

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

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **24th day of July 2020** she deposited in the United States Mail at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

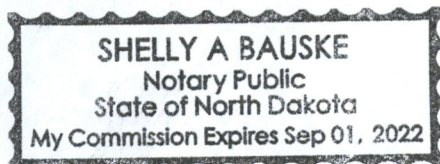
- **Order**

The envelope was addressed as follows:

Wade C. Mann
Crowley Fleck PLLP
PO Box 2798
Bismarck, ND 58502-2798
Cert. No. 7019 2280 0001 7941 2951

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **24th day of July 2020**.



Notary Public

SEAL

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ORDER

July 23, 2020

Preliminary Statement

On July 14, 2010, the Commission issued Certificate of Site Compatibility No. 16 to Baldwin Wind, LLC authorizing construction of the Baldwin Wind Energy Center in Burleigh County, North Dakota.

On May 19, 2020, Baldwin Wind filed a request to amend the July 14, 2010 Order issuing Certificate No. 16 to clarify that the property line setback requirement of 1.1 times turbine height only applies to non-participating property owners.

On June 10, 2020 the Commission issued a Notice of Opportunity for Hearing that provided until July 15, 2020 for receiving written comments and hearing requests. No response was received. The notice identified the issue to be considered in this proceeding is whether the July 14, 2010 Order should be amended as requested.

Discussion

Having considered this matter, the Commission finds Baldwin Winds request for an amendment should be granted. Therefore the Commission issues the following:

Order

The Commission Orders Finding of Fact #40 from the Commission's July 14, 2010 decision is amended to read as follows:

40. Baldwin Wind has proposed setbacks of 440 feet (1.1 x turbine height) from existing transmission lines, roads, railroads and non-participating property boundaries.

PUBLIC SERVICE COMMISSION


Julie Fedorchak
Commissioner


Brian Kroshus
Chairman


Randy Christmann
Commissioner