

APPROVED

DATE: 12/29/2021
PJT

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Tatanka Wind Power, LLC
Tatanka Wind Farm - Dickey Cty
Decommissioning Plan & Cost

Case No. PU-10-73

MOTION

December 29, 2021

I move the Commission approve the revised decommissioning plan and cost estimate, filed on November 12, 2021, which replaces the decommissioning plan and cost estimate approved by the Commission on October 21, 2020, in Tatanka Wind Power, LLC, Tatanka Wind Farm - Dickey Cty, Decommissioning Plan & Cost, Case No. PU-10-73.

DISSENT

Commissioner Randy Christmann

December 29, 2021

**Tatanka Wind Power, LLC
Decommissioning Plan & Cost Estimate**

Case No. PU-10-73

The request of Tatanka Wind Power, LLC (Tatanka) to replace their decommissioning plan and lower their cost estimate should be denied. Only fourteen months ago (October of 2020) the PSC approved a decommissioning plan provided by Tatanka. The plan used similar techniques as dozens of other plans submitted by numerous wind farm operators. The associated cost estimate for that plan is \$15.75 million, which was also accepted by the Commission.

However, Tatanka never provided the required financial assurances to match that cost estimate. Instead, they requested a new decommissioning plan which would lower the cost estimate and their financial assurance requirement to \$9,478,100.

The key change being requested is “felling” turbine towers instead of dismantling them with cranes. Felling consists of attaching a long cable to the nacelle and pulling the turbine hub over.

Approval of this new method of decommissioning cannot be taken lightly. In this case it lowers their cost estimate to only 60% of their previous plan. It should be assumed that other operators are likely to want to substantially lower their financial assurance requirements too. If that happens, and if the felling strategy proves unsuccessful, the Commission could be left with inadequate financial assurances to decommission dozens of facilities using traditional methods.

Comparisons have been made to decommissioning costs of other wind farms on a per turbine basis. These are not reliable comparisons. On a per turbine basis, the amount of roads to be reclaimed, the amount of native species grasses, the terrain, the amount of wetlands, the proximity to a landfill, and the proximity to contractors are variables that make “cost per turbine” comparisons deceiving.

In this case, Tatanka has claimed a successful track record for this new method of dismantling (felling) by referencing a project in Iowa. Tatanka's consultant, Westwood, states "As evidence of the success of this technique we have reviewed confidential information prepared for the decommissioning of the Cerro Gordo Wind Project in Clear Lake, Iowa, dated October 2018." Before approving this plan, at the very least, this confidential information should have been provided to the PSC for review by Commissioners and staff. This is done frequently in other cases. Westwood's interpretation of the information alone is not persuasive evidence.

Another major concern is that felling these turbine hubs completely onto the access roads is impossible. Parts of them will clearly land off the access road surface. Tatanka assures the Commission that they have the necessary access and land use rights to decommission the facility as they are proposing. However, Tatanka also says, "... private landowner easements and leases are outside the jurisdiction of the Commission, Tatanka has the necessary access and land use rights to decommission the facility in the manner described in the November 2021 Plan." At this point in time, if Tatanka defaults on decommissioning, the PSC has no idea whether those access and land use rights will allow the Commission to use this less expensive method of decommissioning. If they do not, the Commission may find itself using traditional methods with funding for only a small portion.

The potential for this method of decommissioning to be successful clearly exists. I am hopeful felling will be successful and anxious to see it tried experimentally. But approving a trial is one thing. Lowering the financial assurances required by the Commission based on the estimated costs of that trial is completely different. The people of North Dakota rely on these financial assurances to be adequate to assure proper decommissioning if the owner defaults.

Approval of this plan assumes that felling will be successful and assumes that the Commission will have land use rights to carry it out if the operator fails to do so. At this point in time, Tatanka has not provided persuasive evidence of either.



Randy Christmann, Commissioner