



Public Service Commission
State of North Dakota

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TDD 800-366-6888 or 711

7 June 2010

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

Re: Ashtabula III Wind Energy Center
Siting Application
Case No. PU-10-147

Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. A hearing will begin Tuesday, July 13, 2010, at the Barnes County Court House, 230 4th St. NW, Valley City, 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

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Ashtabula Wind III, LLC
Ashtabula III Wind Energy Center - Barnes County
Siting Application**

Case No. PU-10-147

NOTICE OF FILING AND NOTICE OF HEARING

June 2, 2010

On May 18, 2010, Ashtabula Wind III, LLC filed an application for a certificate of site compatibility to authorize construction of a 69 MW Ashtabula III Wind Energy Center consisting of up to 43 wind turbine generators and associated facilities in Barnes County, North Dakota as shown on the attached map.

A **Public Hearing** on the application is scheduled to begin on **July 13, 2010 at 9:00 a.m. CDT in the Barnes County Court House, 230 4th St. NW, Valley City, ND 58072.** 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?

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, at least 24 hours in advance.

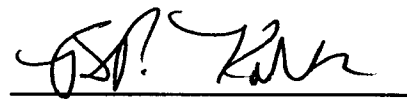
PUBLIC SERVICE COMMISSION



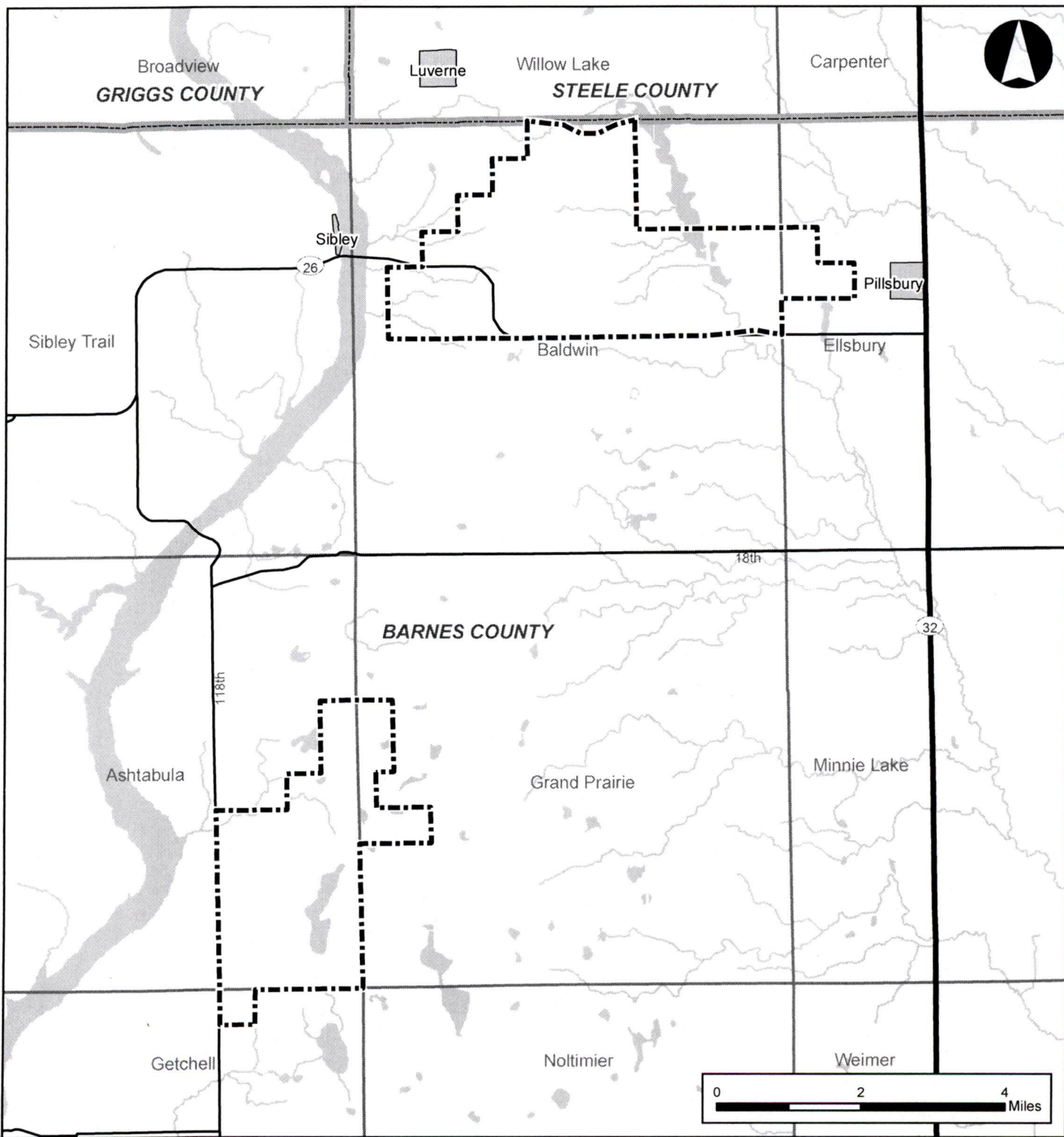
**Tony Clark
Commissioner**



**Kevin Cramer
Chairman**




**Brian P. Kalk
Commissioner**



ASHTABULA III
WIND ENERGY CENTER
BARNES COUNTY, NORTH DAKOTA









Project Location Map

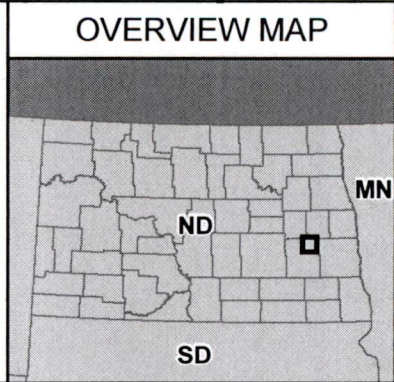
May 2010



TETRA TECH EC, INC.

Legend

	Proposed Project Area		City/Town
	Highway		Civil Township Boundary
	Major Road		County Boundary
	Waterbody		
	Stream		





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 - Ashtabula III Wind Energy Center, Barnes County
 PSC Case No. PU-10-147

(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:
 Ashtabula Wind III, LLC filed an application for a certificate of site compatibility to authorize construction of a 69 MW Ashtabula III Wind Energy Center consisting of up to 43 wind turbine generators and associated facilities in Barnes County, North Dakota.

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 Tuesday, July 13, 2010, at the Barnes County Court House, 230 4th St. NW, Valley City, 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 Illona A. Jeffcoat-Sacco, General Counsel	Date 7 June 2010
Signature of Requesting Person X <i>Illona Jeffcoat-Sacco</i>	Telephone Number 701-328-2407

Attachment
Request for ALJ
7 June 2010

Ashtabula Wind III, LLC
Siting Application
Case No. PU-10-147

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 Ashtabula 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