



Public Service Commission
State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

Mr. Allen C. Hoberg
Office of Administrative Hearings
1707 North 9th Street, Lower Level
Bismarck, ND 58501

Re: Sequoia Energy US Inc.
Border Winds Energy Project, Rolette and Towner Counties
Siting Application
Case No. PU-08-797

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. A Public Hearing on the revised site plan is scheduled to begin 16 December 2010, at 10:00 a.m. CT, in the City Commission Hearing Room, 14 1st Street SE, Rolla, North Dakota. A copy of the Notice of Hearing is enclosed.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,

Illona A. Jeffcoat-Sacco
General Counsel

enclosure
c: w/encl. John Morrison

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
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TDD 800-366-6888 or 711

5 November 2010

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Sequoia Energy US Inc.
150 MW Border Winds Energy Project – Rolette County
Siting Application**

Case No. PU-08-797

NOTICE OF HEARING

November 2, 2010

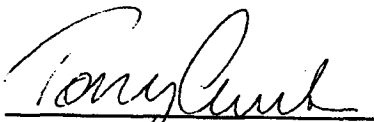
On October 24, 2008, Sequoia Energy US Inc. filed an application for a certificate of site compatibility to authorize construction of a 150 MW Border Winds Energy Project consisting of up to 66 wind turbine generators and associated facilities in Rollette and Towner Counties, North Dakota. On September 25, 2009 Sequoia revised its application, changing the Border Winds project area to entirely within Rollette County. On November 3, 2009 the Commission conducted a public hearing on the revised application in Rolla, North Dakota. On September 29, 2010, Sequoia filed a revised site plan changing the location of several turbines and associated facilities within the proposed project area in Rollette County.

A Public Hearing on the revised site plan is scheduled to begin December 16, 2010, at 10:00 a.m. CT, at the City Commission Hearing Room at 14 1st Street SE, Rolla, North Dakota. The issues to be considered are:


1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission.

PUBLIC SERVICE COMMISSION



**Tony Clark
Commissioner**



**Kevin Cramer
Chairman**



**Brian P. Kalk
Commissioner**



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 03-2001)

Name of Agency, Board, or Commission
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the 150MW Border Winds Energy Project - Rolette and Towner Counties - Siting Application

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49 -22 _____ (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:
 Border Winds provided additional materials, including turbine location adjustments, in order to proceed with the Order for Certificate of Site Compatibility.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments
 A Public Hearing on the revised site plan is scheduled to begin December 16, 2010, at 10:00 a.m. CT, at the City Commission Hearing Room at 14 1st Street SE, Rolla, North Dakota.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person Ilona A. Jeffcoat -Sacco, General Counsel	Date 5 November 2010
Signature of Requesting Person x	Telephone Number 701-328-2407

Attachment
 Request for ALJ
 5 November 2010

Sequoia Energy US Inc.
 Border Winds Energy Project, Rolette and Towner Counties
 Siting Application
 Case No. PU-08-797

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Mark Gruman Legal Counsel	Address Same as above	Telephone Number 701-328-2421
Illona A. Jeffcoat-Sacco General Counsel		701-328-2407
PARTY Sequoia Energy	Address P.O. Box 399 Rolla, ND 58367	Telephone Number 701-477-9534
Representation John Morrison	Address P.O. Box 2798 Bismarck, ND 58502-2798	Telephone Number 701-223-6585
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number