

ASHTABULA WIND, LLC

April 11, 2014

Mr. Jerry Lein
Public Utility Analyst
North Dakota Public Service Commission
600 East Boulevard, Dept 408
Bismarck, ND 58505-0408



UPS Overnight Mail

RE: Ashtabula Wind, LLC
Post Construction Inspection, Case Nos. PU-08-032 and PU-08-073

Dear Mr. Lein:

Please find an updated response below from Ashtabula Wind, LLC (“the Company”) to your letter dated February 11, 2014. The following list provides responses to your inquiries and references to requested documentation. These documents can be found on the enclosed CD. Offsite archived files arrived at the office earlier this week, and we plan to sort through them as soon as possible. It is anticipated that more of the remaining open items will be realized during this process. An update on the status of these items will be provided to the Commission within 30 days.

PU-08-032

- No examples of educational materials for landowners or the public were noted. (Order Point 22)
 - Previously completed
- No procedure on handling complaints and how to mitigate landowner/resident concerns were noted. (Order Point 25)
 - Previously completed
- Noxious weed and vegetation control. Wormwood present. (Order Points 13 and 21)
 - Previously completed
- Clarification of reseeding seed mix. Looks like non-native species were used rather than native species as proposed. (Order Points 13 and 21)
 - Assessment underway but not yet complete.
- The following wildlife protection measures should be implemented or explained why they should not be implemented: 1) bird diverters on the transmission line, 2) description or justification of construction timing overlap with spring nesting season, and 3) bird deterrents on MET towers. (Order Points 4 and 9)
 - Assessment underway for items #1 and 3.
 - Item #2, previously completed
- Reclamation of the staging/laydown area. (Order Points 13 and 21)

- Previously completed
- Compliance with National Electric Safety Code. (Order Point 8)
 - Please see file “NESC Compliance” on enclosed CD
- Ashtabula is required to submit a 10 year plan to the Commission annually under current laws and beginning every other year in 2014. No 2012 or 2013 Ten year plan is on file. (NDCC 49-22-04)
 - Previously completed
- Provide documentation of any permits not previously provided, including second determination from the FAA, NDPES Permit, NDH Septic Tank and Drainfield Permit, ND Highway Patrol Overheight/Overweight Permit, ND Department of Transportation Road Approach/Access Permit, the NDDOT Utility Permit, Haul Road Agreement and Utility Permit from the County (Order Point 4)
 - NDPES Permit – Research ongoing
 - NDDOT Utility Permit – Research ongoing
 - All others – Previously completed
- Provide documentation of the pre –construction conference and notice of intent to start construction. (Order Points 5 and 6)
 - Research ongoing
- Provide documentation of SHPO concurrence. (Order Points 4 and 10)
 - Research ongoing
- Documentation of preconstruction avian survey. (Order Point 9)
 - Previously completed
- The 2013 tree and shrub survival report was supposed to confirm that tree and shrub survival report is to be provided in fall 2014. In 2014, the report should include confirmation that there is satisfactory re-vegetation in the substation ditch. (Order Points 16 and 21)
 - The Company plans to complete this report by Fall 2014. The report will address satisfactory re-vegetation in the substation ditch.
- Provision of as-built drawings. (Order Point 31)
 - Previously completed
- Verification of setbacks for an occupied structure in the NE ¼ of the SE ¼ of Section 28, T143N, R57W, about 1300ft west of Turbine 14 and an occupied structure in the SW ¼ of the SE ¼ of Section 9, T12N, R57W, about 1200ft southeast from Turbine 76 and about 1160ft southeast from Turbine 75. There is no evidence of agreements with the landowners filed. (Order Point 4)
 - Research ongoing
- No documentation as to whether new discoveries of cultural, archeological, or historic sites were or were not found during construction (Order Point 10)
 - Previously completed
- No documentation as to whether or not threatened or endangered species or bald or golden eagles were observed within the Project area during construction or operation to date. (Order Points 9 and 24)
 - Previously completed
- Ensure the following erosion control and maintenance activities are undertaken and monitored: 1) minor erosional channels on the edges of the access roads or minor ruts on roads, particularly on hills, 2) erosion on gravel pads surrounding some

turbine bases, and 3) damage of gravel pads from agricultural equipment. (Order Points 14 and 21)

- Previously completed

PU-08-073

- Reports of, or lack thereof, of threatened, endangered species or bald or golden eagles during construction. (Order Point 8)
 - Previously completed
- Reports of, or lack thereof, of cultural, archeological, historical resources found during construction (Order Point 9)
 - Previously completed
- Provide as-built drawings. (Order Point 16)
 - Previously completed
- 2013 and 2014 tree and shrub survival reports. (Order Point 15)
 - Previously completed
- Copies of Permits, including ND Highway Patrol Overheight/Overweight Permit, ND Department of Transportation Utility Permit/Risk Management Documents, Barnes County Conditional Use Permit, Haul Road Agreement and Utility Permit. (Order Point 5)
 - Previously completed, with the exception of the NDDOT Utility Permit
- Copies of waivers from occupied dwellings within 500 feet. (Order Point 5)
 - Previously completed
- Compliance with National Electric Safety Code. (Order Point 7)
 - Please see file "NESC Compliance" on enclosed CD
- Summary or example of Wildlife Response Reporting System reports. (Order Point 8)
 - Previously completed
- Confirmation that no TV or radio interference occurred. (Order Point 17)
 - Research ongoing
- Provide documentation of the pre-construction conference and notice of intent to start construction. (Order Points 4 and 6)
 - Research ongoing

Thank you for your attention to this matter. Please feel free to contact me at (561) 304-5699 should you have any questions.

Sincerely,



Nicole Daggs
Senior Director
Business Management – Midwest Region

Enclosures

NEXTERA ENERGY RESOURCES, INC

April 10, 2014

Mr. Jerry Lein
Public Utility Analyst
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408

UPS Overnight Mail

RE: NextEra Energy Resources, Inc. project compliance with National Electric Safety Code (NESC) in reply to Post Construction Inspection, Case No. PU-10-147 (Ashtabula Wind III, LLC); Case Nos. PU-08-032 and PU-08-073 (Ashtabula Wind, LLC); Case No. PU-09-668 (Baldwin Wind, LLC); Case No. PU-07-026 and PU-07-722 (Langdon Wind, LLC); Case No. PU-06-312 (FPL Energy Oliver County Wind, LLC); Case No. PU-05-205 (FPL Energy Burleigh County Wind, LLC)

Dear Mr. Lein:

NextEra Energy Resources, Inc. (“NEER”) wind and transmission projects are developed from conceptualization to final design by adhering to a “Design Criteria” that is specific to a geographical region and/or state in which the project is being constructed. The Design Criteria is developed by our Project Engineering group to meet the requirements from various governing institutions and stake holders. These standards and criteria include, but are not limited to:

- NESC – National Electrical Safety Code
- IEEE – Institute of Electrical and Electronics Engineers
- IBC – International Building Code
- NERC – North American Electric Reliability Corporation
- NFPA – National Fire Protection Act
- OSHA – Occupational Safety and Health Administration
- All Federal Requirements
- State and County Requirements
- Local utilities
- Transmission Operators Requirements
- Grid Operators Requirements (IA) – Interconnect Agreement
- NEER’s standards.

NextEra Energy also has a robust, multilayered quality program that ensures adherence and compliance to the designs is met. This program consists of a strict contractor vetting system, which is backed by NextEra Energy’s own completely independent Verification and Validation (V&V) Quality Program. NextEra Energy then has an independent testing entity work with a NextEra Energy test engineer to verify design compliance through an extensive testing program.

Joe Marchese
Senior Director
Construction – Wind Projects
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