONTROL

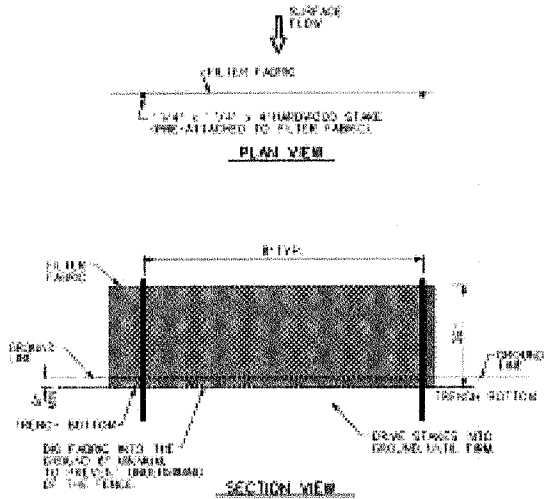
- The project shall be sited construction to minimize the amount of land disturbed or any new fill.
- Buffer strips of existing vegetation shall remain exposed to construction work.
- Bank control on the site shall be monitored. The contractor shall provide erosion needs with water if the permit determines that work is a problem.
- Seed disturbed areas within Burleigh County right of way per county requirements. Seed adjacent areas of completed work 2 inches grade material to match existing. Disturbed areas currently used for crop production need not be seeded but shall be re-graded for next season crops.

C. STRUCTURAL CONTROLS

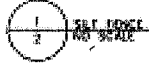
- 3/8" round rebar placed downstream of stabilized areas as determined by the permit or contractor during construction. See the details on the Pollution Prevention Plan for construction at 5% slope.
- Outlet and inlet protection for culverts shall be used such as riprap, or geotext fabric as determined by the owner or contractor during construction.
- Existing drainage ways on the site shall be protected from site runoff by the use of all types of riprap, geotext fabric or geotext fabric as determined by the owner or contractor during construction.
- Prevent existing terraces in the field. If temporary disturbance of a terrace is required, replace the terrace immediately after construction. If permanent disturbance of a terrace is required, coordinate surface drainage with seed conditions.

OTHER PREVENTION MEASURES

- Construction activities adjacent to public/private roads shall be gravel/stabilized/compacted immediately to prevent vehicle tracking of on-site sediments.
- Provide ample collection of suspended sediments and provide regular collection of water, including holding materials.
- Minimize construction vehicle maintenance areas. Washing and loading operations on separate stabilization.
- Material storage areas for petroleum-based materials. List any hazardous materials stored on site in the inspection report.



ITEM	MINIMUM SPECIFICATION	TEST METHOD
DEPTH	100 FT	562.54
WIDTH	2 FT	
STARTS	100 FT	
ENDS	100 FT	
DEPTH	100 FT	
WIDTH	2 FT	
STARTS	100 FT	
ENDS	100 FT	
DEPTH	100 FT	
WIDTH	2 FT	
STARTS	100 FT	
ENDS	100 FT	
DEPTH	100 FT	
WIDTH	2 FT	
STARTS	100 FT	
ENDS	100 FT	
DEPTH	100 FT	
WIDTH	2 FT	
STARTS	100 FT	
ENDS	100 FT	



ISSUE DATE : JULY 13, 2005

Project Name	BURLING COUNTY WIND ENERGY CENTER
Client	FPL ENERGY - BURLEIGH COUNTY WIND LLC
Location	SE of Steele, ND
Scale	AS SHOWN
Sheet	Sheet 2 of 2

BURLING COUNTY, NORTH DAKOTA

POLLUTION PREVENTION NOTES

SNYDER & ASSOCIATES

105.0250

105.0250

Sheet 2 of 2



**CANADIAN
PACIFIC
RAILWAY**

Engineering Services

501 Marquette Avenue
Minneapolis Minnesota 55402

Fax (612) 704-6070

received
7-13-05 TS

COPY

July 11, 2005

Engineering File: RWO127 Wilton, North Dakota
MW0789

"IMPORTANT NOTICE"
A copy of this document must be
available for field review by CPR personnel

Mr. John Wergin
Project Coordinator
FPL Energy
402 Main Street, P.O. Box 67
Edgeley, North Dakota 58433

Dear Mr. Wergin,

RE: OVERHEAD ELECTRICAL POWER LINE
279TH AVE. N.E.
MILE POST 536.18
ECKLUND TOWNSHIP, NORTH DAKOTA

This will acknowledge receipt of your application dated May 11, 2005 regarding the above described overhead electrical power line installation. This is to advise that Canadian Pacific Railway (CPR) has reviewed your application and has no objections to its installation as proposed.

Since this crossing is within right-of-way limits of a public thoroughfare, no CPR license agreement will be required. If check for \$200 to cover processing review fee was not submitted with your application, please arrange to submit at this time. Check should be made payable to Canadian Pacific Railway c/o J.H. Krieger at the above address.

Please note any cost (flagging, repair work, inspections, etc.) incurred by the railroad in connection with this project will be submitted to your company for payment. The estimated cost for railroad flagging service is currently \$500 per eight (8) day.

Since this rail line is leased by Dakota Missouri Valley & Western Railroad, please arrange to contact Mr. Roger C. Wood of Bismarck, North Dakota at least three (3) working days in advance of any work near or under the tracks. Mr. Wood's direct telephone number is 701-223-9282 office or 701-471-0872 cell.

A copy of this document must be made available for field review by field personnel. While on railroad property DMV & W requires all personnel to wear four forms of Personal Protective Equipment: hardhat, safety glasses or prescription glasses w/sideshields, hy-vis-vest and steel toe boots.

Sincerely,

J.H. Krieger / DCU

J.H. Krieger
Engineer Public Works

DCU/rjt

cc: Mr. Roger C. Wood
Roadmaster
Dakota Missouri Valley & Western Railroad
3501 East Rosser St.
Bismarck, North Dakota 58501

North Dakota Department of Transportation
AGREEMENT TO ENTER AND DO WORK ON HIGHWAY RIGHT OF WAY

This agreement is between the state of North Dakota, acting by and through its Director of Transportation, hereinafter referred to as NDDOT, whose address is 608 East Boulevard Avenue, Bismarck, North Dakota 58505-0700, and FPL ENERGY-BURLEIGH CO. WIND, hereafter referred to as the Permittee, whose address is 308 7TH. ST., WILTON, ND. 58579

Permission is hereby given to enter and do work on highway right of way, under the following conditions:

1. The location of the proposed work is THE SOUTH SIDE OF INTERSECTIONS AT ND STATE HWY. 36 AND 26TH. ST. NE, 52ND. ST. NE, 66TH. ST. NE, AND 93RD. ST. NE IN ECKLUND TOWNSHIP, BURLEIGH CO. ND.
2. The work to be performed is EXPANSION / WIDENING OF HIGHWAY ACCESS UP TO 150' TURNING RADIUS TO ACCOMMODATE OVERLENGTH AND OVERWIDE TRUCK LOADS. The Permittee must maintain a 8:1 slope on the *QCW 8.22.05*
3. All work done on highway right of way must conform to the reasonable requirements of NDDOT's district engineer, whether communicated before or after the work is conducted.
4. Permittee must, as soon as possible, return all disturbed areas to their original condition and reseed all disturbed areas with seed mixture approved by NDDOT.
5. All work done will be at no cost to NDDOT.
6. All work will be completed by August 31 2006.
7. The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.

Executed at Bismarck, ND the last date below signed.

FPL ENERGY-
PERMITTEE: BURLEIGH CO. WIND

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

Dean R. Gosselin
NAME (TYPE OR PRINT)

Kevin J. Levi
DISTRICT ENGINEER (TYPE OR PRINT)

OP [Signature]
SIGNATURE

K-J. L.
SIGNATURE

Vice President
TITLE

8-22-05
DATE

8/10/2005
DATE

To be signed by Owner, Partner, Corp. Pres., Vice Pres., or other authorized Corp. Officer. (If signed by other authorized Corp. Officer, please attach copy of Power of Attorney or other documentation showing authority to sign.)

* approaches. Drainage must be maintained, extending pipes if necessary, & proper erosion control must be used. All traffic control must be done according to MUTCD standards. If the widening remains in place through the winter months, delineators shall be placed to mark the turning radius as it was before the widening.

DOT 17088 (Div. 60)
A.G. Approved 7-17-88; 10-01

FPL ENERGY BURLEIGH Co. Wind *QCW 8.22.05*
received
08-24-05
QCW

DOT 17088 (Div. 60)

North Dakota Department of Transportation
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5. All work done will be at no cost to NDDOT.
6. All work will be completed by AUGUST 31 2006.
7. The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.

Executed at _____ the last date below signed.

FPL ENERGY-
PERMITTEE: BURLEIGH CO. WIND

NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION

OP
Dean R. Gosselin
NAME (TYPE OR PRINT)
[Signature]
SIGNATURE
Vice President
TITLE
8/10/2005
DATE

DISTRICT ENGINEER (TYPE OR PRINT)

SIGNATURE

DATE

To be signed by Owner, Partner, Corp. Pres., Vice Pres., or other authorized Corp. Officer. (If signed by other authorized Corp. Officer, please attach copy of Power of Attorney or other documentation showing authority to sign.)

MARSH

CERTIFICATE OF INSURANCE

CERTIFICATE NUMBER
ATL-001083537-01

PRODUCER

MARSH USA, INC.
3475 PIEDMONT ROAD NE
SUITE 1200
404.996.3000
ATLANTA, GA 30305

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER OTHER THAN THOSE PROVIDED IN THE POLICY. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES DESCRIBED HEREIN.

COMPANIES AFFORDING COVERAGE

- | | | |
|---------|---|----------------------|
| COMPANY | A | FEDERAL INSURANCE CO |
| COMPANY | B | N/A |
| COMPANY | C | |
| COMPANY | D | |

500469-ND-ND-04/05

INSURED

FPL ENERGY LLC
NORTH DAKOTA WIND ENERGY II, LLC
ATTN: MARTY STURMER
700 UNIVERSE BOULEVARD
JUNO BEACH, FL 33408

COVERAGES

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE DESCRIBED HEREIN HAVE BEEN ISSUED TO THE INSURED NAMED HEREIN FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THE CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, CONDITIONS AND EXCLUSIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CD LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS								
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNERS & CONTRACTORS PROT	3711-09-30	09/15/04	09/15/05	GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/PROP AGG \$ 1,000,000 PERSONAL & ADV INJURY \$ 1,000,000 EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 1,000,000 MED EXP (Any one person) \$ 10,000								
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	7352-37-31	09/15/04	09/15/05	COMBINED SINGLE UNIT \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$								
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY \$ EACH ACCIDENT \$ AGGREGATE \$								
	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$								
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/ PARTNERSEXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				<table border="1"> <tr> <td>INC STATL TORY LIMITS</td> <td>OTHER</td> </tr> <tr> <td>EL EACH ACCIDENT</td> <td>\$</td> </tr> <tr> <td>EL DISEASE-POLICY LIMIT</td> <td>\$</td> </tr> <tr> <td>EL DISEASE-EACH EMPLOYEE</td> <td>\$</td> </tr> </table>	INC STATL TORY LIMITS	OTHER	EL EACH ACCIDENT	\$	EL DISEASE-POLICY LIMIT	\$	EL DISEASE-EACH EMPLOYEE	\$
INC STATL TORY LIMITS	OTHER												
EL EACH ACCIDENT	\$												
EL DISEASE-POLICY LIMIT	\$												
EL DISEASE-EACH EMPLOYEE	\$												
	OTHER												

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

THE GENERAL LIABILITY POLICY INCLUDES A WAIVER OF SUBROGATION AS REQUIRED BY WRITTEN CONTRACT IN FAVOR OF NORTH DAKOTA DEPARTMENT OF TRANSPORTATION, BUT ONLY AS RESPECT TO THE OPERATIONS OF THE NAMED INSURED.

CERTIFICATE HOLDER

NORTH DAKOTA DEPT. OF TRANSPORTATION
218 AIRPORT ROAD
BISMARCK, ND 58504

CANCELLATION

SHOULD ANY OF THE POLICIES DESCRIBED HEREIN BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE INSURER AFFORDING COVERAGE WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED HEREIN, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER AFFORDING COVERAGE, ITS AGENTS OR REPRESENTATIVES, OR THE ISSUER OF THIS CERTIFICATE.

MARSH USA INC.

BY: Ronald A. Santaniello

MM1(3/02)

VALID AS OF: 08/09/05



John Wergin

08/09/2005 12:43 PM

To: Joe Marchese/FPL Energy/FPL@FPL
cc: Kurt Beichel/FPL Energy/FPL@FPL
Subject: ND Highway ROW Permit

Joe,

I have attached an Application for Permit to Enter & Work in Highway Right-of-way for ND. State Hwy. 36.

It needs to be signed by : Owner;Partner;Corp.Pres.,Vice Pres., or Other Authorized Corp. Officer

Could you please print out and have the appropriate person execute and then have it returned to:

Attn: Renee Seibel, Administrative Assistant III (She is the individual in District Engineers Office who actually will process permit)

**North Dakota Dept. of Transportation
218 Airport Road
Bismarck, ND. 58504-6003**

You will also find the Risk Management Appendix attached, could you please arrange for the Certificate of Insurance to be sent along with the Permit Application.



ND.Hwy.36.ROW Permit.Ins Req. pdf. ND.Hwy.36.ROW Enter & Work Permit

Any pressure you can apply to the expediting of the overall process will be appreciated.

Thanks Joe,

John Wergin

VMD

Risk Management Appendix

Permits and Licenses with Private Individuals, Companies, Corporations, Etc. (referred to as Recipient):

Recipient agrees to indemnify, save and hold harmless the state of North Dakota, its agencies, officers and employees (State), from claims resulting from the performance of the Recipient or its agent, including all costs, expenses and attorneys' fees, which may in any manner result from or arise out of this agreement (i.e., permit or license). Recipient also agrees to indemnify, save and hold the State harmless for all costs, expenses and attorneys' fees incurred in establishing and litigating the indemnification coverage provided herein.

Recipient shall secure and keep in force during the term of this agreement, from insurance companies, government self-insurance pools or government self-retention funds authorized to do business in North Dakota, the following insurance coverages covering the Recipient for any an all claims of any nature which may in any manner arise out of or result from this agreement:

- 1) **Commercial general liability and automobile liability insurance** - minimum limits of liability required are **\$250,000 per person and \$1,000,000 per occurrence.**
- 2) **Workers compensation** insurance meeting all statutory limits.
- 3) The State of North Dakota and its agencies, officers, and employees (State) shall be endorsed as an **additional insured** on the commercial general liability and automobile liability policies.
- 4) Said endorsements shall contain a **"Waiver of Subrogation"** in favor of the state of North Dakota.
- 5) The policies and endorsements may not be canceled or modified without **thirty (30) days prior written notice** to the undersigned State representative.

Recipient shall furnish a certificate of insurance evidencing the requirements in 1, 3, 4, and 5 above to the undersigned State representative prior to commencement of this agreement.

The State reserves the right to obtain complete, certified copies of all required insurance documents, policies, or endorsements at any time. If Recipient's insurance will expire prior to the term of this agreement, Recipient shall renew the above requirements and furnish a certificate of insurance evidencing the renewal to the undersigned State representative prior to the expiration of the insurance. Any attorney who represents the State under this policy must first qualify as and be appointed by the North Dakota Attorney General as a Special Assistant Attorney General as required under N.D.C.C. Section 54-12-08.

When a portion of a Contract is sublet, the Recipient shall obtain insurance protection (as outlined above) to provide liability coverage to protect the Recipient and the State as a result of work undertaken by the Subcontractor. In addition, the Recipient shall ensure that any and all parties performing work under the Contract are covered by public liability insurance as outlined above. All Subcontractors performing work under the Contract are required to maintain the same scope of insurance required of the Recipient. The Recipient shall be held responsible for ensuring compliance with those requirements by all Subcontractors.

Recipient's insurance coverage shall be primary (i.e., pay first) as respects any insurance, self-insurance or self-retention maintained by the State. Any insurance, self-insurance or self-retention maintained by the State shall be excess of the Recipient's insurance and shall not contribute with it. Any deductible amount or other obligations under the policy(ies) shall be the sole responsibility of the Recipient. This insurance may be in policy or policies of insurance, primary and excess, including the so-called umbrella or catastrophe form and be placed with insurers rated "A" or better by A.M. Best Company, Inc. The State will be indemnified, saved, and held harmless to the full extent of any coverage actually secured by the Recipient in excess of the minimum requirements set forth above.

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 07-28-05

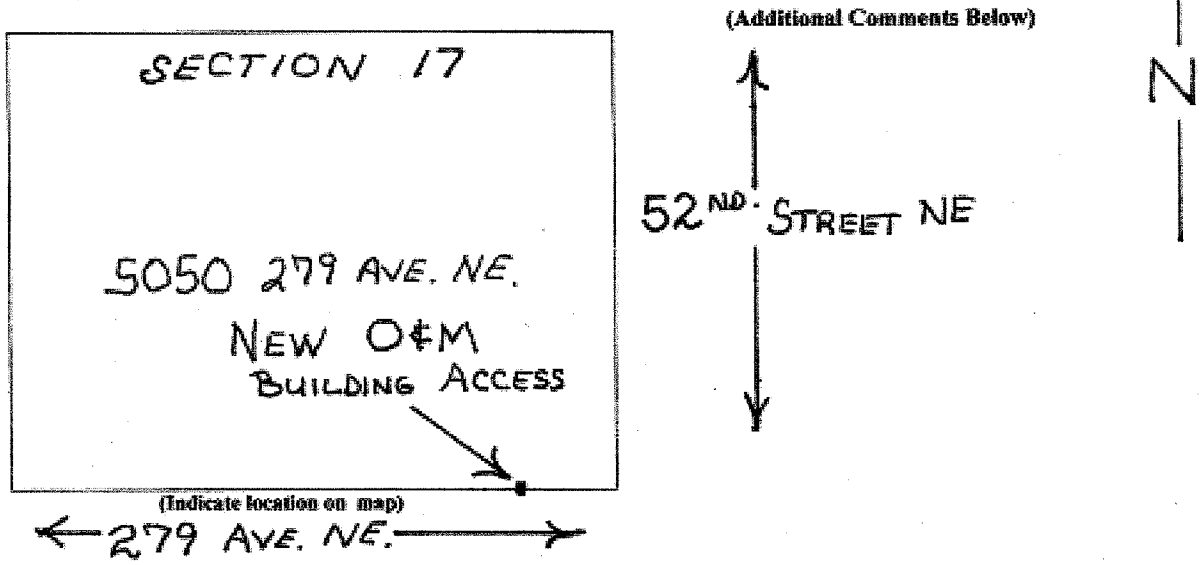
Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)
Address: 308 7th. Street, Wilton, ND. 58579 Phone: _____

A permit is hereby requested to construct, relocate or widen an entrance 120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 690 feet W (direction) from the SE corner Section 17, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wengim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 15' inch diameter pipe.

Approved / Disapproved: John O. Selzer July 28, 05
Ecklund Township Supervisors

Granted second approach as first approach is gated directly into substation.
JSJ July 28, 05

**Ecklund Township
Driveway / Entranceway Permit
Pg. 2**

In addition to pre-construction location information: Section Number, Distance from nearest cross road, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 07-28-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

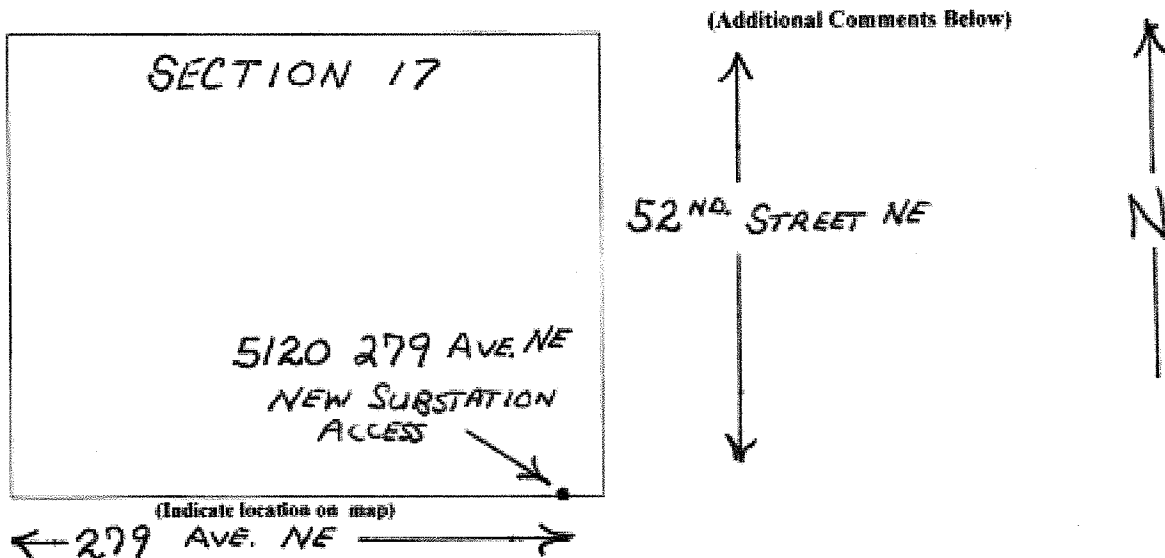
Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

Address: 308 7th Street, Wilton, ND. 58579 Phone: _____

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 390 feet W (direction) from the SE corner Section 17, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wengin, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 15' inch diameter pipe.

Approved / Disapproved: John A. Sitzer
Ecklund Township Supervisors

**Ecklund Township
Driveway / Entranceway Permit
Pg. 2**

In addition to pre-construction location information: Section Number, Distance from nearest cross road, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 07-30-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

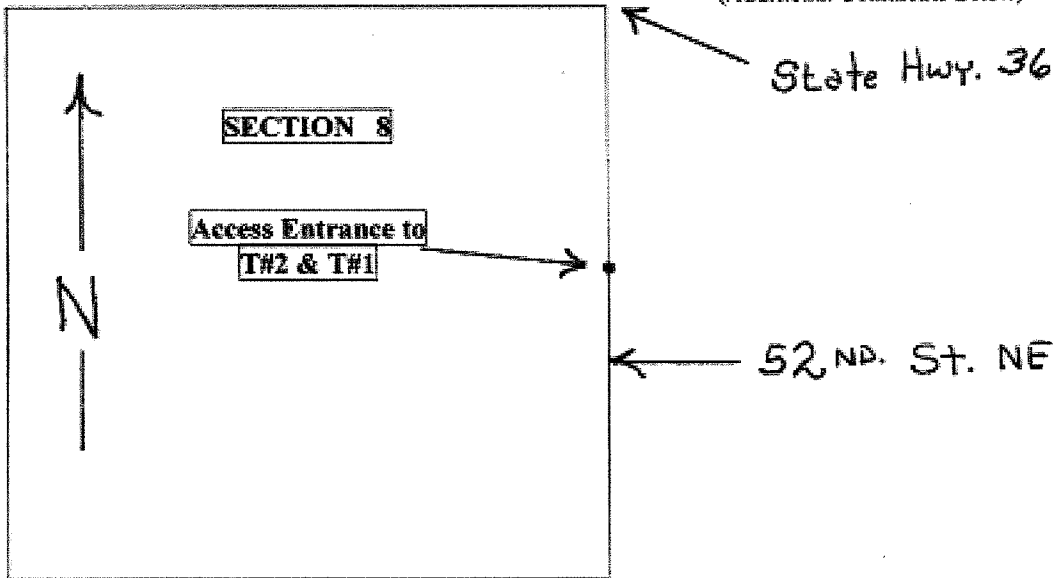
Address: 308 7th Street, Wilton, ND. 58579 **Phone:** _____

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 2245 feet (South) from the
NE corner of Section 8, Township: T-142-N, Range: R-79-W.

(Additional Comments Below)



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John C. Wengim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

**Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2**

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:


Ecklund Township Supervisor

ECKLUND TOWNSHIP
Driveway / Entranceway Permit

Date: 07-30-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC

(Owner or Owner's Representative)

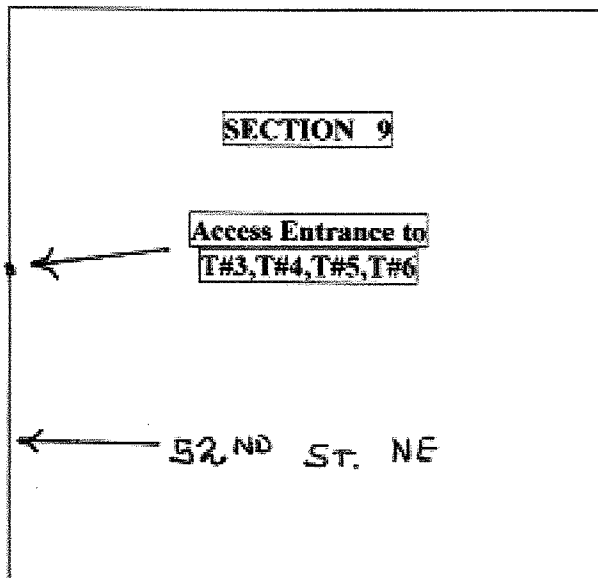
Address: 308 7th Street, Wilton, ND. 58579 Phone: 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 2624 feet (South) from the
NW corner of Section 9, Township: T-142-N, Range: R-79-W.

(Additional Comments Below)



STATE HWY. 36

(Indicate location on map)

The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wensim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:

 President
Ecklund Township Supervisors

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 07-30-05

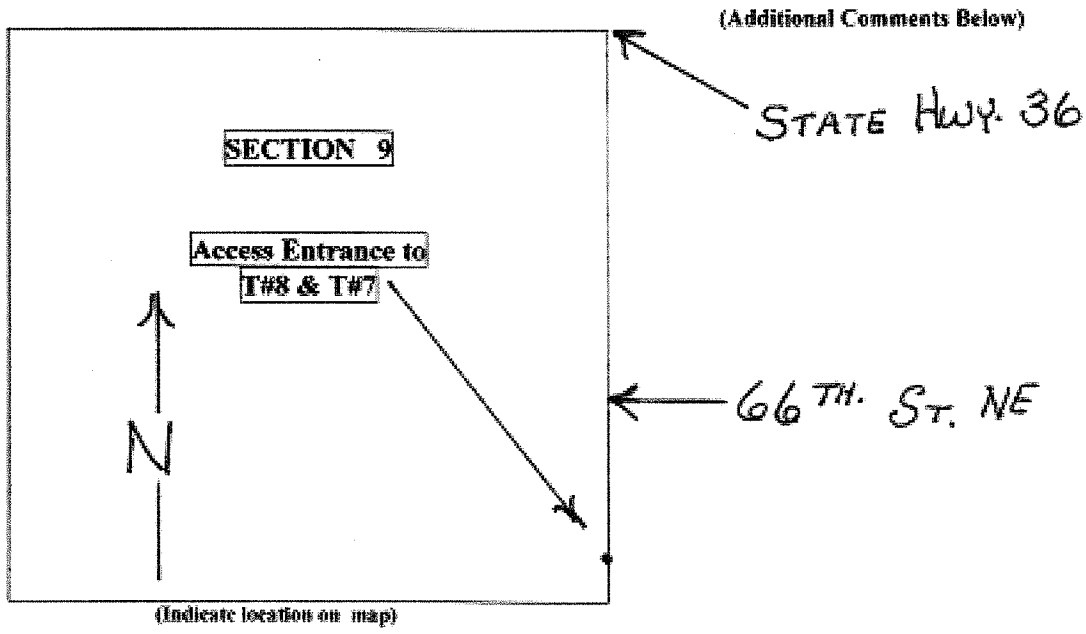
Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)
Address: 308 7th. Street, Wilton, ND. 58579 **Phone:** 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 427 feet (North) from the
SE corner of Section 9, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wenzim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

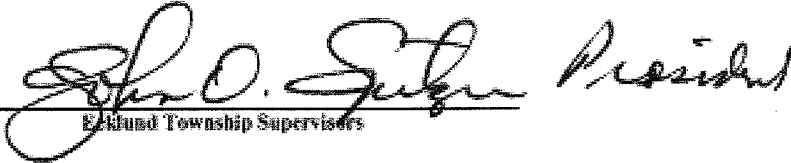
**Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2**

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:

 **President**
Ecklund Township Supervisor

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 08-03-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

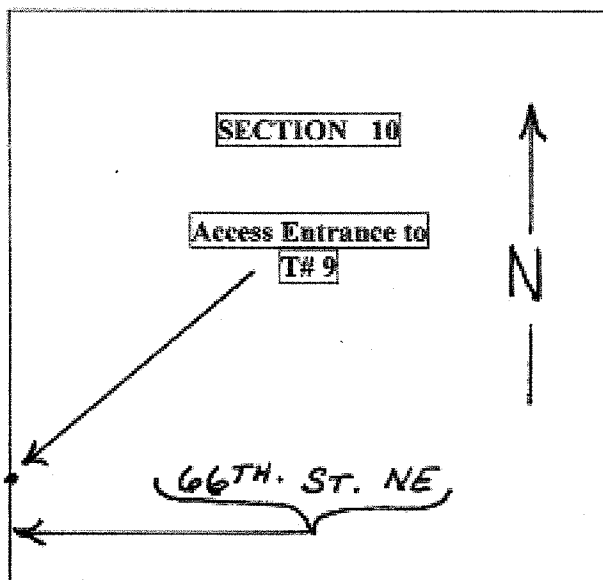
Address: 308 7th. Street, Wilton, ND. 58579 Phone: 701.734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 920 feet (North) from the
SW corner of Section 10, Township: T-142-N, Range: R-79-W.

(Additional Comments Below)



(Indicate location on map)

The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wenzel, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:


Ecklund Township Supervisor

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 08-03-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

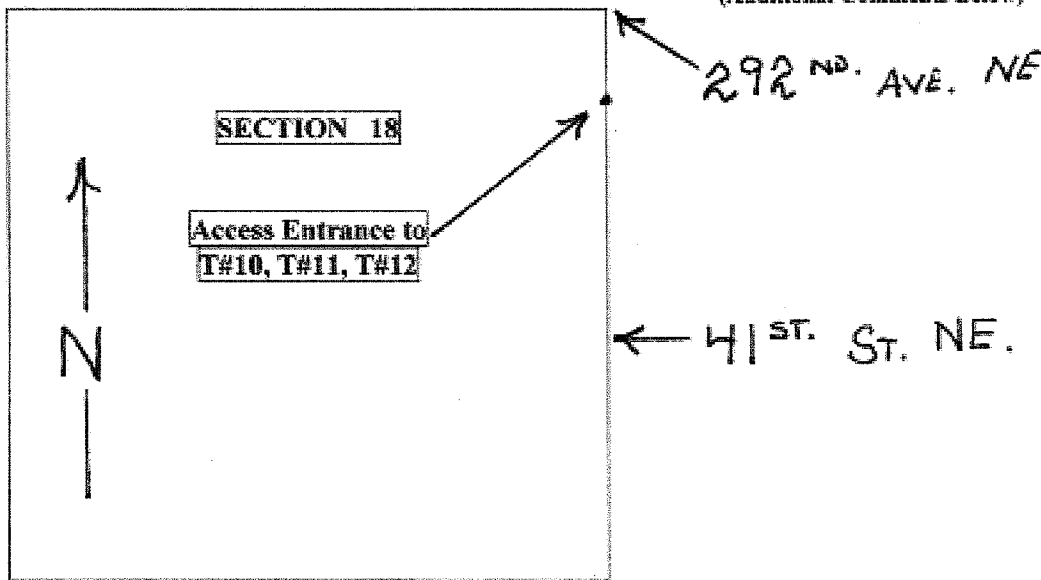
Address: 308 7th. Street, Wilton, ND. 58579 **Phone:** 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 970 feet (South) from the
NE corner of Section 18, Township: T-142-N, Range: R-79-W.

(Additional Comments Below)



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wensim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:

 President
Ecklund Township Supervisors

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 08-03-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

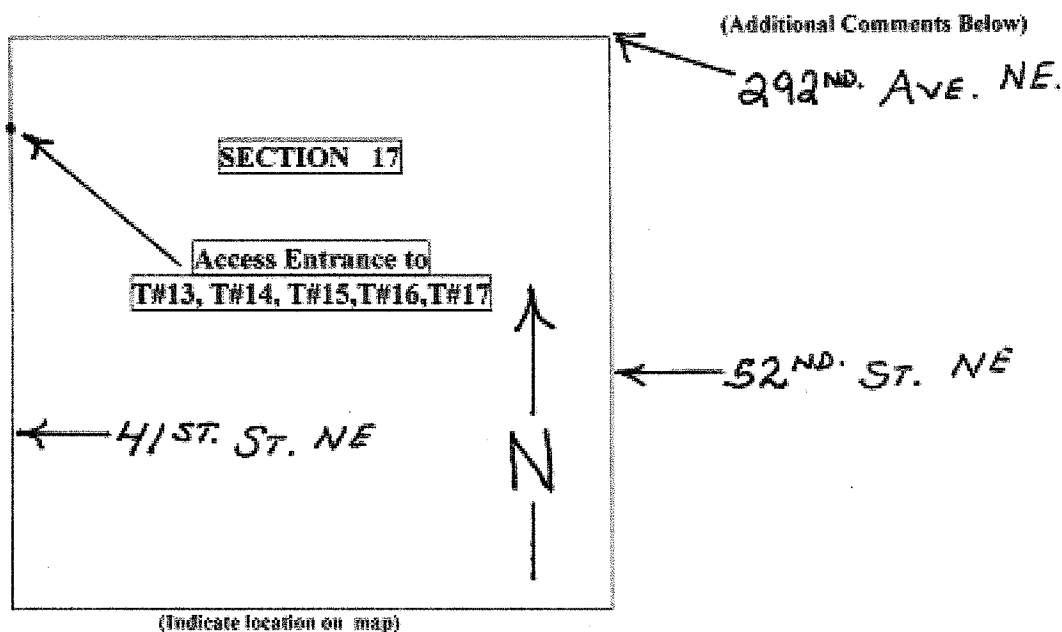
Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

Address: 308 7th Street, Wilton, ND. 58579 Phone: 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 960 feet (South) from the
NW corner of Section 17, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wengim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.


**Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2**

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:


Ecklund Township Supervisor

ECKLUND TOWNSHIP
Driveway / Entranceway Permit

Date: 08-03-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC

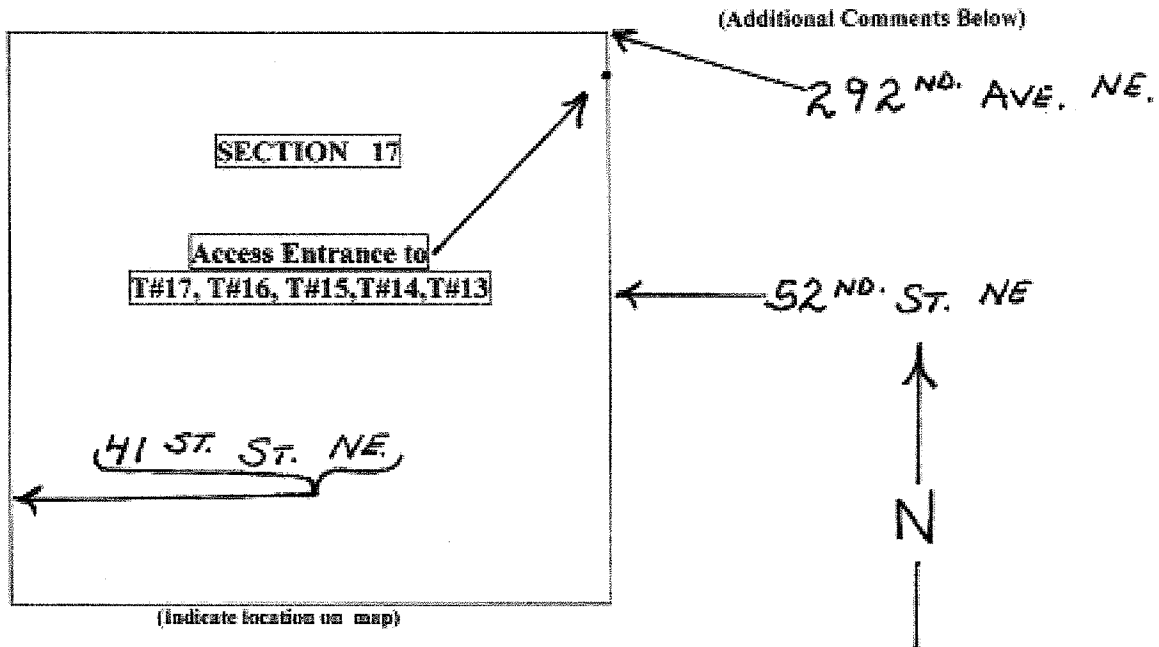
(Owner or Owner's Representative)

Address: 308 7th Street, Wilton, ND, 58579 Phone: 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 400 feet (South) from the
NE corner of Section 17, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wengim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

**Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2**

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:


Ecklund Township Supervisors

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 08-03-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

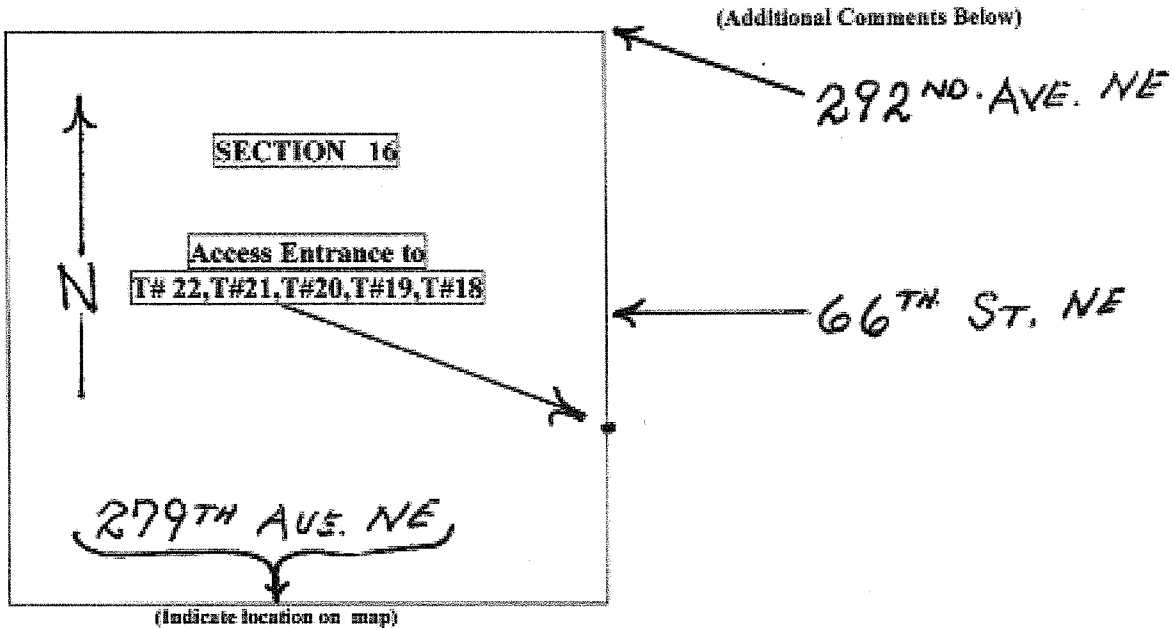
Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

Address: 308 7th Street, Wilton, ND. 58579 Phone 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance 120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 1707 feet (North) from the SE corner of Section 16, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wengim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

**Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2**

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:

 **President**
Ecklund Township Supervisors

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 08-03-05

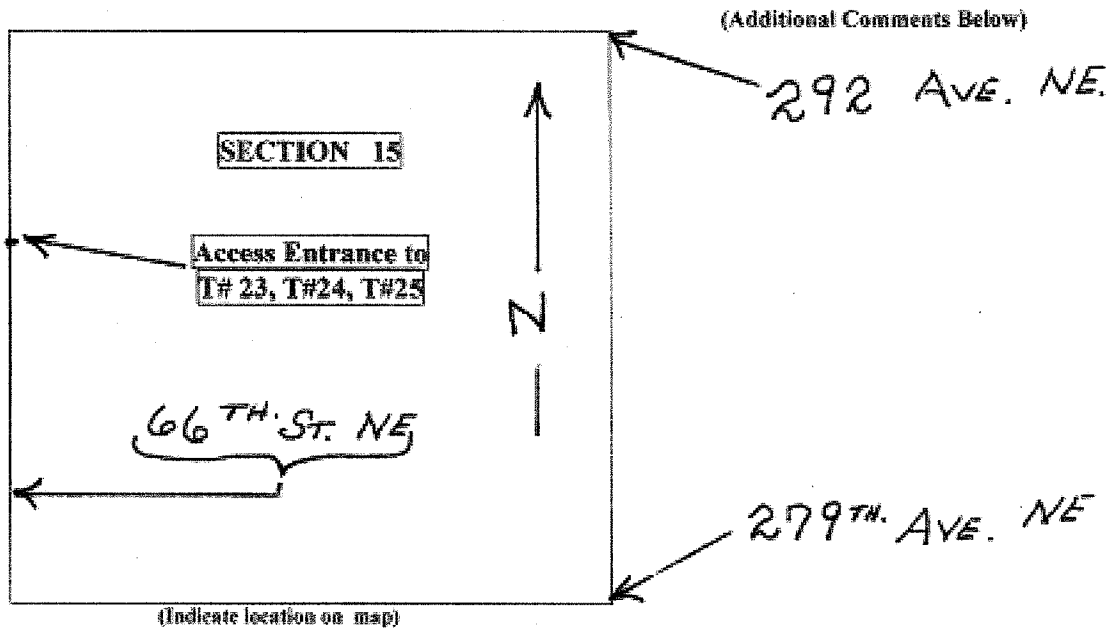
Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)
Address: 308 7th. Street, Wilton, ND. 58579 Phone: 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 2016 feet (South) from the
NW corner of Section 15, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wenzim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:


Ecklund Township Supervisors

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 08-03-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

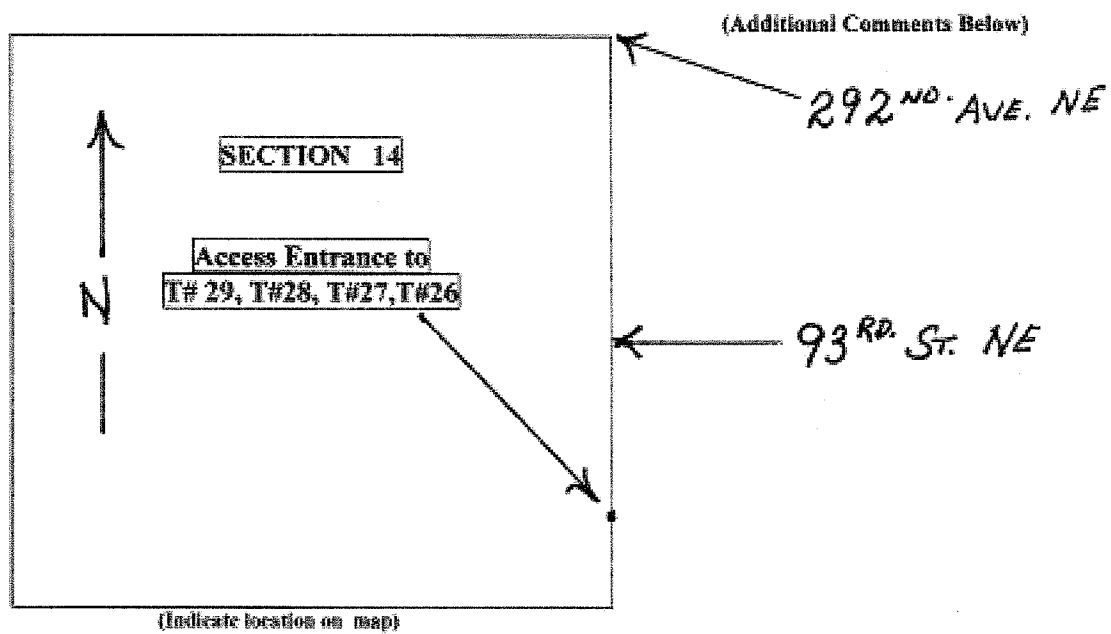
Applicant: EPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

Address: 308 7th Street, Wilton, ND, 58579 Phone: 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance 120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 836 feet (North) from the SE corner of Section 14, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wersjün, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.


Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:


Ecklund Township Supervisor

ECKLUND TOWNSHIP
Driveway / Entranceway Permit

Date: 08-03-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

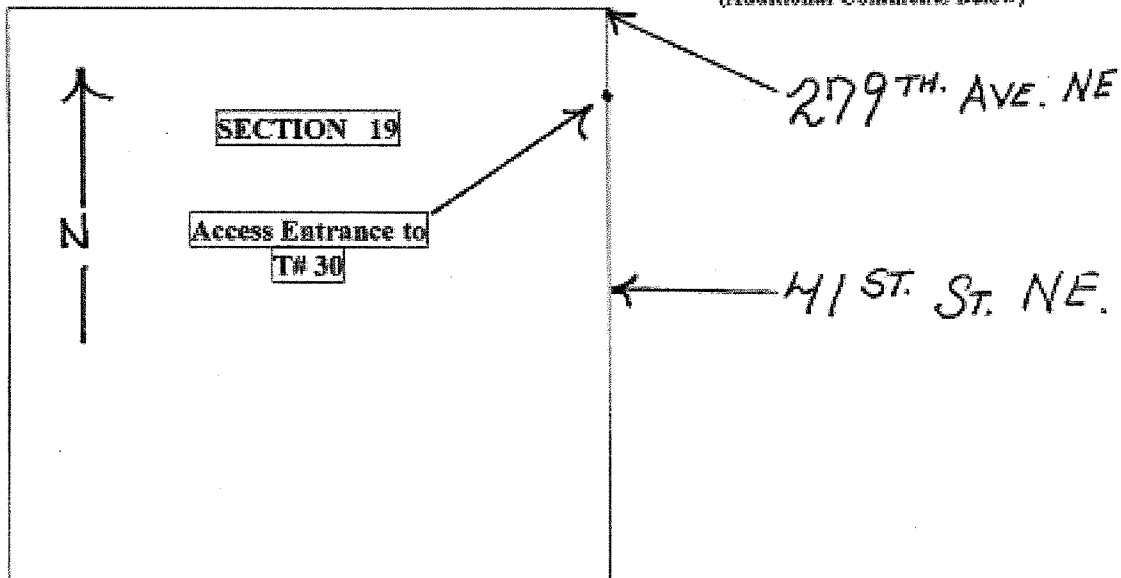
Address: 308 7th Street, Wilton, ND, 58579 Phone: 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 870 feet (South) from the
NE corner of Section 19, Township: T-142-N, Range: R-79-W,

(Additional Comments Below)



(Indicate location on map)

The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wengum, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18'' inch diameter pipe.

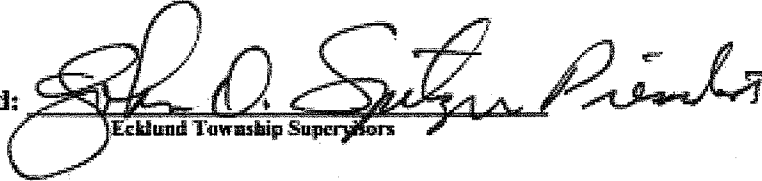
Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:


Ecklund Township Supervisors

ECKLUND TOWNSHIP
Driveway / Entranceway Permit
Date: 08-03-05

Application for permit to construct, relocate or widen (circle one) an entrance from private property to a township road or township road extension.

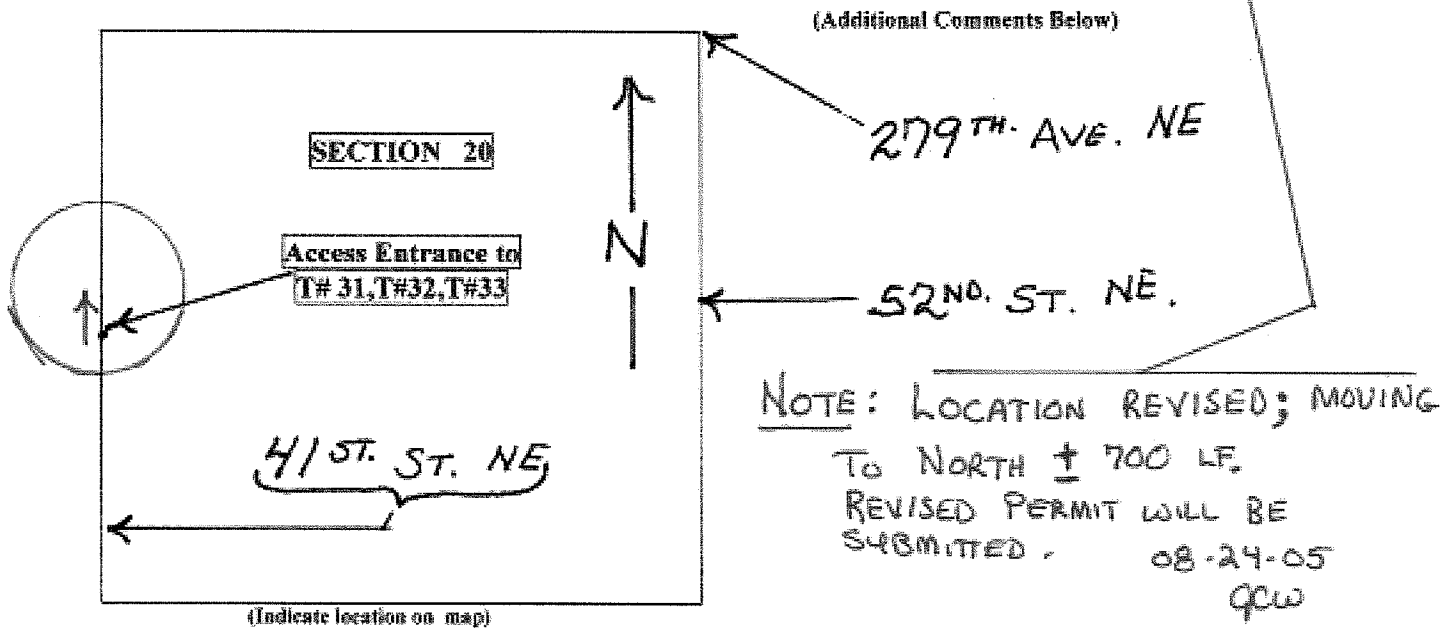
Applicant: FPL Energy - Burleigh County Wind, LLC
(Owner or Owner's Representative)

Address: 308 7th Street, Wilton, ND. 58579 Phone: 701-734-6111

A permit is hereby requested to construct, relocate or widen an entrance
120' and / or 32' in width, from the right of way
(Temporary Construction) (Permanent)

line to the township road traveled-way, including necessary drainage structure thereunder, if required.

The proposed entrance is located 2560 feet (North) from the
SW corner of Section 20, Township: T-142-N, Range: R-79-W.



The applicant agrees that, if granted permit, the above described entrance will be constructed in accordance with requirements of the Ecklund Township Board of Supervisors.

Applicant: John Wengim, Project Coordinator

The proposed entrance will / will not (circle one) require a culvert pipe. If required, culvert pipe will be (as required) lineal feet of 18" inch diameter pipe.

Ecklund Township
Driveway / Entrance Approach Permit
Pg. 2

Flared end sections will be installed on the permanent culvert ends. Approaches will be constructed with a 5:1 slope.

In addition to pre-construction location information: Section Number, Distance from nearest cross road, Section Corner, etc. to be provided above,

A Schedule C "as built" will be submitted for reference & file.

Approved / Disapproved:

 President
Ecklund Township Supervisors



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4106-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-8-11.3 NAD 83
 Longitude: 100-42-52.08
 Heights: 389 feet above ground level (AGL)
 2605 feet above mean sea level (AMSL)

PROJECT #1

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4106-OE.

Signature Control No: 427937-393486

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4107-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-8-10.72 NAD 83
 Longitude: 100-42-40.85
 Heights: 389 feet above ground level (AGL)
 2619 feet above mean sea level (AMSL)

PROJECT #
 #2

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4107-OE.

Signature Control No: 427940-393485

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4108-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-8-4.48 NAD 83
 Longitude: 100-42-19.86
 Heights: 389 feet above ground level (AGL)
 2632 feet above mean sea level (AMSL)

PROJECT #
 # 3

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept apprised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4108-OE.

Signature Control No: 427941-393484

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4109-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-8-6.91 NAD 83
 Longitude: 100-42-8.49
 Heights: 389 feet above ground level (AGL)
 2644 feet above mean sea level (AMSL)

PROJECT #
 # 4

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2; Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4109-OE.

Signature Control No: 427942-393483

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4110-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-8-5.64 NAD 83
 Longitude: 100-41-55.7
 Heights: 389 feet above ground level (AGL)
 2631 feet above mean sea level (AMSL)

PROJECT #
 # 5

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction
 (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4110-OE.

Signature Control No: 427943-393482

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4111-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type:	Wind Turbine	PROJECT #
Location:	Wilton, ND	# 6
Latitude:	47-8-1.29 NAD 83	
Longitude:	100-41-42.66	
Heights:	389 feet above ground level (AGL)	
	2625 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4111-OE.

Signature Control No: 427944-393481

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4112-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-48.63 NAD 83
 Longitude: 100-41-26.37
 Heights: 389 feet above ground level (AGL)
 2611 feet above mean sea level (AMSL)

PROJECT #
 # 7

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4112-OE.

Signature Control No: 427945-393480

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4113-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-45.55 NAD 83
 Longitude: 100-41-15.87
 Heights: 389 feet above ground level (AGL)
 2607 feet above mean sea level (AMSL)

PROJECT #
 # 8

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4113-OE.

Signature Control No: 427946-393478

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4114-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-49.44 NAD 83
 Longitude: 100-41-3.24
 Heights: 389 feet above ground level (AGL)
 2581 feet above mean sea level (AMSL)

PROJECT #
 #9

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4114-OE.

Signature Control No: 427980-393477

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4115-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-29.53 NAD 83
 Longitude: 100-44-15.81
 Heights: 389 feet above ground level (AGL)
 2544 feet above mean sea level (AMSL)

PROJECT #
 # 10

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4115-OE.

Signature Control No: 427981-393474

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4116-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type:	Wind Turbine	PROJECT # # 11
Location:	Wilton, ND	
Latitude:	47-7-29.3 NAD 83	
Longitude:	100-44-6.76	
Heights:	389 feet above ground level (AGL) 2555 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4116-OE.

Signature Control No: 427982-393473

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4117-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-29.23 NAD 83
 Longitude: 100-43-53.79
 Heights: 389 feet above ground level (AGL)
 2549 feet above mean sea level (AMSL)

PROJECT #
 # 12

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4117-OE.

Signature Control No: 427983-393472

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4118-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-33.5 NAD 83
 Longitude: 100-43-27.65
 Heights: 389 feet above ground level (AGL)
 2561 feet above mean sea level (AMSL)

PROJECT #
 # 13

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4118-OE.

Signature Control No: 427984-393470

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4119-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-33.32 NAD 83
 Longitude: 100-43-15.01
 Heights: 389 feet above ground level (AGL)
 2569 feet above mean sea level (AMSL)

PROJECT #
 # 14

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4119-OE.

Signature Control No: 427985-393469

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4120-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-36.59 NAD 83
 Longitude: 100-42-57.74
 Heights: 389 feet above ground level (AGL)
 2593 feet above mean sea level (AMSL)

PROJECT #
 # 15

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4120-OE.

Signature Control No: 427986-393468

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4130-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-36.75 NAD 83
 Longitude: 100-42-48.38
 Heights: 389 feet above ground level (AGL)
 2590 feet above mean sea level (AMSL)

PROJECT #
 # 16

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4130-OE.

Signature Control No: 427996-393452

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4121-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-36.79 NAD 83
 Longitude: 100-42-38.22
 Heights: 389 feet above ground level (AGL)
 2598 feet above mean sea level (AMSL)

PROJECT #
 # 17

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4121-OE.

Signature Control No: 427987-393467

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4122-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type:	Wind Turbine	PROJECT #
Location:	Wilton, ND	# 18
Latitude:	47-7-6.03 NAD 83	
Longitude:	100-42-12.58	
Heights:	389 feet above ground level (AGL)	
	2622 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction
(7460-2, Part I)
- Within 5 days after the construction reaches its greatest height
(7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4122-OE.

Signature Control No: 427988-393466

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4131-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-5.04 NAD 83
 Longitude: 100-42-0.55
 Heights: 389 feet above ground level (AGL)
 2628 feet above mean sea level (AMSL)

PROJECT #
 # 19

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4131-OE.

Signature Control No: 427997-393450

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4132-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type:	Wind Turbine	
Location:	Wilton, ND	PROJECT #
Latitude:	47-7-4.43 NAD 83	# 20
Longitude:	100-41-50.34	
Heights:	389 feet above ground level (AGL)	
	2622 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4132-OE.

Signature Control No: 427998-393448

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4133-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-5.81 NAD 83
 Longitude: 100-41-38.68
 Heights: 389 feet above ground level (AGL)
 2614 feet above mean sea level (AMSL)

PROJECT #
 # 21

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4133-OE.

Signature Control No: 427999-393447

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4123-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-5.08 NAD 83
 Longitude: 100-41-26.24
 Heights: 389 feet above ground level (AGL)
 2600 feet above mean sea level (AMSL)

PROJECT #
 # 22

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept apprised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4123-OE.

Signature Control No: 427989-393465

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4143-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-7.58 NAD 83
 Longitude: 100-40-38.78
 Heights: 389 feet above ground level (AGL)
 2644 feet above mean sea level (AMSL)

FAA STUDY #
 A14 4 | PROJECT # 23

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4143-OE.

Signature Control No: 428011-393399

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4124-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-5.2 NAD 83
 Longitude: 100-40-23.31
 Heights: 389 feet above ground level (AGL)
 2570 feet above mean sea level (AMSL)

FAA STUDY # 23 | PROJECT # 24

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4124-OE.

Signature Control No: 427990-393464

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4134-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy -- Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-7-4.42 NAD 83
 Longitude: 100-40-13.01
 Heights: 389 feet above ground level (AGL)
 2564 feet above mean sea level (AMSL)

FAA STUDY # 24 | PROJECT # 25

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, marked - Chapters 3 & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4134-OE.

Signature Control No: 428000-393446

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4125-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-6-58.58 NAD 83
 Longitude: 100-39-16.24
 Heights: 389 feet above ground level (AGL)
 2536 feet above mean sea level (AMSL)

FAA STUDY # 25 | PROJECT # 26

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4125-OE.

Signature Control No: 427991-393459

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached



Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4135-OE

Issued Date: 07/29/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning: **FAA STUDY #**

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-6-57.61 NAD 83
 Longitude: 100-39-5.49
 Heights: 389 feet above ground level (AGL)
 2552 feet above mean sea level (AMSL)

26 | **PROJECT # 27**

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/29/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 8084. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4135-OE.

Signature Control No: 428001-394469

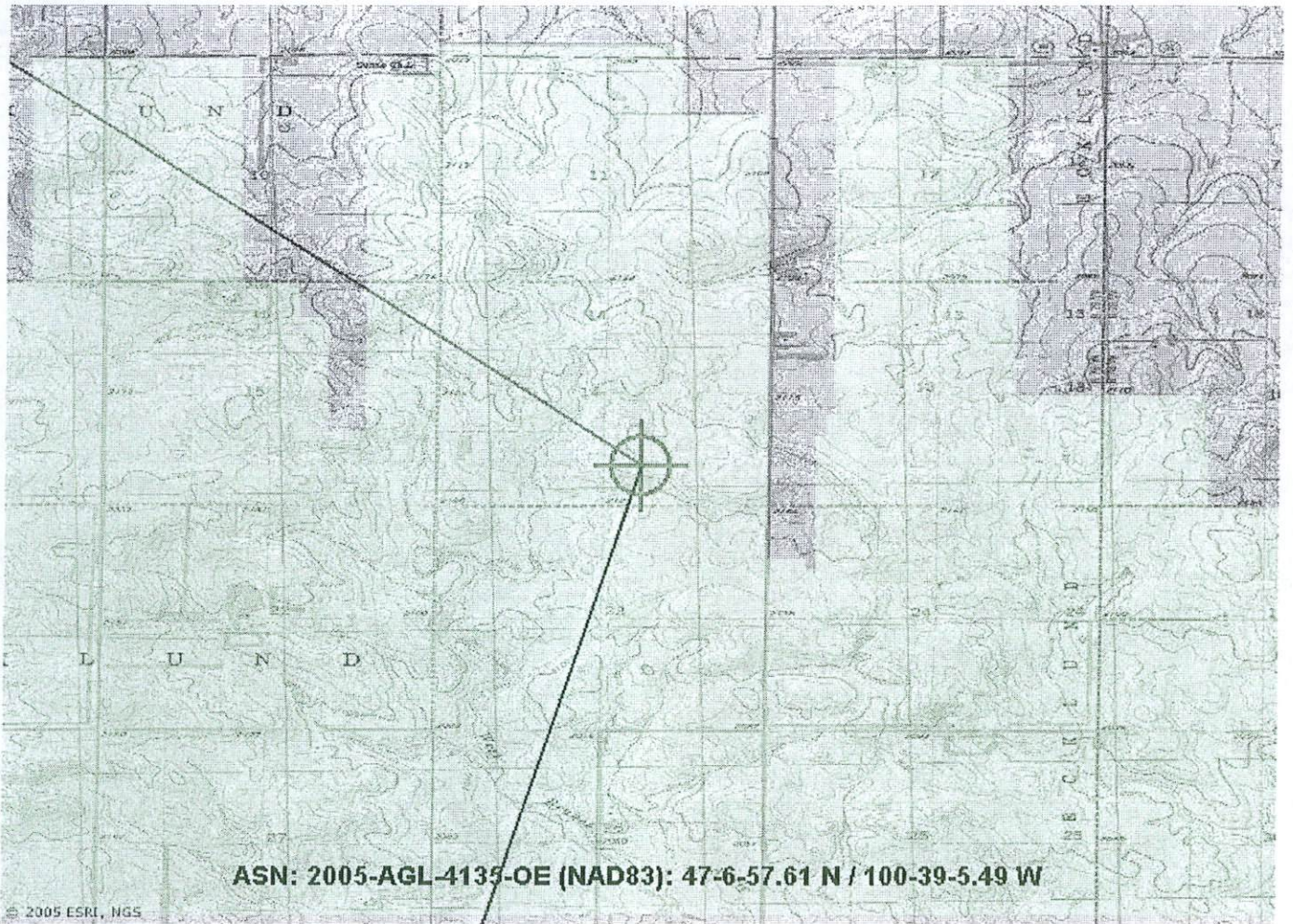
(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information
Map

7460-2 Attached

Map for ASN 2005-AGL-4135-OE





Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4136-OE

Issued Date: 07/29/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-6-55.98 NAD 83
 Longitude: 100-38-53.86
 Heights: 389 feet above ground level (AGL)
 2562 feet above mean sea level (AMSL)

FAA STUDY #
 # 27

PROJECT # 28

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), & 12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept apprised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/29/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 8084. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4136-OE.

Signature Control No: 428002-394471

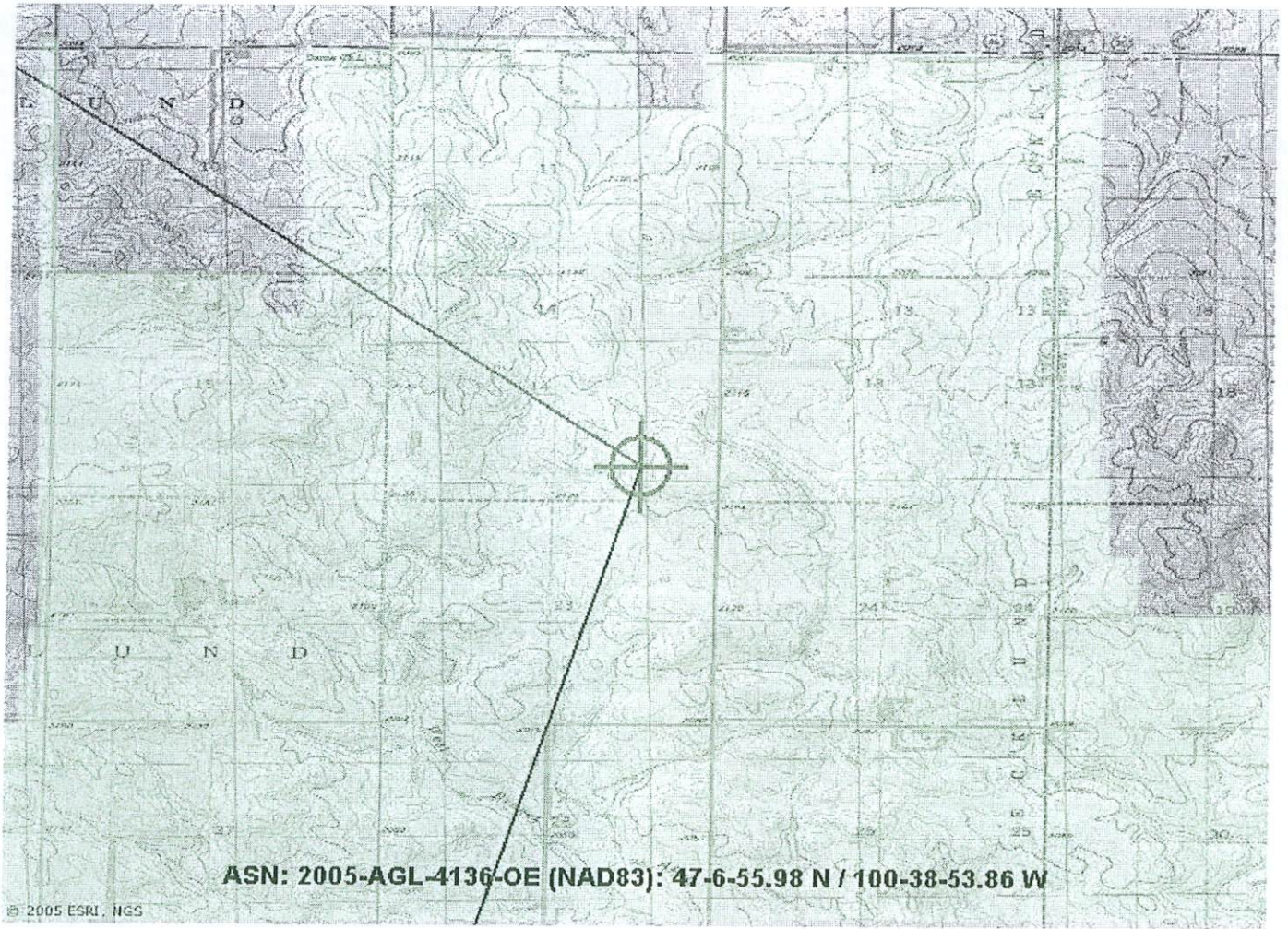
(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information
Map

7460-2 Attached

Map for ASN 2005-AGL-4136-OE





Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4137-OE

Issued Date: 07/29/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-6-56.61 NAD 83
 Longitude: 100-38-43.23
 Heights: 389 feet above ground level (AGL)
 2577 feet above mean sea level (AMSL)

FAA STUDY #
 #28

PROJECT #29

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept appraised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/29/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 8084. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4137-OE.

Signature Control No: 428003-394473

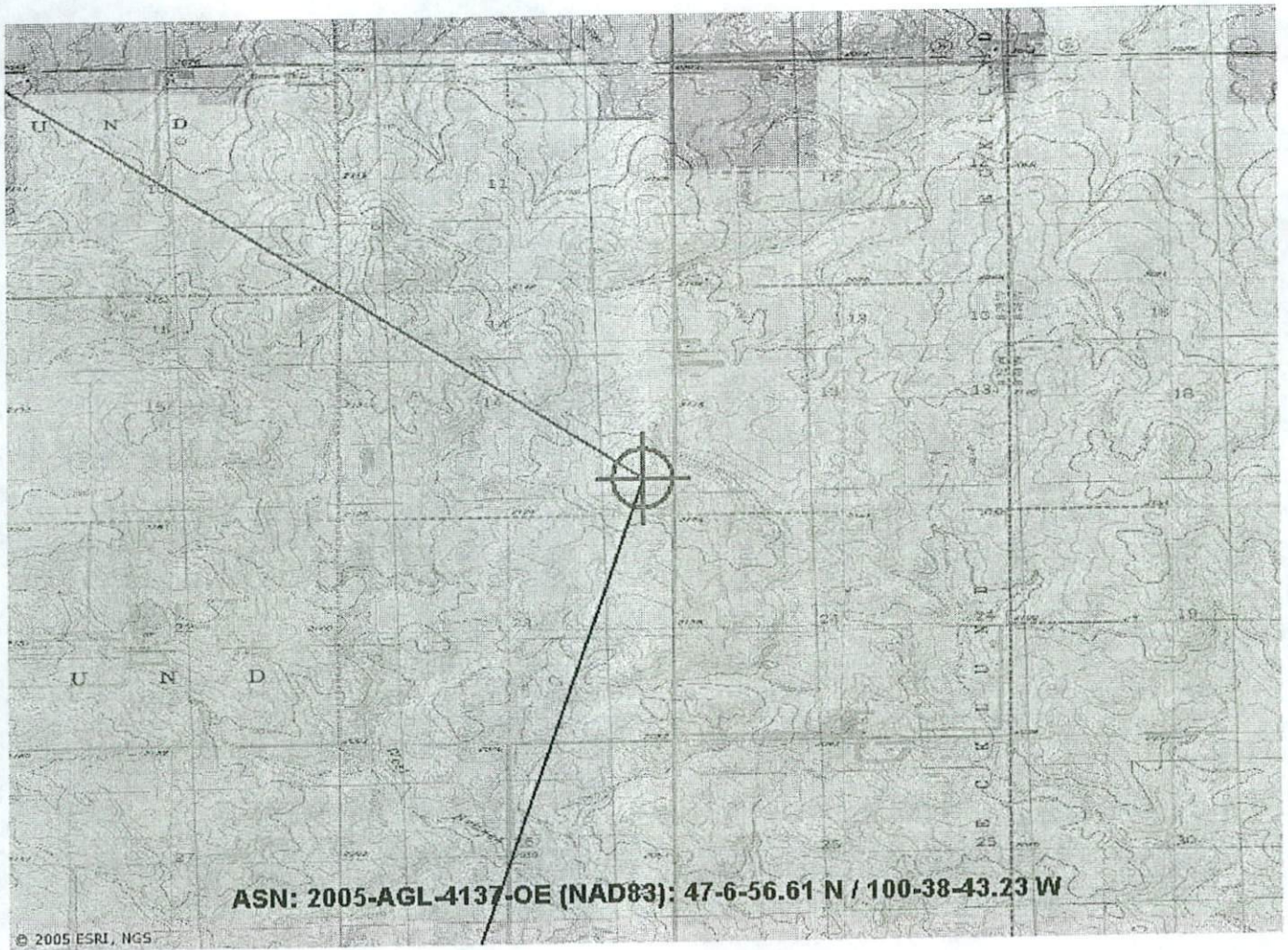
(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information
Map

7460-2 Attached

Map for ASN 2005-AGL-4137-OE





Federal Aviation Administration
 Great Lakes Regional Office
 2300 East Devon Avenue-AGL-520
 Des Plaines, IL 60018

Aeronautical Study No.
 2005-AGL-4126-OE

Issued Date: 07/26/2005

Joe Marchese
 FPL Energy - Burleigh County Wind, LLC.
 700 Universe Blvd.
 Juno Beach, FL 33408-2683

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure Type: Wind Turbine
 Location: Wilton, ND
 Latitude: 47-6-55.33 NAD 83
 Longitude: 100-38-30.28
 Heights: 389 feet above ground level (AGL)
 2578 feet above mean sea level (AMSL)

FAA STUDY #
 29

NOT USED IN
 PROJECT PHASE I

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1 K Chg 1, Obstruction Marking and Lighting, red lights - Chapters 4,5 (Red), &12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

At least 10 days prior to start of construction
 (7460-2, Part I)

Within 5 days after the construction reaches its greatest height
 (7460-2, Part II)

As a result of this structure being critical to flight safety, it is required that the FAA be kept apprised as to the status of the project. Failure to respond to periodic FAA inquiries could invalidate this determination.

See attachment for additional condition(s) or information.

This determination expires on 01/26/2007 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE

EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847)294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-AGL-4126-OE.

Signature Control No: 427992-393457

(DNE)

Fred Souchet
Specialist

Attachment(s)
Additional Information

7460-2 Attached