

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Ashtabula Wind, LLC / Otter Tail Power
Corporation
Partial Transfer of Site Certificate
Siting Application**

Case No. PU-09-53

AFFIDAVIT OF SERVICE BY CERTIFIED AND REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Janet Marquart deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **15th** day of **April, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Order Granting Partial Certificate Transfer

and an original of:

Certificate Number 10

The envelopes were addressed as follows:

Mark B. Bring
Associate General Counsel
Otter Tail Corporation
215 South Cascade Street
PO Box 496
Fergus Falls, MN 56538-0496

Cert. No. 7008 1830 0004 1758 8284

Janet Marquart further deposes and says that on the **15th** day of **April, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Order Granting Partial Certificate Transfer

and an original of:

First Amended Certificate Number 7

Brian R. Bjella, Esq.
Crowley Fleck PLLP
Counsel of Record for Ashtabula Wind LLC
400 E. Broadway Ave., Ste. 600
PO Box 2798
Bismarck, ND 58502-2798

Cert. No. 7008 1830 0004 1758 8291

Janet Marquart further deposes and says that on the **15th** day of **April, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of each of the same.

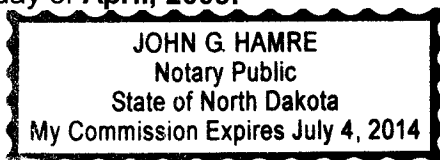
Bernadeen Brutlag
Manager, Regulatory Services
Otter Tail Power Company
PO Box 496
Fergus Falls, MN 56538-0496

Scott Scovill
Project Director
FPL Energy
700 Universe Boulevard
Juno Beach, FL 33408-2683

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **15th** day of **April, 2009**.

SEAL



Janet Marquart

John G. Hamre

Notary Public

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Ashtabula Wind, LLC / Otter Tail Corporation
Partial Transfer of Site Certificate
Siting Application**

Case No. PU-09-53

ORDER GRANTING PARTIAL CERTIFICATE TRANSFER

April 13, 2009

On May 30, 2008, in Case No. PU-08-32, the Commission issued Certificate of Site Compatibility No. 7 to Ashtabula Wind, LLC (Ashtabula Wind) authorizing construction of a 200 MW Ashtabula Wind Energy Center (AWEC) in Barnes County, North Dakota. As the Commission found in Finding of Fact #7 of its decision approving issuance of the certificate, Otter Tail Corporation d/b/a Otter Tail Power Company (Otter Tail) filed an application for a certificate of public convenience and necessity to construct and own 32 of the AWEC turbines and associated facilities totaling 48 MW of nameplate generating capacity. Otter Tail was issued Certificate of Public Convenience and Necessity No. 5347 for its 48 MW portion of the AWEC on July 2, 2008 in Case No. PU-08-200.

On February 6, 2009, in Case No. PU-09-53, Otter Tail and Ashtabula Wind filed a joint Application for Partial Transfer of Certificate of Site Compatibility, seeking to have transferred to Otter Tail only the rights and obligations of Certificate of Site Compatibility No. 7 that coincide with the geographical portion of the AWEC for which the Commission issued Certificate of Public Convenience and Necessity No. 5347.

On February 25, 2009, the Commission issued a Notice of Opportunity for Hearing, which provided until April 2, 2009 for receiving written comments or requests for hearing. No response was received. The notice stated that the issues to be considered in this matter are whether Otter Tail agrees and is able to comply with the terms and conditions of the siting certificate currently issued to Ashtabula Wind and whether the requested certificate transfer is compatible with the public interest.

Otter Tail is a Minnesota corporation authorized to do business in North Dakota as a foreign corporation, and is doing business in North Dakota as a public utility subject to the jurisdiction of and regulation by this Commission.

Otter Tail currently serves retail electric customers in eastern North Dakota, western Minnesota and northeastern South Dakota. Otter Tail is an experienced electric generation, transmission and distribution utility with the experience and resources to own a 48 MW portion of the Ashtabula Wind Energy Center.

The Commission finds that Otter Tail agrees and is able to comply with the terms and conditions of the siting certificate currently issued to Ashtabula Wind.

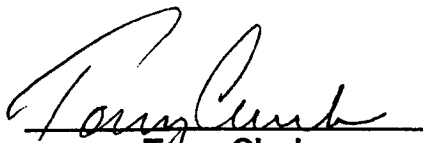
The Commission finds that the requested certificate transfer is compatible with the public interest.

Order

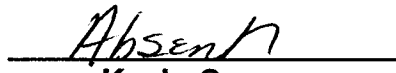
The Commission Orders:

1. The joint application of Otter Tail Corporation and Ashtabula Wind, LLC for Partial Transfer of Certificate of Site Compatibility is granted.
2. Certificate of Site Compatibility No. 10 is issued to Otter Tail Corporation for the 48 MW portion of the Ashtabula Wind Energy Center for which the Commission issued Certificate of Public Convenience and Necessity No. 5347 in Case No. PU-08-200.
3. First Amended Certificate of Site Compatibility No. 7 is issued to Ashtabula Wind, LLC for the remaining portion of the Ashtabula Wind Energy Center.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
President



Brian P. Kalk
Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Site Compatibility for Energy Conversion Facility

**First Amended
Certificate Number 7**

This is to certify that the Commission has designated an energy conversion facility site for Ashtabula Wind, LLC to construct and operate the Ashtabula Wind Energy Center in Barnes County, North Dakota.

The energy conversion facility site designation by the Commission's May 30, 2008 Order in Case No. PU-08-32 is amended by the Commission's April 13, 2009 Order in Case No. PU-09-53 authorizing transfer of ownership of a 48 MW portion of the 200 MW wind energy facility

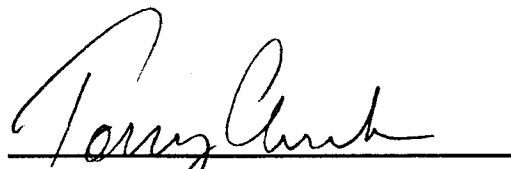
This certificate is subject to the conditions and limitations noted in those orders.

Bismarck, North Dakota, April 13, 2009.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Site Compatibility for Energy Conversion Facility

Certificate Number 10

This is to certify that the Commission has designated an energy conversion facility site for Otter Tail Corporation's portion of the Ashtabula Wind Energy Center in Barnes County, North Dakota.

The energy conversion facility site designation by the Commission's May 30, 2008 Order in Case No. PU-08-32 is amended by the Commission's April 13, 2009 Order in Case No. PU-09-53 authorizing Otter Tail Corporation's ownership of a 48 MW portion of the wind energy facility.

This certificate is subject to the conditions and limitations noted in those orders.

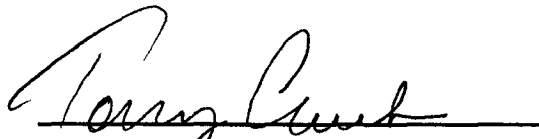
Bismarck, North Dakota, April 13, 2009.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner