



Public Service Commission
State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

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

Re: Oliver Wind III, LLC
Siting Application
Case No. PU-09-724

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. A hearing will begin Thursday, June 24, 2010, at the Civic Center, 204 Lincoln Ave. N., Center, North Dakota, starting at 9:00 a.m. Central Time. A copy of the Notice of Hearing 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
20 May 2010

Oliver Wind III, LLC
Siting Application
Case No. PU-09-724

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Annette Bendish	Address Same as above	Telephone Number 701-328-2421
PARTY Oliver Wind III, LLC	Address 700 Universe Blvd. Juno Beach, FL. 33408	Telephone Number 561-691-7232
Representation Brian Bjella, Attorney Crowley Fleck	Address P.O. Box 2798 Bismarck, ND 58502-2798	Telephone Number 701-223-6585
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number



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 - Oliver Wind III, LLC - Oliver & Morton Counties
 PSC Case No. PU-09-724

(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:
 The application for Certificate of Corridor Compatibility is for a corridor right-of-way for the proposed Oliver III Transmission Line, which would connect the proposed Morton County Wind Energy Center to the Square Butte Substation.

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 will begin Thursday, June 24, 2010, at the Civic Center, 204 Lincoln Ave. N., Center, North Dakota, starting at 9:00 a.m. Central Time.

(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 Ilona A. Jeffcoat-Sacco, General Counsel	Date 20 May 2010
Signature of Requesting Person X	Telephone Number 701-328-2407

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Oliver Wind III, LLC
230 kV Transmission Line – Oliver & Morton
Siting Application**

Case No. PU-09-724

**NOTICE OF FILING AND NOTICE OF HEARING
May 12, 2010**

On March 19, 2010, NextEra Energy Resources, LLC (NextEra) filed an application for a waiver of procedures and time schedules, a corridor certificate and a route permit to authorize construction of 11 miles of 230 kV electric transmission line and associated facilities in Morton and Oliver Counties of North Dakota, as shown on the attached map. On May 12, 2010 NextEra requested to transfer this case to its subsidiary, Oliver Wind III, LLC as the applicant,

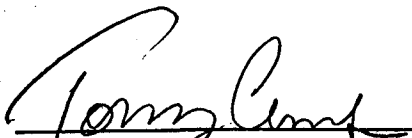
Oliver Wind III, LLC requests the Commission waive procedures and time schedules set forth in North Dakota Century Code chapter 49-22 and North Dakota Administrative Code article 69-06 to allow for a single consolidated application for corridor certificate and route permit and to hold a combined hearing on the waiver request and application for corridor certificate and route permit.

A **Public Hearing** on the application is scheduled to begin **June 24, 2010, at 9:00 a.m. CDT, at the Civic Center, 204 Lincoln Ave. N, Center, North Dakota 58530.** The issues to be considered are:

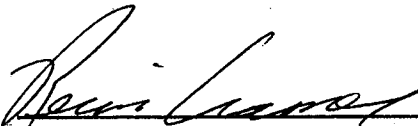
1. Will the location, construction, and operation of the proposed facilities produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota?
2. Are the proposed facilities compatible with the environmental preservation and the efficient use of resources?
3. Will 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?
4. Is it appropriate for the Commission to waive procedures and time schedules as requested, including the request for a single consolidated application for corridor certificate and route permit?

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.

PUBLIC SERVICE COMMISSION



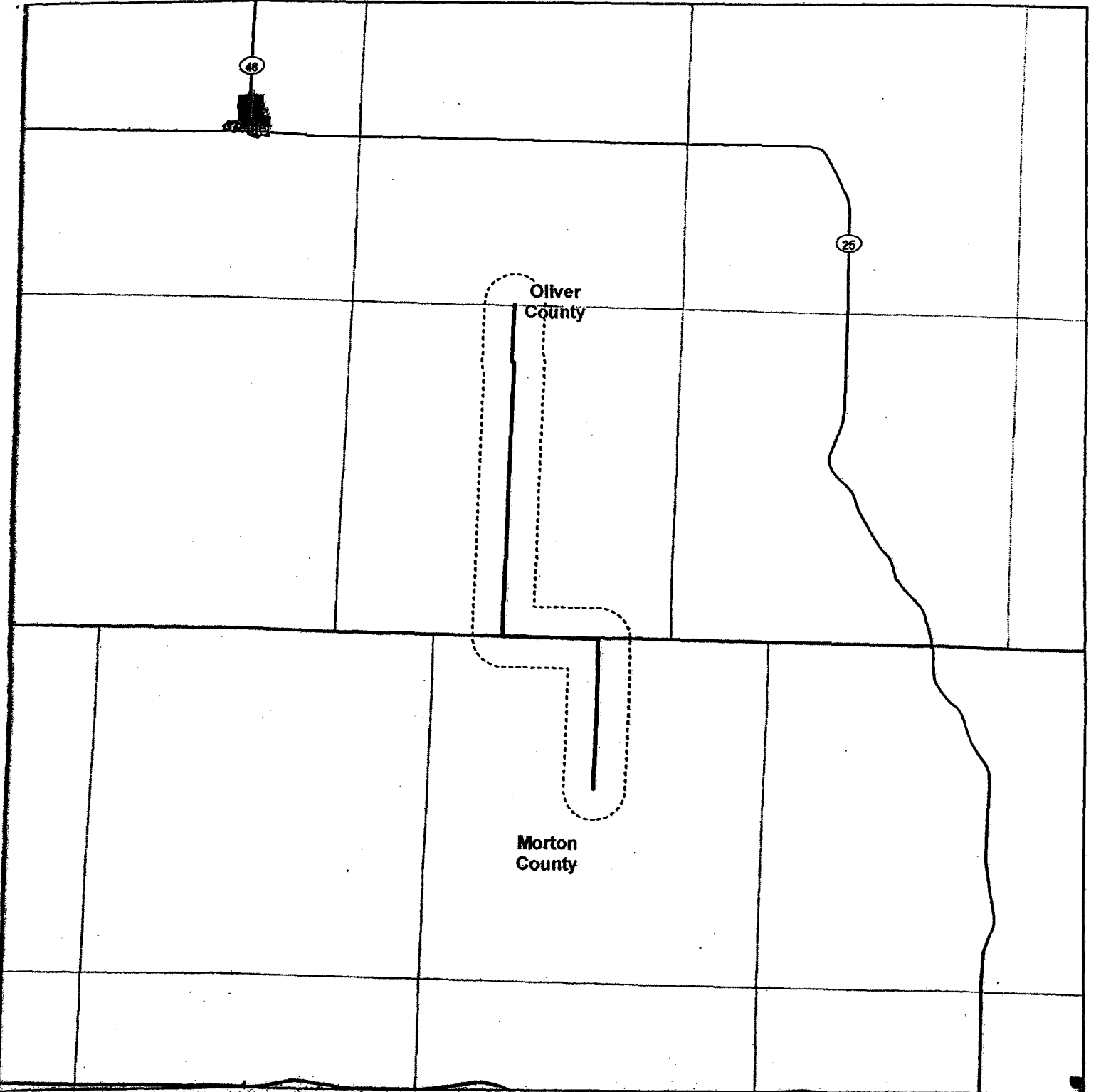
**Tony Clark
Commissioner**



**Kevin Cramer
Chairman**



**Brian P. Kalk
Commissioner**

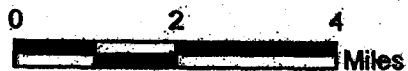


**GENERAL LOCATION MAP
AND STUDY AREA
OLIVER III
TRANSMISSION LINE
OLIVER AND MORTON COUNTIES
NORTH DAKOTA**

MAY 2010

Legend

- Proposed Oliver III Transmission Line
- - - 1.1-Mile Corridor
- Township
- County Boundary



OVERVIEW MAP

