

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**FPL Energy Oliver County Wind, LLC
230 kV Transmission Line - Oliver County
Siting Application**

Case No. PU-06-312

NOTICE OF FILING AND NOTICE OF OPPORTUNITY FOR HEARING

July 28, 2006

On July 25, 2006 FPL Energy Oliver County Wind, LLC (Oliver Wind) filed consolidated applications for a waiver of procedures and time schedules, certificate of corridor compatibility and route permit authorizing construction of approximately 532 feet of 230 kV transmission line and associated substation facilities to interconnect Oliver Wind's proposed wind energy generating project to Square Butte Electric Cooperative's existing Center Substation. Oliver Wind's proposed corridor and route are located entirely within Oliver County, North Dakota, as shown on the attached map.

Oliver Wind asserts that these electric transmission facilities will produce minimal adverse effects and requests that the Commission (1) waive provisions of law and rule that require filing of separate applications, separate hearings and certain time schedules; (2) not hold a public hearing, but instead publish a notice of opportunity for hearing; (3) find that the proposed facilities are of such length, design, location and purpose that it will produce minimal adverse effects; (4) provide in the notice of opportunity for hearing that requests for hearing be made in not more than ten days under N.D.C.C. section 49-22-13(4); and (5) designate and approve the the requested facilities and issue the appropriate corridor certificate and route permit.

The Commission finds the application is complete.

The issues to be considered in this proceeding are:

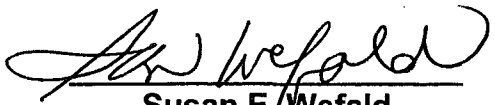
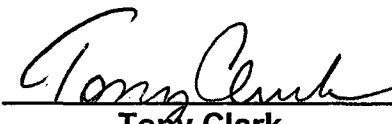
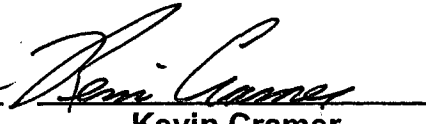
1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

4. Are the proposed facilities of such length, design, location, or purpose that they will produce minimal adverse effects so that procedures and time schedules may be waived?
5. Does a demonstrable emergency exist, which requires immediate construction so that adherence to procedures and time schedules would jeopardize the utility's system?
6. Is it appropriate for the Commission to waive any procedures and time schedules as requested in the application?

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by **August 22, 2006**. If deemed appropriate, the Commission can determine the matter without a hearing.

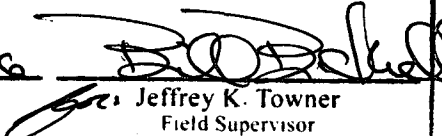
For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or braille materials please notify Ilona A. Jeffcoat-Sacco, Executive Secretary, at least 24 hours in advance.

PUBLIC SERVICE COMMISSION

		
Susan E. Wefald Commissioner	Tony Clark President	Kevin Cramer Commissioner

U.S. FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
ND FIELD OFFICE

Project as described will have no significant impact on fish and wildlife resources. No endangered or threatened species are known to occupy the project area. **IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT PLANS FOR REVIEW.**

Date  Jeffrey K. Towner
Field Supervisor