

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Sequoia Energy US Inc. Case No. **PU-08-797**
150MW Border Winds Energy Project – Rolette County
Siting Application

Border Winds Energy / Northern States Power Company Case No. **PU-17-362**
Transfer of Site Certificate
Siting Application

Courtenay Wind Farm, LLC Case No. **PU-13-64**
200.5 MW Wind Energy Conversion Facility – Stutsman
Siting Application

Northern States Power Company / Courtenay Wind Case No. **PU-15-174**
Transfer of Site Certificate
Siting Application

AFFIDAVIT OF SERVICE BY CERTIFIED AND ELECTRONIC MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **17th day of December 2021**, she deposited in the United States Mail, at Bismarck, North Dakota, one envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order on Request for Extension**

The envelopes were addressed as follows:

David Sederquist
Sr. Regulatory & Financial Consultant
Xcel Energy
2302 Great Northern Drive
Fargo, ND 58102
Cert. No. 7020 1290 0000 1334 4352

Geralyn R. Schmaltz further deposes and says that on the **17th day of December 2021**, she sent an electronic message to **two** addressees each including an electronic copy in portable document format of the same document.

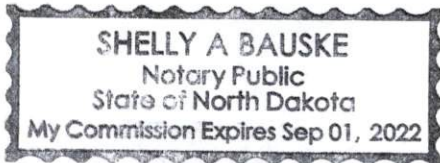
The electronic mail was addressed as follows:

Dave Sederquist
Xcel Energy
dave.sederquist@xcelenergy.com

Regulatory Records
Records Specialist
Regulatory.Records@xcelenergy.com

The addresses shown are the respective addressee's last reasonably ascertainable post office and electronic mail addresses.

Subscribed and sworn to before me
this **17th of December 2021**.



SEAL



Notary Public

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

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

Case No. PU-08-797

**Border Winds Energy / Northern States Power Co.
Transfer of Site Certificate
Siting Application**

Case No. PU-17-362

**Courtenay Wind Farm, LLC
200.5 MW Wind Energy Conversion Facility-Stutsman
Siting Application**

Case No. PU-13-64

**Northern States Power Company / Courtenay Wind
Transfer of Site Certificate
Siting Application**

Case No. PU-15-174

Order on Request for Extension

December 15, 2021

Preliminary Statement

On September 10, 2021, Northern States Power Company, doing business as Xcel Energy, (NSP) filed with the Commission a request for an extension of time to equip the Border Winds energy conversion facility with a functioning light-mitigating technology system.

On January 10, 2018, Boarder Winds was issued 2nd Reissued First Amended Certificate Number 21 which it currently operates under.

On August 24, 2014, Courtney Winds was issued the First Reissued Certificate of Site Compatibility Number 36 which it currently operates under.

On September 10, 2021, NSP filed with the Commission a request for an extension of time to equip the Courtenay Wind energy conversion facility with a functioning light-mitigating technology system. NSP requests an extension of the deadline from December 31, 2021, to June 30, 2022.

ON September 22, 2021, the Commission issued a notice for a consolidated public hearing on the above captioned cases.

On November 16, 2021, the Commission held the hearing as noticed.

95 **PU-13-64** Filed: 12/15/2021 Pages: 2
Order on Request for Extension

134 **PU-08-797** Filed: 12/15/2021 Pages: 2
Order on Request for Extension

116 **PU-15-174** Filed: 12/15/2021 Pages: 2
Order on Request for Extension

39 **PU-17-362** Filed: 12/15/2021 Pages: 2
Order on Request for Extension

Discussion

1. NSP is an investor-owned utility headquartered in Minneapolis, Minnesota, authorized to provide public utility service in North Dakota under the regulatory jurisdiction of the Commission.
2. North Dakota Century Code (NDCC) § 49-22-16.4 was added in the 2017 Legislative Session and became effective August 1, 2017.
3. Under NDCC 49-22-16.4 the commission may grant a waiver or extension of time based on technical or economic feasibility considerations after holding a public hearing.
4. NSP provided technical reasons for its extension request and has not provided any economic feasibility considerations.
5. NSP selected its Aircraft Detection Lighting System (ADLS) vendor in May of 2021.
6. Plans for the siting, grading, access road and conduit for the radar tower were not final until June of 2021. These plans were delayed beginning in July 2021 due to landowner concerns over the access road to the radar tower.
7. The delay also affected NSP's ability to order the tower until the site was finalized.
8. Given ten facilities using the same available vendors and under the same timeline have completed their installation and the four-year time frame NSP had to install ADLS, delays due to landowner negotiations in the third quarter of 2021 do not equate to a technical reason acceptable to the Commission to justify and extension of the December 31, 2021, deadline.

Order

The Commission denies NSP's extension request.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner