



Competitive  
Power Ventures, Inc.

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PUBLIC SERVICE COMMISSION

June 19, 2009

Mr. Darrell Nitschke  
Executive Secretary  
North Dakota Public Service Commission  
600 E. Boulevard Ave., Dept. 408  
Bismarck, North Dakota 58505-0480

**Re: Letter of Intent to submit an application for a Certificate of Site Compatibility for CPV Ashley Renewable Energy Company, LLC's Ashley Wind Power Project.**

Dear Mr. Nitschke:

CPV Ashley Renewable Energy Company, LLC (CPV Ashley) is a Delaware Limited Liability Company. CPV Ashley submits this Letter of Intent (LOI) to file an application for a Certificate of Site Compatibility for its Ashley Wind Power Project pursuant to Chapter 49-22 of the North Dakota Century Code and Chapter 69-06-03 of the North Dakota Administrative Code. CPV Ashley requests at this time that the PSC waive or modify the requirement that a Letter of Intent be filed one year before filing an application for siting of the Ashley Wind Power Project.

**Facility Description**

The proposed Ashley Wind Power Project is a wind energy conversion facility that will consist of up to 212 wind turbines totaling up to 487.6 MW of wind energy capacity. The Project's footprint consists of more than 37,000 contiguous acres of land located in McIntosh County, ND, north of Ashley, ND. The Project may interconnect to the following three existing transmission lines:

- 1) Basin Electric Power Coop's Leland Olds – Groton 345 kV line;
- 2) Montana Dakota Utility's (MDU) Wishek – Ellendale 230 kV line; and
- 3) MDU's Wishek – Ashley 42 kV line.

## **Area to be Served**

The Ashley Wind Power Project will be a multi-phased Project. Some phases of the Project may be owned and operated by CPV Ashley with the output of these projects sold via Power Purchase Agreements (PPA) to one or more utilities. These utilities will be located within the Midwest Independent Transmission System Operator (MISO) service territory, Mid-Continental Area Power Pool (MAPP) service territory or will be in a service territory adjacent to the MISO or MAPP service territories. Other phases of the Project may be sold to a regional utility at the time that phase is ready for construction. The purchasing utility will build, own and operate the "Construction Ready" phase. The specific areas to be served by the PPA phases and the "Construction Ready" phases have not yet been designated. Delineation of the respective owners' shares of the overall project footprint is contingent upon the specification of the turbines to be used and siting constraints, both of which are yet to be determined.

## **Map of the Study Area for the Proposed Corridor**

Attached is a map that outlines the proposed study area, with the Project footprint outlined in blue.

## **Anticipated Construction and Operation Schedule**

At this time no firm schedule has been established for permit applications. CPV Ashley anticipates filing an application for a Certificate of Site Compatibility and a McIntosh County Wind Energy Facility Siting Permit in late 2009 or early 2010.

CPV Ashley intends to have the first phase of the Ashley Wind Project commercially operational no later than December 31, 2012. Additional phases are planned to be commercially operational in 2012 or 2013. To meet this December 31, 2012 goal, CPV Ashley intends to start construction in Spring 2011 or Spring 2012.

## **Estimated Total Cost of Construction**

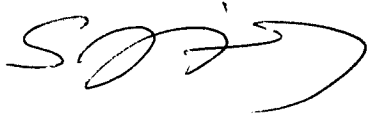
The capital costs for the total of up to 212 turbines at the Ashley Wind Power Project are estimated at \$1,013,000,000.

## **Waiver Request**

Section 69-06-03-01 of the North Dakota Administrative Code establishes a one-year notice period between filing the LOI and filing the application for a Certificate of Site Compatibility, and notes that the Commission may approve a shorter notice period. CPV Ashley respectfully requests a waiver from the one-year notice period. Allowing CPV Ashley to file its application for a Certificate of Site Compatibility in late 2009 or early 2010 will ensure ample time for completion of the permitting process prior to the anticipated date of financial close of the first phase. It is requested that the Commission reduce this period to one day.

We look forward to working with the Commission on this matter. If you have any questions regarding the proposed Ashley Wind Power Project or this Letter of Intent, please do not hesitate to contact John Hafner, the Project Manager, at 617-543-3886 or [jhafner@cpv.com](mailto:jhafner@cpv.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Finnerty', with a large, sweeping flourish at the end.

Sean J. Finnerty  
Senior Vice President  
Competitive Power Ventures

