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PUBLIC SERVICE COMMISSION

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Fargo ND 58103
701-293-5045
(and)
11886 County Road 26, HC2
Luverne ND 58056
701-769-2111

Mr. Darrell Nitschke
Executive Director
ND Public Service Commission
12th Floor, State Capitol
600 E Boulevard Ave, Dept 408
Bismarck ND 58505-0480

July 31, 2009

Mr. Nitschke,

I am in receipt of Ashtabula Wind II, LLC's Objection to the Petition for Rehearing that I submitted to the Public Service Commission on July 27, 2009, re: case numbers PU-08-34 and PU-09-221.

I did not personally receive a copy of the objection; the copy in my possession was mailed to my husband, Roger Gress. Of the signatories to our petition, my husband and I are both directly affected parties in this case. To clarify, we occupy two residences:

420 8th Avenue South, Fargo ND 58103 (our primary mailing address); and
11886 County Road 26, Luverne ND 58056.

Our rural Luverne home is located in a close-set cluster of affected homes and businesses that include JoAnne Wold, Jim and Mary Ann Miller, and others. Our property is approximately one-half mile from proposed turbine sites in Ashtabula II South Field. We are aggrieved parties because of our close proximity to the proposed locations for turbines 166, 170, 171 and 172.

Mr. Mann's objection to our petition states, on page 2: "None of the petitioners intervened in either Case No. PU-08-34 or PU-09-221." This is inaccurate. I appeared before the PSC in Cooperstown, June 5, 2009, during which I submitted probative evidence included in *Exhibit J*. I also appeared before the Griggs County Commissioners in Cooperstown on June 30, 2009, during which I submitted my testimony, which may be found in the public record (also enclosed). The June 30 hearing is relevant to this case, because it was at this meeting that the Griggs County Commissioners handed over, to the State, the responsibility for determining safe setback allowances in Ashtabula II, LLC's south field.

I have indicated clearly and strongly the ways in which we and our neighbors would be harmed

by specific hazards, as delineated within our petition for rehearing, and also the manner in which the value of our property would be substantially lessened by wind turbines that are located too near to us.

I also indicated the issue of safe setbacks of wind turbines from human dwellings is of utmost importance not only for ourselves but for all North Dakotans – and their animals and livestock – who will live near, or will be otherwise affected by, industrial wind farms operating in our state.

Our petition states we want to reintroduce grave concerns about stray voltage. The particular documents that were disallowed by Judge Wahl on June 5 dealt mainly, *but not wholly*, with stray voltage from overhead power lines. We will introduce evidence connected to accidental stray voltage emitted in connection to wind turbines that may affect livestock on Jo Anne Wold's pasture lands and also the sled dogs owned by Jim and Mary Ann Miller. This evidence includes the scientific research of Dr. Magda Havas and others who are studying the affects of stray ground voltage on people and livestock/animals.

We are also addressing the previously unaddressed, but very serious, concern related to the inability of air ambulances to reach humans living or dying in close proximity to wind turbines.


Mr. Mann's objection to our petition implies Senator Tim Mathern's petition is immaterial, because he is not directly affected by Ashtabula II, LLC. However, Mr. Mathern is our state senator for District 11, which includes our home in Fargo. His petition for rehearing is in support of our case and is therefore appropriate, pertinent and relevant.

Despite Gerald and Connie Stokka's mailing address, their petition is also relevant, as Mr. Stokka is a veterinarian who cares for livestock and other animals in the affected region.

All other signatories to our petition understand this is ultimately about the PSC's fundamental responsibility related to determining setbacks that protect occupants of human dwellings throughout the state of North Dakota. The signatories understand the PSC's decision is a far-reaching issue that will impact many generations of North Dakotans. Common sense dictates that the mailing addresses of signatories are irrelevant.

Therefore, on behalf of my husband, myself, and all who signed our petition(s), I respectfully ask the Public Service Commission to honor our request for rehearing, as well as Senator Mathern's request. We ask that the objection raised by Crowley Fleck attorneys to a rehearing be overruled.

Sincerely,



Merry Helm



Roger Gress

A copy of this letter has been mailed to:

Lawrence Bender
Fredrikson & Byron, P.A.
200 North 3rd Street, Suite 150
Bismarck ND 58501

Brian R. Bjella
Crowley Fleck PLLP
400 East Broadway, Suite 150
Bismarck ND 58501

Annette Bendish, Legal Counsel
North Dakota Public Service Commission
State Capitol Building, 12th Floor
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In addition, a copy of this letter has been emailed to the signatories of the Merry Helm et. al. Petition for Rehearing.