



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Kevin Cramer  
Tony Clark  
Brian P. Kalk

Executive Secretary  
Darrell Nitschke

Mr. Allen C. Hoberg  
Office of Administrative Hearings  
1707 North 9<sup>th</sup> Street, Lower Level  
Bismarck, ND 58501

Re: Baldwin Wind, LLC  
Siting Application  
Case No. PU-09-668

13 April 2010

600 E. Boulevard Ave. Dept 408  
Bismarck, North Dakota 58505-0480  
Web: [www.nd.gov/psc](http://www.nd.gov/psc)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone 701-328-2400  
Toll Free 1-877-245-6685  
Fax 701-328-2410  
TDD 800-366-6888 or 711

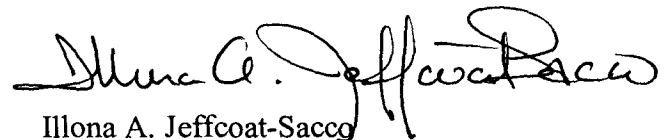
Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. A hearing will begin Thursday, May 20, 2010, in the Brynhild Haugland Room, Ground Floor, State Capitol, 600 E. Boulevard Ave., Bismarck, North Dakota, starting at 9:00 a.m. Central Time. A copy of the Revised Notice of Hearing issued is enclosed.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,

  
Illona A. Jeffcoat-Sacco  
General Counsel

enclosure  
c: w/encl. Brian R. Bjella  
Scott Scovill

Attachment  
Request for ALJ  
13 April 2010

Baldwin Wind, LLC  
Siting Application  
Case No. PU-09-668

<b>AGENCY</b>	<b>Address</b>	<b>Telephone Number</b>
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
<b>Representation</b> Annette Bendish	<b>Address</b> Same as above	<b>Telephone Number</b> 701-328-2421
<b>PARTY</b> Baldwin Wind, LLC	<b>Address</b> 700 Universe Blvd. Juno Beach, FL. 33408	<b>Telephone Number</b> 561-691-7240
<b>Representation</b> Brian Bjella, Attorney Crowley Fleck	<b>Address</b> P.O. Box 2798 Bismarck, ND 58502-2798	<b>Telephone Number</b> 701-223-6585
<b>PARTY</b>	<b>Address</b>	<b>Telephone Number</b>
<b>Representation</b>	<b>Address</b>	<b>Telephone Number</b>
<b>PARTY</b>	<b>Address</b>	<b>Telephone Number</b>
<b>Representation</b>	<b>Address</b>	<b>Telephone Number</b>

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Baldwin Wind, LLC  
102 MW Baldwin Wind Energy Center – Burleigh Cty  
Siting Application**

**Case No. PU-09-668**

**REVISED NOTICE OF FILING AND NOTICE OF HEARING**

**April 13, 2010**

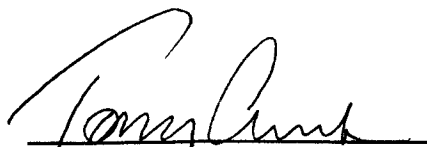
On March 5, 2010 Baldwin Wind, LLC filed an application for a certificate of site compatibility to authorize construction of a 99 MW Baldwin Wind Energy Center consisting of up to 62 wind turbine generators and associated facilities in Burleigh County, North Dakota, as shown on the attached map. On April 9, 2010 Baldwin Wind, LLC filed an amendment to the application increasing the project size up to 102.4 MW with up to 64 turbines. The Commission finds the amended application is complete conditioned on the filing of final wind turbine locations on or before May 13, 2010.

**A Public Hearing** on the application is scheduled to begin **May 20, 2010 at 9:00 a.m. CDT, at the Brynhild Haugland Room, Ground Floor, State Capitol, 600 E Boulevard Ave, Bismarck, North Dakota, 58505.** The issues to be considered are:

1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will the proposed facility locations minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that energy needs are met and fulfilled in an orderly and timely fashion?

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota, 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

**PUBLIC SERVICE COMMISSION**



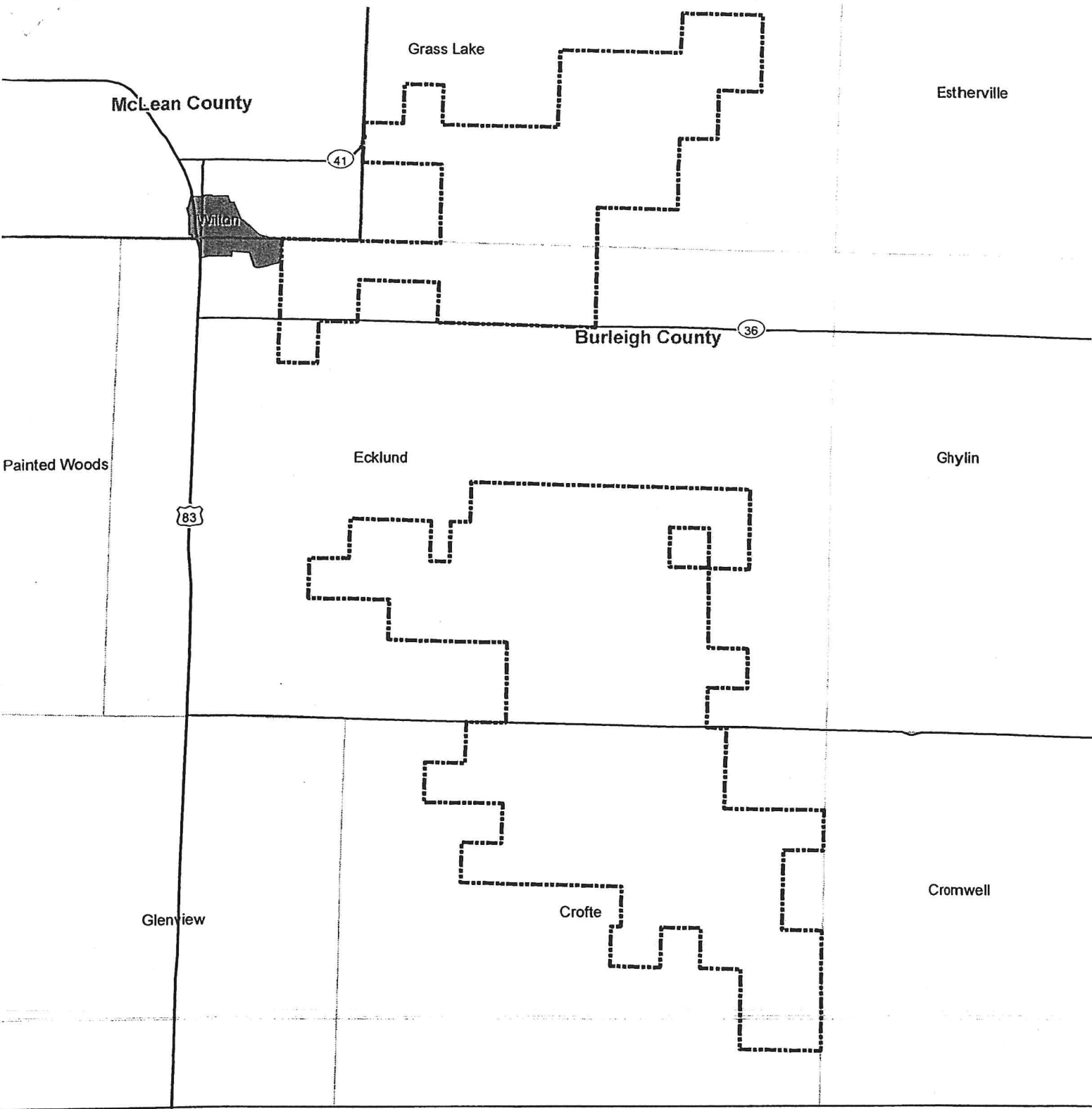
**Tony Clark  
Commissioner**



**Kevin Cramer  
Chairman**



**Brian P. Kalk  
Commissioner**

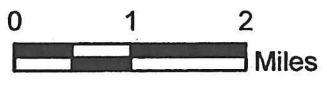


**GENERAL LOCATION MAP  
AND STUDY AREA  
BALDWIN WIND PROJECT  
BURLEIGH COUNTY  
NORTH DAKOTA**

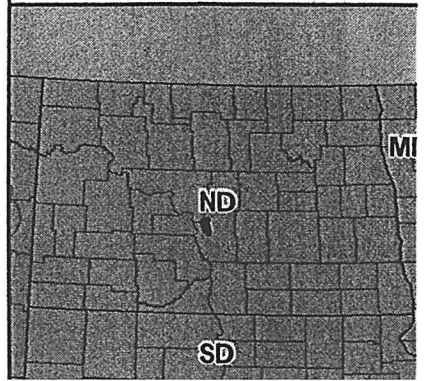
APRIL 2010

**Legend**

-  Project Boundary
-  Township



**OVERVIEW MAP**





**REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION**  
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS  
 SFN 17819 (Rev. 03-2001)

Name of Agency, Board, or Commission  
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Siting Application - Baldwin Wind, LLC - Burleigh County

PSC Case No. PU-09-668

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22 \_\_\_\_\_ (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:  
 This Project would consist of up to 102 megawatts (MW) and would interconnect and deliver power into the Western Area Power Administration system approximately four miles southeast of Wilton, North Dakota.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

**PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.**

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments  
 A hearing has been scheduled to begin Thursday, May 20, 2010, in the Brynhild Haugland Room, Ground Floor, State Capitol starting at 9:00 a.m. CST.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel	Date 13 April 2010
Signature of Requesting Person x <i>Illona A. Jeffcoat-Sacco</i>	Telephone Number 701-328-2407