

BALDWIN WIND, LLC

April 11, 2014

Mr. Jerry Lein
Public Utility Analyst
North Dakota Public Service Commission
600 East Boulevard, Dept 408
Bismarck, ND 58505-0408

UPS Overnight Mail



RE: Baldwin Wind, LLC
Post Construction Inspection, Case No. PU-09-668

Dear Mr. Lein:

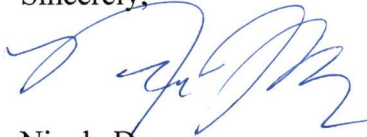
Please find an updated response below from Baldwin Wind, LLC (“the Company”) to your letter dated February 12, 2014. The following list provides responses to your inquiries and references to requested documentation. These documents can be found on the enclosed CD. Offsite archived files arrived at the office earlier this week, and we plan to sort through them as soon as possible. It is anticipated that more of the remaining open items will be realized during this process. An update on the status of these items will be provided to the Commission within 30 days.

- Erosion control and maintenance work including: reclamation of the ditch slopes around the substation, including re-contouring sub-soils or adding topsoil; edges of access roads, ruts on roads, and exposed Geotech fabric on access roads; and pooling water on gravel pads around the turbine bases. (Order Points 17 and 30)
 - Previously completed
- Clarification of reseeded seed mix. Non-native species used. Clarify if approved by NRCS. (Order Points 4 and 16)
 - Assessment underway but not yet complete.
- The final Environmental Assessment and ND Highway Patrol Overheight/Overweight Permit were not provided. (Order Points 4, 5 and 7)
 - Previously completed
- Final reports of April 2010 archeology survey for Grass Lake Township and Class II architectural survey for the Project area which were referenced in federal EA. (Order Point 6)
 - Previously completed
- Final report of the additional avian survey in 2010 for Grass Lake Township, as referenced in the federal EA. (Order Point 4)
 - Previously completed
- USFWS concurrence letter or approval considering the Project in compliance which was referenced in the FONSI for the federal EA. (Order Point 4)

- Previously completed
- Compliance with National Electric Safety Code. (Order Point 11)
 - Please see file “NESC Compliance” on enclosed CD
- Reports of cultural, archeological, historical resources found, if applicable. (Order Point 13)
 - Previously completed
- Verification that the Avian and Bat Protection Plan and Adaptive Management Plan were implemented. (Order Points 4 and 27)
 - Previously completed
- MET towers not self-standing as recommended by the USFWS. (Order Point 4)
 - Research ongoing
- Concerns of USFWS regarding migrating whooping cranes addressed. Measures to minimize potential impact to whooping cranes: stop-construction within two miles of whooping cranes observed; post-construction monitoring (3 years) during spring and fall whooping crane migration season; curtailment of turbines within two miles of whooping cranes observed during operation. (Order Point 27)
 - The site manager confirms that a three- year post-construction study was performed by the Company to monitor spring and fall whooping crane migration seasons. No sightings were recorded during the study period; however, the final report is still forthcoming. The Company will provide the final report to Staff.
- No reports filed as to the presence or lack thereof of threatened or endangered species or bald or golden eagles during construction and operation or mortality monitoring. (Order Points 17 and 27)
 - Previously completed
- A 2014 Tree and Shrub Survival Report is due in late 2014. (Order Point 19)
 - The Company plans to complete and submit this report by November 30, 2014.
- Educational materials for landowners or the public of possible dangers. Safety measures for traffic control or to restrict public access. Procedure for handling complaints. Cooperation with landowners/residents to mitigate adverse effects. (Order Points 25 and 26)
 - Previously completed
- Baldwin Wind, LLC is required to submit a 10 year plan to the Commission annually under current laws and beginning every other year in 2014. To date, Baldwin Wind, LLC has not complied with this provision (NDCC 49-22-04)
 - Previously completed
- Participation agreements for 2 occupied residences where shadow flicker exceeds AWEA recommendation of 30 hrs/yr. (Order Points 5 and 32)
 - Research ongoing
- Agreement with landowner whose residence is closer than 1400 feet to the turbine. (Order Points 5 and 32)
 - Research ongoing

Thank you for your attention to this matter. Please feel free to contact me at (561) 691-7887 should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nicole Daggs', written over a faint circular stamp.

Nicole Daggs
Senior Director
Business Management – Midwest Region

Enclosures

NEXTERA ENERGY RESOURCES, INC

April 10, 2014

Mr. Jerry Lein
Public Utility Analyst
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408

UPS Overnight Mail

RE: NextEra Energy Resources, Inc. project compliance with National Electric Safety Code (NESC) in reply to Post Construction Inspection, Case No. PU-10-147 (Ashtabula Wind III, LLC); Case Nos. PU-08-032 and PU-08-073 (Ashtabula Wind, LLC); Case No. PU-09-668 (Baldwin Wind, LLC); Case No. PU-07-026 and PU-07-722 (Langdon Wind, LLC); Case No. PU-06-312 (FPL Energy Oliver County Wind, LLC); Case No. PU-05-205 (FPL Energy Burleigh County Wind, LLC)

Dear Mr. Lein:

NextEra Energy Resources, Inc. (“NEER”) wind and transmission projects are developed from conceptualization to final design by adhering to a “Design Criteria” that is specific to a geographical region and/or state in which the project is being constructed. The Design Criteria is developed by our Project Engineering group to meet the requirements from various governing institutions and stake holders. These standards and criteria include, but are not limited to:

- NESC – National Electrical Safety Code
- IEEE – Institute of Electrical and Electronics Engineers
- IBC – International Building Code
- NERC – North American Electric Reliability Corporation
- NFPA – National Fire Protection Act
- OSHA – Occupational Safety and Health Administration
- All Federal Requirements
- State and County Requirements
- Local utilities
- Transmission Operators Requirements
- Grid Operators Requirements (IA) – Interconnect Agreement
- NEER’s standards.

NextEra Energy also has a robust, multilayered quality program that ensures adherence and compliance to the designs is met. This program consists of a strict contractor vetting system, which is backed by NextEra Energy’s own completely independent Verification and Validation (V&V) Quality Program. NextEra Energy then has an independent testing entity work with a NextEra Energy test engineer to verify design compliance through an extensive testing program.

Joe Marchese
Senior Director
Construction – Wind Projects
561-691-2398
Joe.Marchese@NextEraEnergy.com