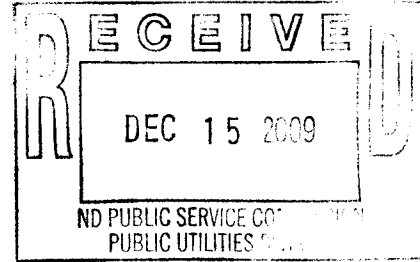




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DEC 15 2009

PUBLIC SERVICE COMMISSION



To: Brian Rau, Medina (NAAA)
Glen Wharam, Park River (NDAAA)

From: Mark J. Holzer, Aviation Planner (NDAC)

MJH

Date: December 14, 2009

GOVERNOR

John Hoeven
State of North Dakota

STAFF

Larry Taborsky
Director

COMMISSIONERS

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Vice Chair, Hettinger

Maurice E. Cook
Bismarck

Dianne L. Herr
Turtle Lake

Cindy K. Schreiber-Beck
Wahpeton

Attached is a letter to Napoleon Airport about the Just Wind proposed wind farm. After the FAA airspace study, six proposed towers have been removed due to violations of navigable airspace.

This process considers public airports but not aerial spray airspace patterns. Napoleon has had 2 – 4 sprayers operating at the airport.

Larry Taborsky, Director – NDAC
Brian Schuck – FAA ADO
Cindy Schreiber-Beck – NDAC
Bradley Fields – NDAC
Dave Sorgatz, Chairman – Napoleon
Tom Neigum – KLJ
Brian Kalk – PSC
ND Public Service Commission

66 PU-07-54 Filed: 12/15/2009 Pages: 2
Copy of Letter from ND Aeronautics Comm. to
Napoleon Airport.re. Removal of 6 Towers

Public Service Commission

Brian Kalk, Commissioner

Just Wind - Wind Farm Development North Dakota Division

P.O. Box 299 • Napoleon, North Dakota 58561 Phone (701) 754-3000 Fax (701) 754-3001

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ND Aeronautics Commission

November 10, 2009

COPY

Dave Sorgatz
c/o Napoleon Airport Authority
P.O. Box 9
Napoleon, ND 58561

Dear Mr. Sorgatz,

In regard to Just Wind, LLC's recent submittal of application for permit to the Federal Aviation Administration for the construction of 153 wind turbines in Logan County, ND, we have received a "DETERMINATION OF NO HAZARD TO AIR NAVIGATION" on 147 of the proposed structures and a "NOTICE OF PRESUMED HAZARD" on the remaining six. In compliance with the determinations of the FAA, Just Wind, LLC has removed these six proposed sites, determined to be in violation of navigable airspace, from the Logan County Wind Farm project as follows:

Structure: Wind Turbine 61
Latitude: 46-31-20.98N - Longitude: 99-45-35.54W

Structure: Wind Turbine 71
Latitude: 46-31-37.40N - Longitude: 99-45-36.61W

Structure: Wind Turbine 78
Latitude: 46-29-48.34N - Longitude: 99-42-30.72W

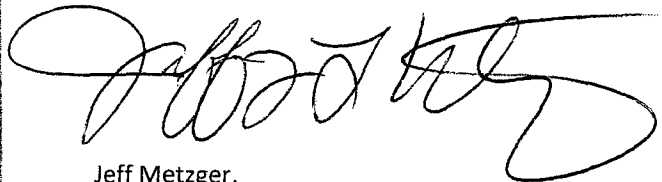
Structure: Wind Turbine 89
Latitude: 46-27-58.24N - Longitude: 99-44-48.72W

Structure: Wind Turbine 101
Latitude: 46-27-40.18N - Longitude: 99-44-42.06W

Structure: Wind Turbine 137
Latitude: 46-27-54.26N - Longitude: 99-45-13.25W

If you have any other questions regarding this matter, please contact Just Wind, LLC at (701) 754-3000.

Respectfully,



Jeff Metzger,
President
Just Wind, LLC