



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
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Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

7 November 2014

Wade Mann, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re: EDF Renewable Development, Inc.
Merricourt Wind Power Project
Siting Application
PU-08-932

Dear Mr. Mann:

Enclosed is a request for an Administrative Law Judge in the captioned case. A hearing will begin Monday, 22 December 2014, at 10:00 a.m., CST at City Hall, 113 1st St. NW, Ashley, North Dakota. Enclosed is the Notice of Hearing.

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. Andrew Pieper

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Request for Administrative Law Judge



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 06-2007)

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 EDF Renewable Development, Inc., Merricourt Wind Power Project, Siting Application
 PSC Case No. PU-08-932

(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:
 On October 10, 2014 EDF Renewable Development, Inc., filed an Application to amend the Certificate of Site Compatibility for the Merricourt Wind Power Project issued on June 8, 2011.

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 28-32-31(5). See NDCC 54-57-04.
- 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
 The Notice of Hearing is enclosed

(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 Illona A. Jeffcoat-Sacco, General Counsel	Date 11/7/2014
Signature of Requesting Person <i>x Illona A. Jeffcoat-Sacco</i>	Telephone Number (701) 328-2407

Attachment
 Request for ALJ
 7 November 2014

EDF Renewable Development, Inc.
 Merricourt Wind Power Project
 Siting Application
 PU-08-932

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Mitchell Armstrong & Brian Schmidt	Address Smith Bakke Porsborg Schweigert & Armstrong 122 E. Broadway Ave. Bismarck, ND 58501	Telephone Number 701-258-0630
PARTY EDF Renewable Development, Inc.	Address 15445 Innovation Dr. San Diego, CA 92128-3432	Telephone Number 858-521-3467
Representation Andrew J. Pieper Attorneys for EDF Renewable Development, Inc.	Address Stoel Rives, LLP 33 South 6 th ST. Suite 4200 Minneapolis, MN 55403	Telephone Number 612-373-8898
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**EDF Renewable Development Corporation, Inc.
Merricourt Wind Power Project
Siting Application**

Case No. PU-08-932

NOTICE OF FILING AND NOTICE OF HEARING

November 6, 2014

On June 8, 2011, the Commission issued Certificate of Site Compatibility No. 23 to enXco Development Corporation (enXco) authorizing construction of its proposed 150 MW Merricourt Wind Power Project consisting of up to 100 GE 1.5 MW wind turbine generators and associated facilities in Dickey and McIntosh Counties of North Dakota.

On October 10, 2014, EDF Renewable Development, Inc. (EDF Renewable) fka enXco filed an application for a revised site plan consisting of up to 75 Vestas V100 2.0 MW turbines and associated facilities within the previously-designated project area shown on the attached map. On November 6, 2014 the Commission deemed the application for a revised site plan complete.

A **Public Hearing** on the application for revised turbine layout is scheduled to begin on **December 22, 2014 at 10:00 a.m. CST at City Hall, 113 1st Street NW, Ashley, ND 58413**. 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, at least 24 hours in advance.

PUBLIC SERVICE COMMISSION



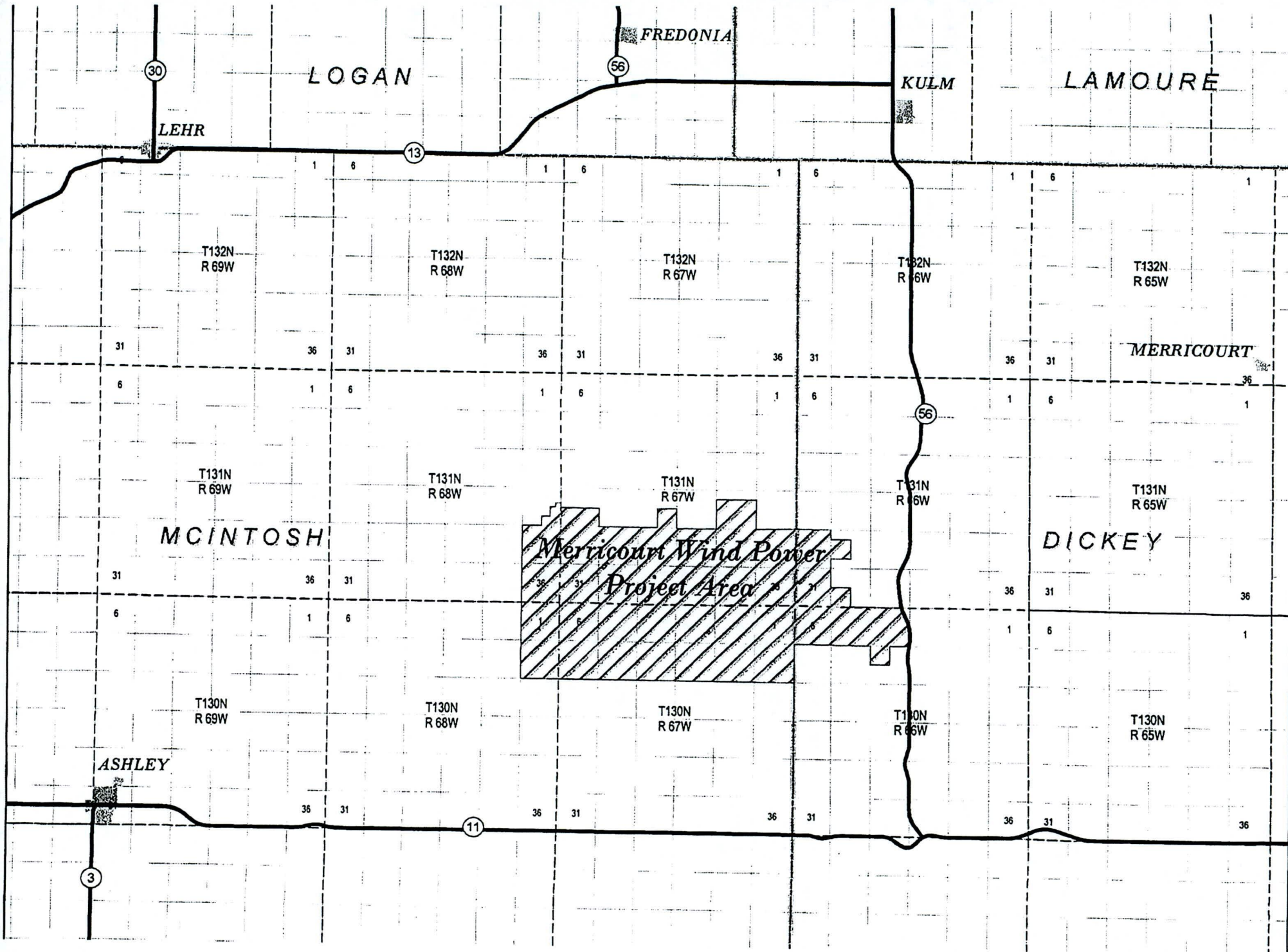
**Randy Christmann
Commissioner**



**Brian P. Kalk
Chairman**



**Julie Fedorchak
Commissioner**



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*Merricourt Wind Power
Project Area*

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