

**Just Wind - Wind Farm Development North Dakota Division**

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April 16, 2009

**RECEIVED**

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**PUBLIC SERVICE COMMISSION**

North Dakota Public Service Commission  
Mr. Kevin Kramer, Mr. Tony Clark, Mr. Brian Kalk  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505

Dear Sirs,

I am writing to express my concern over the recent request from the PSC to obtain written consent waivers from all Landowners within 1,400 feet of a turbine in the Logan County Project.

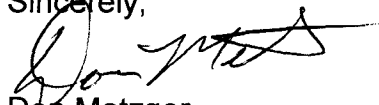
Throughout the development of Logan County Wind Farm we have been following the Logan County Zoning Ordinance, which states turbine placement needs to be a minimum of 750 feet from an occupied residence. At the Project Site Hearing, October 21, 2008, Susan Wefald made the verbal recommendation that, although not a written requirement, she would like to see a 1,000 foot setback from occupied residence. This request was not presented to us in writing.

At the working session on March 5, 2009, Just Wind was verbally asked to provide signed consent waivers from Landowners less than a 1,400 foot setback distance.

In the process of gathering waivers from Landowners, we have been met with apprehension and resistance as they now feel there is some sort of a problem with the project due to the requirement of a consent waiver.

I would like to respectfully request you review this matter as we are finding it difficult to comply with setback requirements that are almost twice the distance of the Logan County Zoning Ordinance. In addition, trying to make these types of changes at this stage of development is causing undue concern to the Landowners and hardship to Just Wind LLC.

Sincerely,



Don Metzger  
Director of Development – Midwest Division



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43 PU-07-54 Filed: 4/20/2009 Pages: 1  
Letter Requesting Review of PSC Request re.  
Setback Requirements & Landowner Consents

Just Wind, LLC

Don Metzger, Director of Development