

Lein, Jerry R.

From: Rob Bouta [Rob.Bouta@westwoodps.com]
Sent: Wednesday, February 17, 2010 4:59 PM
To: Lein, Jerry R.
Cc: 'Ian Witherspoon '; 'Juergen Kraus'; 'Dan Cox'
Subject: Border Winds Energy Project Status Update

Jerry,

I wanted to give you a brief update on the status of the Border Winds Energy Project. Around mid-March, we plan to submit additional information to the North Dakota Public Service Commission (NDPSC), including the Shadow Flicker Assessment that was identified as a late-filed exhibit during the NDPSC Hearing on November 3, 2009. We are also preparing a response to the U.S. Fish and Wildlife Service (USFWS) that will address the items mentioned in the USFWS comments letter and testimony at the NDPSC Hearing. The project team has implemented many of the USFWS recommendations.

The project team has initiated other components of project permitting. We submitted application forms to the Federal Aviation Administration (FAA). The FAA review resulted in a presumed hazard determination for six of the identified turbine locations. Those six turbine locations have been terminated as a result of the FAA determinations.

The project team has chosen to add new turbine locations to the project layout to compensate for the six turbines that were terminated as a result of the FAA determinations. The new turbine locations will not change the project magnitude or increase impacts on exclusion and avoidance areas. The project is still proposed to include 66 turbines and total of 150 MW. The new turbine locations will ensure that that the project will have at least 66 viable turbine locations. The new turbine locations will result in a revised layout. To the extent practicable, the revised layout will minimize and avoid effects on resources of concern and resources listed as NDPSC exclusion and avoidance areas.

We plan to submit the revised layout and additional supplemental information to the NDPSC around the middle of March, possibly sooner. Please let me know if you have comments or questions in the meantime.

Regards,

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