



...harnessing the energy in nature.

May 22, 2009

(hand delivered)

Jerry Lein
North Dakota Public Service Commission

RE: Public Service Commission Case No. PU-08-34

Dear Mr. Lein;

In follow up to my letter of April 8, 2009, on behalf M-Power, LLC (M-Power), I am herewith submitting a revised facility layout plan for the area referred to in M-Power's Site Application to the North Dakota Public Service Commission (PSC) as the "Luverne South Field."

The materials submitted herewith include the following:

- Facilities Lay Out Plan for South Field
- Occupied Residences Setback Delineations for South Field
- Lay Down Area for the Luverne Wind Farm
- Explanation for Proposed Exceptions to Findings of Fact, Conclusions of Law, and Order (October 30, 2008)

If you have any questions, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren Enyart", is written over a horizontal line.

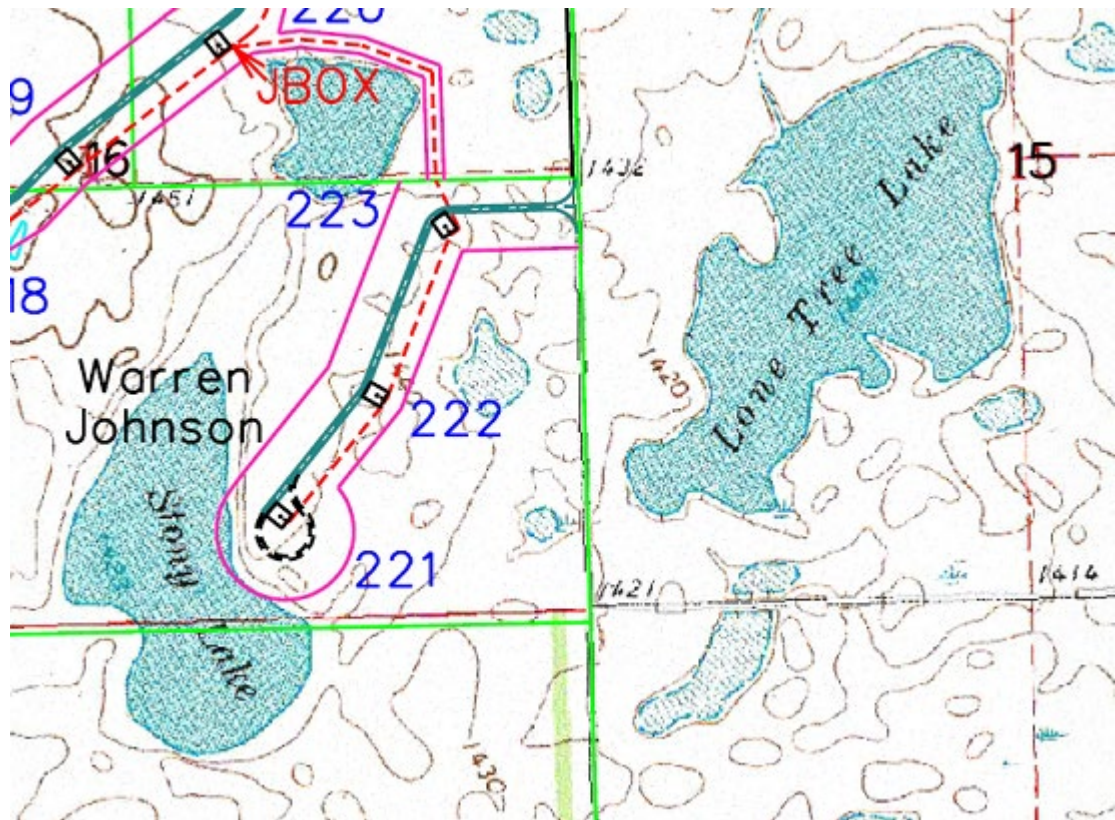
Warren Enyart, Secretary
M-Power, LLC

"We are an Equal Opportunity Provider"

PO Box 335 · Finley, North Dakota 58230
Phone: 701-524-2240 · Fax: 701-524-2244 · Toll Free: 866-852-1135

PROPOSED EXCEPTIONS TO FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER CASE NUMBER PU-08-34

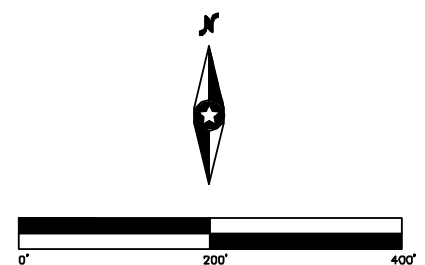
M-Power, LLC requests an exception to paragraph 32 b. as stated in the Findings of Fact, Conclusions of Law, and Order Case No. PU-08-34 which reads "No wind turbine would be placed within 500 feet of any large (lacustrine) wetland complex (greater than 50 acres)". Turbine 221 is currently planned for construction approximately 237 feet east of Stony Lake. Stony lake is approximately 74 acres in size, thus barely qualifying it for inclusion in this setback requirement. This turbine is the westernmost turbine in a string of three turbines. If turbine 221 is moved to the east, then the other turbines will have to move east as well due to waking issues that affect the possibility of warranty for our turbines. The eastern boundary of this section of land is also the western boundary of a non-participating landowner to the project. M-Power is attempting to maximize the distance from non-participating landowners, while optimizing the capture of the wind resource within the footprint.





Lease Description:

That part of the Southerly 1104.60 feet of the Westerly 834.00 feet of the Southeast Quarter, in Section 35, Township 145 North, Range 57 West, Steele County, North Dakota, lying northerly of the northerly right of way line of County Road No. 5, also known as 6th Street SE.



Date: 5/11/09 Sheet: 1 OF 1
20082573.02SKF01.dwg



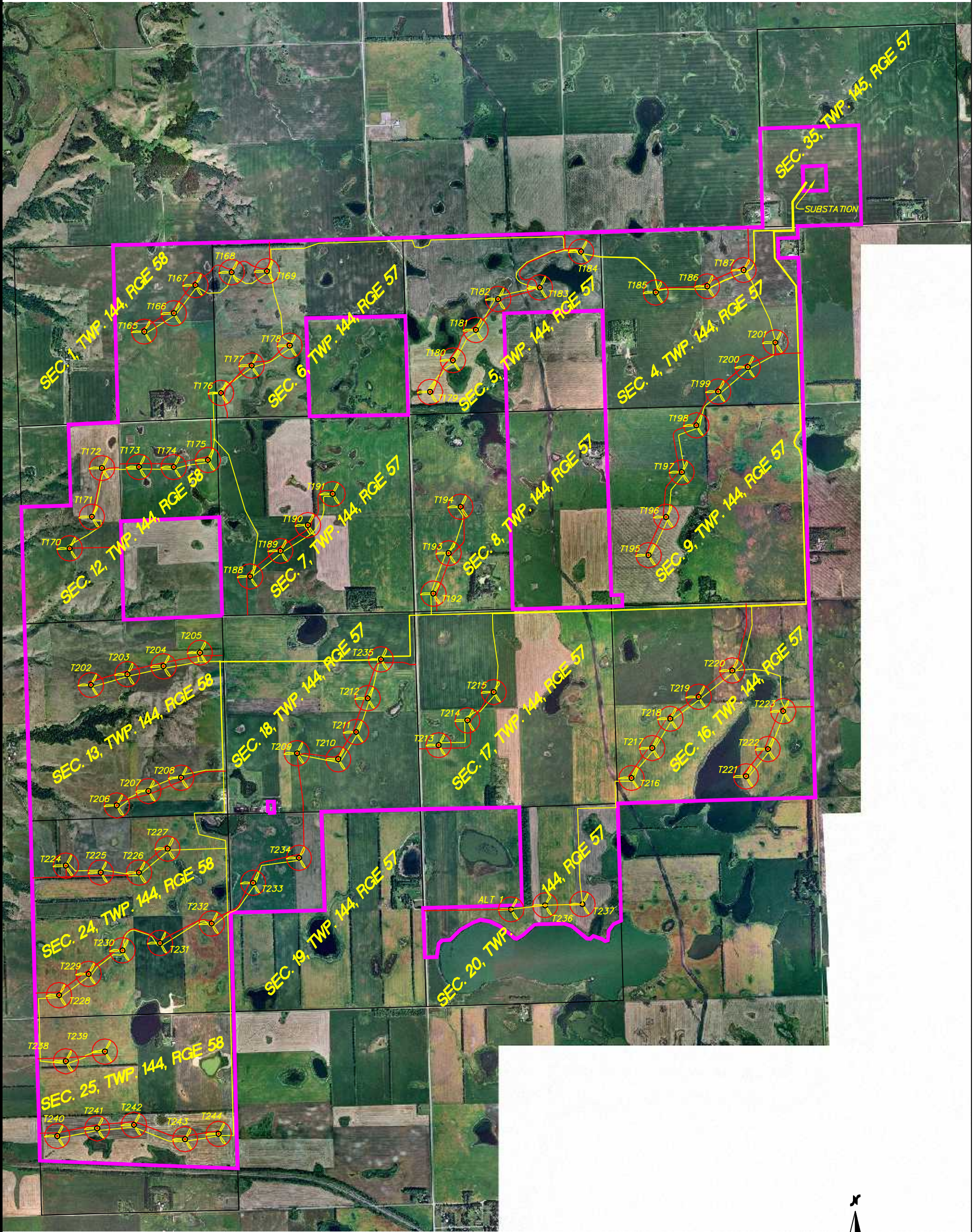
Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344
PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150
www.westwoodps.com

Designed: _____
Checked: _____
Drawn: CWM
Record Drawing by/date: _____

Prepared for:
NextEra Energy Resources, LLC
Juno Beach, Florida 33408

Ashtabula II
Luverne, North Dakota

Lay Down Lease Area
Exhibit A



Date: 5/20/09



Westwood Professional Services, Inc.
 7699 Anagram Drive
 Eden Prairie, MN 55344

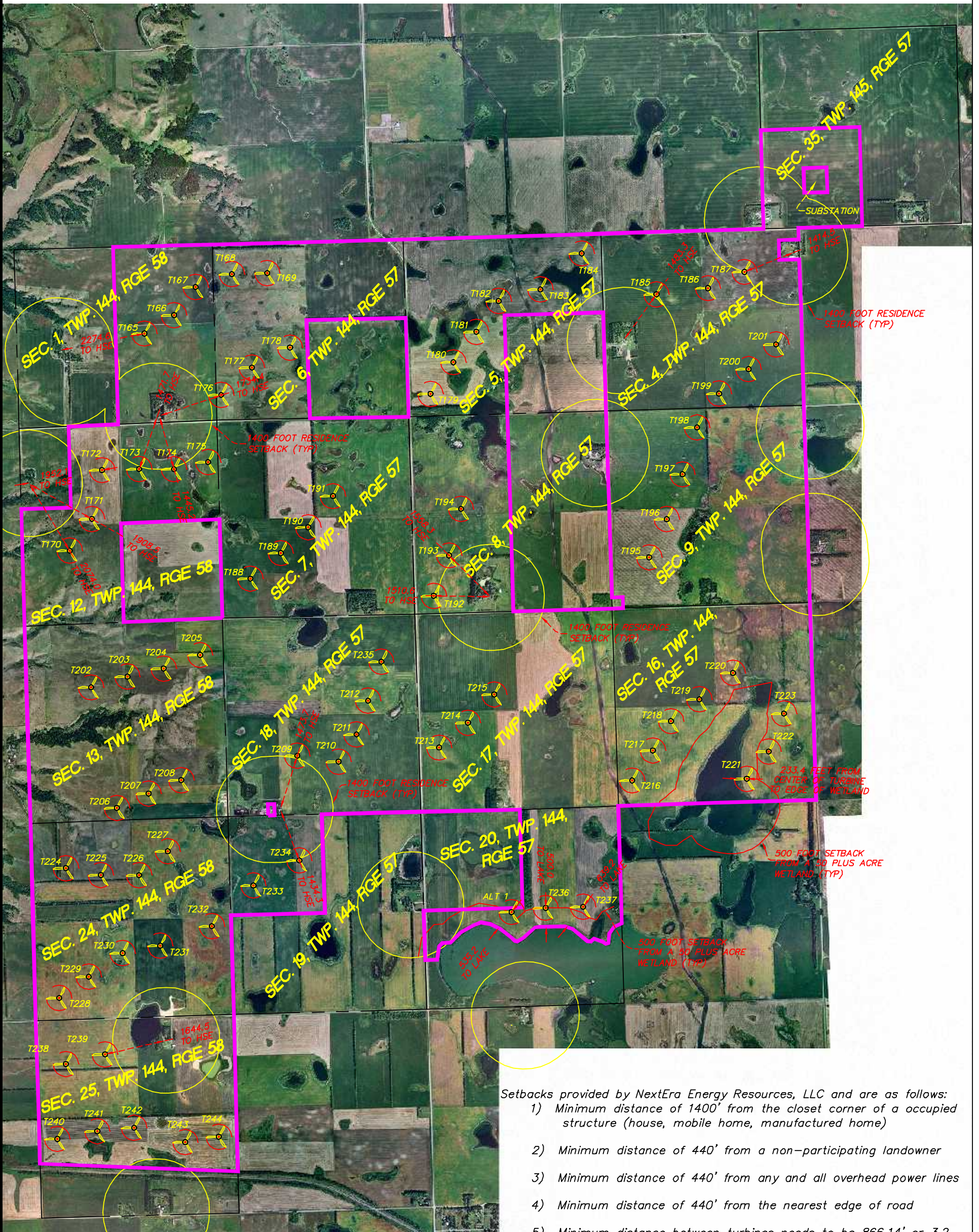
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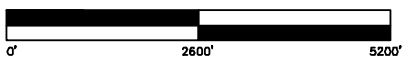
Luverne South Field Wind Farm

Griggs & Steele County, North Dakota

Overall
Site Map



- Setbacks provided by NextEra Energy Resources, LLC and are as follows:
- 1) Minimum distance of 1400' from the closet corner of a occupied structure (house, mobile home, manufactured home)
 - 2) Minimum distance of 440' from a non-participating landowner
 - 3) Minimum distance of 440' from any and all overhead power lines
 - 4) Minimum distance of 440' from the nearest edge of road
 - 5) Minimum distance between turbines needs to be 866.14' or 3.2 rotor diameters
 - 6) 500' from a 50 plus acres wetland
 - 7) No wind turbine placed within 0.25 mile of any USFWS WPA.



Date: 5/20/09



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Overall
Setback Map