

ASHTABULA WIND III, LLC

April 11, 2014

Mr. Jerry Lein
Public Utility Analyst
North Dakota Public Service Commission
600 East Boulevard, Dept 408
Bismarck, ND 58505-0408

UPS Overnight Mail



RE: Ashtabula Wind III, LLC
Post Construction Inspection, Case No. PU-10-147

Dear Mr. Lein:

Please find an updated response below from Ashtabula Wind III, LLC (“the Company”) to your letter dated February 12, 2014. The following list provides responses to your inquiries and references to requested documentation. These documents can be found on the enclosed CD. Offsite archived files arrived at the office earlier this week, and we plan to sort through them as soon as possible. It is anticipated that more of the remaining open items will be realized during this process. An update on the status of these items will be provided to the Commission within 30 days.

- Noxious weed and vegetation control including control on gravel pads (Order Points 15 and 22)
 - Previously Completed
- Clarification of reseeding seed mix. Non-native species used. Clarify if approved by NRCS. (Order Points 4 and 14)
 - Assessment underway
- Minimal disturbance of native prairie. Native prairie survey to be completed. NDGF, USFWS concern. NDPR recommends avoiding occurrences of listed plant species of concern and critical habitats. (Order Point 15)
 - Assessment underway for 2009 Native Prairie Report covering remaining turbines.
- Conditional Use Permit, variance for wind turbine heights, Road Agreement and Road Haul Permit were not on file. (Order Point 4)
 - Previously Completed
- USFWS requested a written explanation of compliance with laws and regulations that the USFWS overseas. (Order Point 4)
 - Previously Completed
- The ND Department of Health NDPES Permit, the NDDH Section 401 Water Quality Certification, the ND Highway Patrol Overheight/Overweight Permit, the

110 PU-10-147 Filed: 4/14/2014 Pages: 6
Updated response to Feb. 12, 2014 letter re post
construction inspection

Ashtabula Wind III, LLC

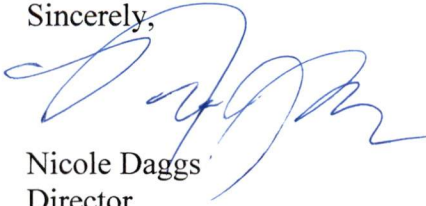
Ashtabula Wind III, LLC

Nicole Daggs, Director Bus. Mgmt.

- ND Highway Patrol Trip/Fuel Permit, the ND Department of Transportation Driveway Permit and the NDDOT Utility Permit were not provided (Order Point 4)
- Previously Completed
 - Associated GIS files for as-built drawings or GIS shapefiles of final Project Layout. (Order Point 31)
 - Previously Completed
 - Summary or example of WRRS reports so Commission can confirm they are available if needed. (Order Point 6)
 - Please see file “Ash III WRRS Incidents” on enclosed CD
 - Compliance with National Electric Safety Code. (Order Point 9)
 - Please see file “NESC Compliance” on enclosed CD
 - Reports of any additional cultural, archeological, historical resources found, if applicable. (Order Point 11)
 - Previously Completed
 - No reports of preconstruction Bat Studies or post construction avian or bat studies as requested by the USFWS and NDGF. (Order Points 4 and 2)
 - Previously Completed
 - Description of bird safe design used on the overhead tie-in from the substation to the existing transmission line. No bird diverters observed on the line. (Order Point 4)
 - Assessment underway
 - Description of bird safe design or bird deterrents used on MET towers. (Order Point 4)
 - Assessment underway
 - Cumulative effects analysis requested by the USFWS. (Order Point 4)
 - Assessment underway
 - No reports filed as to the presence or lack thereof of threatened or endangered species or bald or golden eagles during construction and operation or mortality monitoring. (Order Point 10)
 - Previously Completed
 - 2014 Tree and Shrub Survival Report due in late 2014. (Order Point 17)
 - The Company plans to complete and submit this report by November 30, 2014.
 - No educational materials for landowners or the public. No procedures for handling complaints or mitigating landowner/resident concerns. (Order Points 23 and 26)
 - Previously Completed
 - Ashtabula Wind III, LLC is required to submit a 10 year plan to the Commission annually under current laws and beginning every other year in 2014. To date, Ashtabula Wind, LLC has not complied with this provision. (NDCC49-22-04)
 - Previously Completed

Thank you for your attention to this matter. Please feel free to contact me at (561) 691-7887 should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nicole Daggs', written over the word 'Sincerely,'.

Nicole Daggs
Director
Business Management – Midwest Region

Enclosures

| Site | ID | Date Reported | Reporting Crew | I/F | Common Name | Turbine Type | raptor / No | Category | Structure | Part 1 | Distance | Bearing | Location Remarks | Age | Sex | Bands |
|---------------|-----------|---------------|-------------------|-----|-------------|--------------|-------------|-----------|-----------|------------------|-----------|---------|------------------|-----|-----|-------|
| Ashtabula III | WAT313-01 | 6/19/2013 | NEER; J. Thornton | F | Mallard | GE 1.5 | Non-raptor | Other-non | T-229 | Complete Carcass | 50 yards | N | | A | M | No |
| Ashtabula III | WAT313-02 | 6/19/2013 | NEER; J. Thornton | F | Mallard | GE 1.5 | Non-raptor | Other-non | T-263 | | 150 yards | NW | | A | M | No |

NEXTERA ENERGY RESOURCES, INC

April 10, 2014

Mr. Jerry Lein
Public Utility Analyst
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0408

UPS Overnight Mail

RE: NextEra Energy Resources, Inc. project compliance with National Electric Safety Code (NESC) in reply to Post Construction Inspection, Case No. PU-10-147 (Ashtabula Wind III, LLC); Case Nos. PU-08-032 and PU-08-073 (Ashtabula Wind, LLC); Case No. PU-09-668 (Baldwin Wind, LLC); Case No. PU-07-026 and PU-07-722 (Langdon Wind, LLC); Case No. PU-06-312 (FPL Energy Oliver County Wind, LLC); Case No. PU-05-205 (FPL Energy Burleigh County Wind, LLC)

Dear Mr. Lein:

NextEra Energy Resources, Inc. (“NEER”) wind and transmission projects are developed from conceptualization to final design by adhering to a “Design Criteria” that is specific to a geographical region and/or state in which the project is being constructed. The Design Criteria is developed by our Project Engineering group to meet the requirements from various governing institutions and stake holders. These standards and criteria include, but are not limited to:

- NESC – National Electrical Safety Code
- IEEE – Institute of Electrical and Electronics Engineers
- IBC – International Building Code
- NERC – North American Electric Reliability Corporation
- NFPA – National Fire Protection Act
- OSHA – Occupational Safety and Health Administration
- All Federal Requirements
- State and County Requirements
- Local utilities
- Transmission Operators Requirements
- Grid Operators Requirements (IA) – Interconnect Agreement
- NEER’s standards.

NextEra Energy also has a robust, multilayered quality program that ensures adherence and compliance to the designs is met. This program consists of a strict contractor vetting system, which is backed by NextEra Energy’s own completely independent Verification and Validation (V&V) Quality Program. NextEra Energy then has an independent testing entity work with a NextEra Energy test engineer to verify design compliance through an extensive testing program.

Joe Marchese
Senior Director
Construction – Wind Projects
561-691-2398
Joe.Marchese@NextEraEnergy.com