

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

**Certification Relating to Modification of Energy Conversion
Facility and Site Plan Pursuant to Certification Provision No.
38 for the Merricourt Wind Energy Project**

**PU-19-144
PU-08-932**

AFFIDAVIT OF BRADLEY E. TOLLERSON

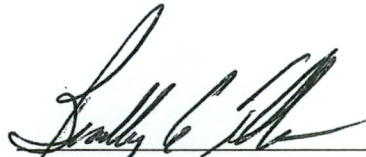
Bradley E. Tollerson, under oath, states:

1. I am employed by Otter Tail Power Company (“Otter Tail”) as its Vice President, Energy Supply, with the authority to bind Otter Tail in the commitments made herein, and make this affidavit in support of modifications to the energy conversion facility and site plan for the Merricourt Wind Project (“Project”).
2. I make this affidavit on the basis of my own personal knowledge and belief as to the matters contained herein.
3. I am familiar with the Commission’s Findings of Fact, Conclusions of Law and Order dated June 8, 2011 issuing Certificate of Site Compatibility No. 23, as amended on May 27, 2015 and as amended again on November 16, 2017 issuing the Second Amended Certificate of Site Compatibility No. 23 in docket PU-08-932 (the “Order”).
4. On June 26, 2019, the Commission approved the joint application of EDF Renewables Development, Inc. (“EDF”) and Otter Tail to transfer the Second Amended Certificate of Site Compatibility No. 23 from EDF to Otter Tail and issued First Reissued Second Amended Certificate of Site Compatibility No. 23 (the “Certificate”) to Otter Tail.
5. Otter Tail acquired the Project on July 16, 2019 from EDF Renewables Development, Inc. and its affiliates (“EDF”), including EDF-RE US Development, LLC (“EDF-USD”), pursuant to an Asset Purchase Agreement executed by the parties November 16, 2016 and amended on June 11, 2019. On July 31, 2019, Otter Tail filed a Certification describing layout modifications to the Project and attaching the relevant additional survey work and analysis as required by Certification Provision No. 38(A) to the Site Certificate (the “2019 Certification”). In August of 2019 and at the direction of Otter Tail, EDF-USD commenced work under a Turnkey Engineering, Procurement and Construction Services Agreement also executed by the parties November 16, 2016 and amended on June 11, 2019.

6. On October 2, 2019, a letter was filed notifying the Commission of two unintended disturbances of cultural sites within the Project area. Several corrective actions were taken to ensure avoidance of such an event occurring again, one of which was conducting additional cultural survey work. On November 5, 2019, a second letter was filed notifying the Commission of newly identified cultural sites discovered as a result of the additional survey work. Since that time and as described in an additional update filing with the Commission on January 29, 2020, Otter Tail and EDF have been analyzing the impact of these discoveries to the micrositing for the Project.
7. In order to ensure sufficient distance from the disturbed sites and all newly identified cultural sites, Otter Tail and EDF have made some changes to the Project layout. In accordance with Certification Provision No. 38(A), these changes and the accompanying analysis are more particularly described in the Memorandum Regarding Merricourt Energy Conversion Facility and Site Plan Modifications attached as Appendix A (the "Memorandum").
8. A textual summary and visual depiction comparing the energy conversion facility and site plan as approved by the Commission in the Order to the current Project plan are attached as Attachments 1 and 2, respectively, to the Memorandum.
9. In accordance with the Order's fourth ordering clause, an updated Class III cultural resource survey is attached to the Memorandum and the applicable State Historical Society's Preservation Office's ("SHPO") concurrence letter are attached to the Memorandum as Attachment 4. Additionally, Attachment 5 to the Memorandum includes the cultural resource work for a reroute of a small piece of collection line in lieu of a directional bore as was described in the 2019 Certification filing as well as the companion SHPO concurrence for the same. Each of these updates and analysis are further described in the Memorandum.
10. In accordance with the Order's fifth ordering clause, an updated wetland determination for any previously un-surveyed areas is included as Attachment 6 to the Memorandum.
11. In accordance with the Order's sixth and seventh ordering clauses, updated acoustic and shadow flicker analysis reflecting the modified energy conversion facility and site plan is included as Attachment 3 to the Memorandum.
12. Except as previously approved or authorized by the Certificate and in accordance with Certification Provision No. 38(A)(1), Otter Tail affirms that construction activities associated with the Project modifications will not affect any known exclusion or avoidance areas.

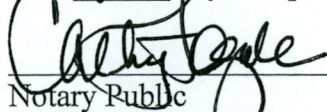
13. In accordance with Certification Provision No. 38(A)(2), a map and GIS shapefiles meeting the requirements of N.D. Admin. Code § 69-06-04-01(2)(n) of the energy conversion facility and site plan modifications will be separately provided to the Commission by KLJ.
14. In accordance with Certification Provision No. 38(A)(3), Otter Tail affirms that it will comply with the Commission's Order, law and rules designating the site.

Dated this 15th day of April, 2020.



Bradley E. Tollerson

Subscribed and sworn to before me
This 15th day of April, 2020.



Notary Public

My Commission Expires: 1-31-2023

