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PUBLIC SERVICE COMMISSION

March 5, 2010

Mr. Darrell Nitschke
Executive Director
NORTH DAKOTA PUBLIC
SERVICE COMMISSION
600 E. Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

Dear Mr. Nitschke:

In re: Ashtabula Wind III, LLC Wind Project
Barnes County, North Dakota
Our File No. 35-218-000

I am writing as a follow up to my telephone conversation with Jerry Lein of the Public Service Commission staff with respect to a new wind farm proposed to be constructed by Ashtabula Wind III, LLC, a subsidiary of NextEra Energy Resources, LLC in Barnes County, North Dakota (Ashtabula III).

Ashtabula Wind, LLC (Ashtabula I), in Case No. PU-08-032, received a Certificate of Site Compatibility for construction and operation of the Ashtabula I Wind Energy Center located near Valley City, North Dakota. NextEra is now contemplating construction of a second wind energy center which would be adjacent to the existing Ashtabula I Wind Energy Center.

The new proposed wind farm would contain up to 40 turbines generating up to 60 megawatts of wind energy. Ashtabula III will own and operate what will be known as the Ashtabula Wind III Energy Center. See attached diagram of the proposed new wind farm.

In addition to being owned and operated by a separate legal entity, the Ashtabula Wind III Energy Center will have its own collector lines and substation separate from Ashtabula I. Another significant difference between the two wind farms is that the power purchaser for Ashtabula I is Minnkota Power Cooperative of Grand Forks, North Dakota. However, it is the

intention of NextEra that Ashtabula III has currently not identified a dedicated power purchaser, and intends to sell the electricity from the wind farm to the MISO merchant market.

The only relationship between the two wind energy centers would be that Ashtabula III would share the same transmission line as owned and constructed by Ashtabula I in PSC Case No. PU-08-073. Again, please see attached diagram for location of facilities.

By virtue of the fact that the Ashtabula III Wind Energy Center (1) will be owned and constructed separate from the Ashtabula I Wind Energy Center, (2) will have a separate substation, (3) power will be generated and marketed independently of Ashtabula I, and (4) will generate up to 60 megawatts of electricity, and thus under the threshold established by North Dakota Century Code § 49-22-03(5)(a); we believe mandates that this new wind energy center is not jurisdictional under the North Dakota Siting Act codified at North Dakota Century Code Chapter 49-22.

We call the Commission's attention to a similar finding reached by the Commission in Case No. PU-2806-02-606 regarding FPL Energy's North Dakota Wind, LLC and North Dakota Wind II, LLC's adjacent wind farms located in Dickey County, North Dakota. While these two wind farms are adjacent to each other, they are owned and operated by separate legal entities, have their own separate collection lines and substations, and separate power purchasers. This is a virtually identical fact situation to that presented in this letter.

On behalf of Ashtabula III, we respectfully request a written concurrence of no significance under the Siting Act.

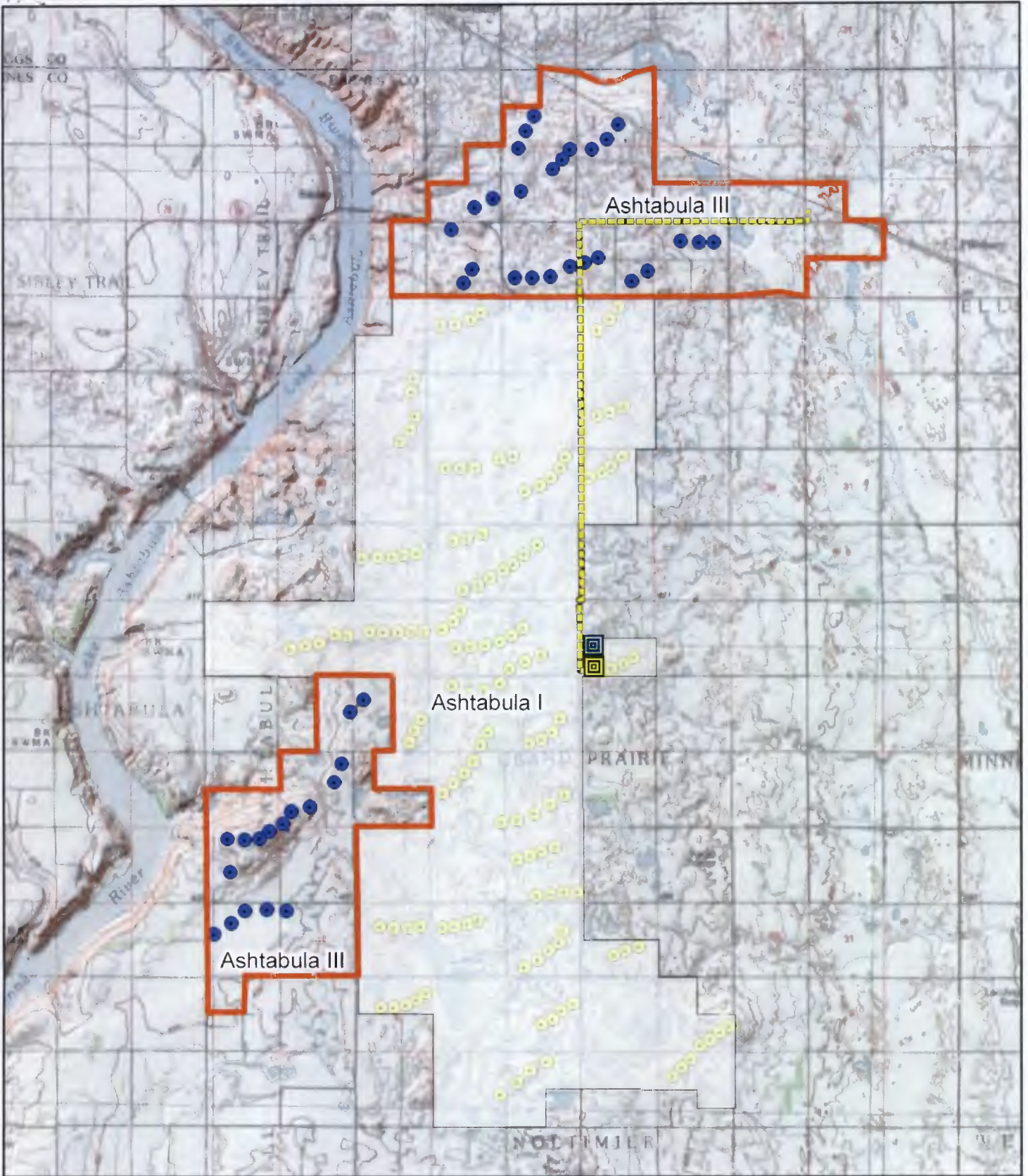
Thank you for your attention to this matter. Please do not hesitate to call should you have any questions.

Very truly yours,



BRIAN R. BJELLA

bw
Enc.
cc: Scott Scovill



Ashtabula III Wind Energy Center Barnes County, North Dakota



 Ashtabula III Project Boundary

 Proposed Ashtabula III Turbines

 Proposed Ashtabula III Substation

 Ashtabula I Turbines

 Ashtabula I Substation

March 02, 2010

 Ashtabula I Project Boundary

 Ashtabula I T-Line

0 0.5 1 2 3 4 Miles

