

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

Green Power Express LP

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Docket No. ER09-681-000

**NOTICE OF INTERVENTION  
OF THE  
NORTH DAKOTA PUBLIC SERVICE COMMISSION**

Pursuant to Rule 214 of the Federal Energy Regulatory Commission's (FERC) Rules of Practice and Procedure, 18 C.F.R. § 385.214, the North Dakota Public Service Commission (NDPSC) submits its Notice of Intervention in the above-captioned proceeding.

**I. COMMUNICATIONS**

All correspondence and communication concerning this proceeding should be directed to:

Annette Bendish  
Special Assistant Attorney General  
North Dakota Public Service Commission  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480

**II. INTERVENING PARTY**

The NDPSC is a three-member body created by the Constitution of the State of North Dakota and statutorily charged with the duty to regulate electric utility services, rates, and charges rates in North Dakota. In addition, the NDPSC has authority for the siting of generation and transmission resources within North Dakota. The NDPSC is also empowered to participate in federal administrative proceedings affecting utility rates or service in North Dakota. The NDPSC is a "State Commission" as defined in 18 C.F.R. § 1.101(k). The location of the

NDPSC's principal place of business is: North Dakota Public Service Commission; State Capitol Building; 600 East Boulevard Avenue, 12<sup>th</sup> Floor; Bismarck, ND 58505-0480.

### **III. TIMELINESS**

Under Rule 214(a)(2), any State Commission is a party to any proceeding upon filing a notice of intervention in that proceeding, if the notice is filed within the period established under Rule 210(b). The intervention deadline set by FERC under Rule 210(b) in this proceeding is March 5, 2009.

### **IV. INTEREST**

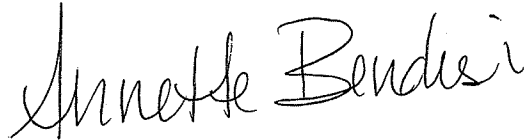
North Dakota is rated as having the top wind resources in the nation. The NDPSC has consistently supported the responsible development of this resource, both for the economy of this state and for the well-being of the nation and the environment.

Although the NDPSC takes no position at this time on the specifics of this particular application, the NDPSC does urge FERC to recognize the challenges posed by implementing an aggressive national renewable energy policy. There is a distinction between system upgrades to serve the incremental needs dictated by the traditional generation and transmission system itself, and those that will be needed to meet a national policy objective that cannot be achieved by traditional system optimization approaches, such as matching generation resource location with load location to the extent possible.

As the state regulator of public utilities in North Dakota, the NDPSC has an interest that may be directly affected by the outcome of this proceeding. The interests of North Dakota consumers are not adequately represented by any other

party; the North Dakota Public Service Commission's participation in this proceeding is in the public interest.

Respectfully submitted,

A handwritten signature in black ink that reads "Annette Bendish". The signature is written in a cursive style with a large initial 'A' and a long, sweeping tail on the 'h'.

Annette Bendish (ND Bar ID# 05790)  
Special Assistant Attorney General  
North Dakota Public Service Commission  
600 E. Boulevard Ave., Dept 408  
Bismarck, ND 58505-0480

Tel: (701) 328-2421

Dated March 3, 2009

**CERTIFICATE OF SERVICE**

I, Janet Marquart, hereby certify that I served a true and correct copy of the foregoing **Notice of Intervention of the North Dakota Public Service Commission** by sending electronic mail messages, each with an attached electronic copy of the same, on March 4, 2009, addressed to all persons listed on the Service List as of March 4, 2009, as compiled by the Secretary of the Federal Energy Regulatory Commission for Docket No. ER09-681-000.

  
Janet Marquart  
Public Utilities Division  
North Dakota Public Service Commission