

400 North Fourth Street
Bismarck, ND 58501
(701) 222-7900

May 19, 2010

RECEIVED

MAY 20 2010

PUBLIC SERVICE COMMISSION

Executive Secretary
ND Public Service Commission
State Capitol Building
Bismarck, ND 58505

Re: Ellendale 230 kV Transmission Line and
Interconnecting Substation
Case No. PU-10-___

Montana-Dakota Utilities Co., a Division of MDU Resources Group, Inc. (Montana-Dakota) submits this Letter of Intent to file an Application for a Certificate of Corridor Compatibility and Route Permit in accordance with North Dakota Century Code (NDCC) Section 49-22-07.1 and North Dakota Administrative Code (NDAC) Chapter 69-06-03. Contemporaneously, with this filing Montana-Dakota is also filing an Application requesting waiver of procedure and time schedules in accordance with NDCC Section 49-22-07.2 and NDAC Chapter 69-06-06.

Montana-Dakota is planning to construct approximately 30 miles of 230 kV electric transmission line and a 230 kV interconnection substation as network upgrades to Montana-Dakota's transmission system to allow the interconnection of enXco Development Corporation's (enXco) proposed 150 MW proposed wind farm located in McIntosh and Dickey Counties. The substation will interconnect with Montana-Dakota's existing Wishek-Ellendale 230KV transmission line approximately 30 miles northwest of Ellendale. The transmission line will be built between the new substation and Montana-Dakota's existing substation at Ellendale, North Dakota. The proposed substation location and the proposed transmission line study area are shown on the attached map marked as Attachment A. The transmission line is expected to be constructed using either wood or steel poles, and to consist of either single-pole or two-pole construction, or both, depending upon the best option. The estimated cost of construction is \$14,500,000.

Preliminary routing of the line has begun. The first public meeting to notify the public and get their input is expected in mid-June, 2010. Right-of-way acquisition will start shortly thereafter. Montana-Dakota anticipates filing an Application with the

Commission in September for a combined Certificate of Corridor Compatibility and Transmission Facility Permit. Construction is planned to begin in 2011, with completion required by December 1, 2011.

Please refer all inquiries regarding this filing to:

Ms. Andrea Stomberg
Vice President – Electric Supply
Montana-Dakota Utilities Co.
400 North Fourth Street
Bismarck, ND 58501

Also, please send copies of all written inquiries, correspondence and pleadings to:

Mr. Daniel S. Kuntz
Associate General Counsel
MDU Resources Group, Inc.
P.O. Box 5650
Bismarck, ND 58506-5650

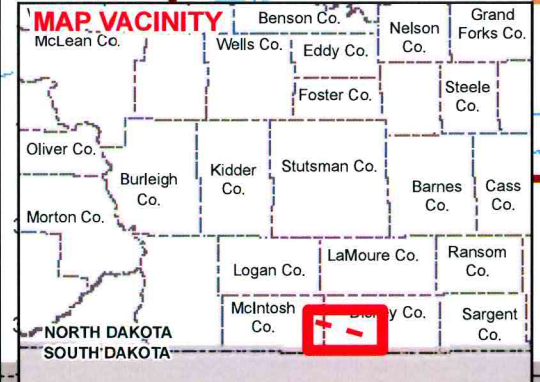
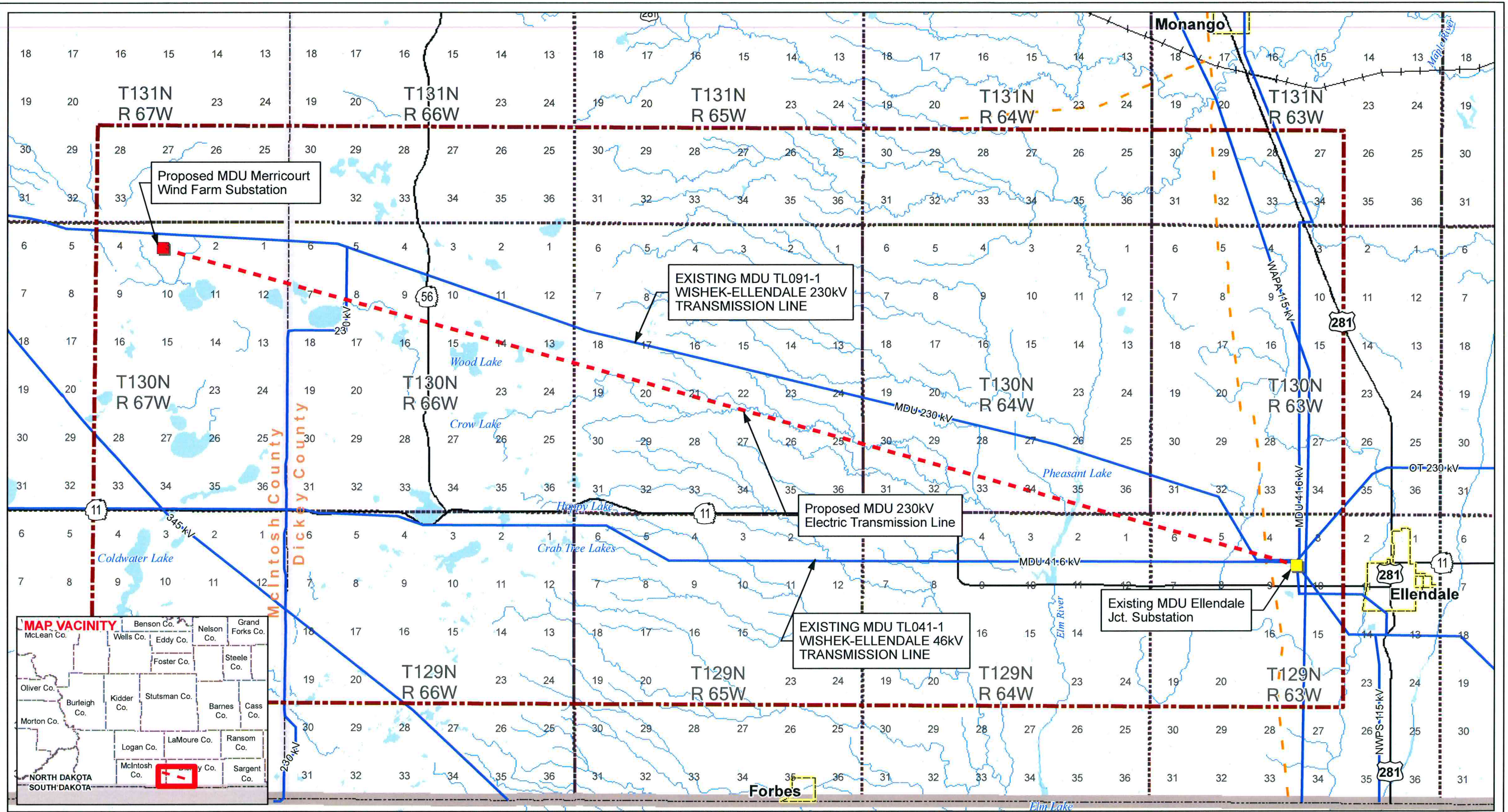
The original and ten (10) copies of this Letter of Intent and Application for waiver of procedure and time schedules are hereby filed with the Commission.

Sincerely,



Tamie A. Aberle
Pricing & Tariff Manager

Attachments



May 10, 2010

- Study Area
- Proposed MDU Merricourt Wind Farm Substation
- Existing MDU Ellendale Jct. Substation
- Proposed Transmission Line
- Existing Transmission Line
- Existing Gas Pipeline
- Incorporated Area
- Highway
- In-Use Railroad
- Stream
- Lake or Pond
- County Boundary

Study Area Map
 Montana-Dakota Utilities Co.
 Merricourt Wind Farm to Ellendale Project

Attachment A

Map Document: \\msps-gis-file\GIS\Projects\MDU\140114\map_docs\Agency\PSC\MEP_11x17\TL_LOI.mxd 5/10/2010 4:34:01 PM

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application of)
MONTANA-DAKOTA UTILITIES CO., a)
Division of MDU Resources Group, Inc.,)
for Waiver of Procedures & Time)
Schedules.)
)

Case No. PU-10-__

* * * * *

APPLICATION FOR WAIVER OF
PROCEDURES AND TIME SCHEDULES

Montana-Dakota Utilities Co. (Montana-Dakota), a Division of MDU Resources Group, Inc., pursuant to North Dakota Century Code (NDCC) § 49-22-07.2 and North Dakota Administrative Code (NDAC) §69-06-06-02, respectfully submits the original and ten copies of its Application to the North Dakota Public Service Commission (Commission) for a waiver of certain procedures and time schedules set forth in NDCC Chapter 49-22 and NDAC Article 69-06.

I.

Montana-Dakota is planning to construct approximately 30 miles of 230 kV electric transmission line and an interconnection substation as transmission system network upgrades for purposes of interconnecting enXco Development Corporation's (enXco) proposed 150 MW Wind Farm located in McIntosh and Dickey Counties to the electric grid through Montana-Dakota's transmission system pursuant to a Generator Interconnection Agreement (GIA) among Montana-Dakota, enXco, and the Midwest Independent Transmission System Operator (Midwest ISO) dated April 27, 2010. The point of interconnection will occur, and the new substation will be built, on Montana-Dakota's existing Wishek-Ellendale 230KV transmission line approximately 30 miles northwest of

Montana-Dakota's existing Ellendale Junction Substation located west of Ellendale. The new transmission line will be built between the new substation and the Ellendale Junction Substation. The new substation and transmission line must be installed and in service by December 1, 2011 to meet enXco's schedule to have its wind facilities in service by December 1, 2011.

II.

Montana-Dakota is first requesting a waiver of the requirement to file a Letter of Intent at least one year prior to filing an Application for a Certificate of Site or Corridor Compatibility, as provided by NDAC Chapter 69-06-03. Montana-Dakota is filing a Letter of Intent contemporaneously with this Application providing notice to the Commission that an Application for a Certificate of Site and Corridor Compatibility and a Transmission Facility Permit will be submitted by September 30, 2010. The Letter of Intent was not filed one year in advance of the anticipated filing of the Certificate for a Certificate of Site and Corridor Compatibility because the GIA providing for construction of the substation and transmission line network upgrades was only recently executed. This waiver is required to meet the project milestones provided as Exhibit A to this Application and the in-service date for enXco's wind generation facilities.

III.

Montana-Dakota is also herewith requesting a waiver of the procedures and time schedules set forth in NDCC Section 49-22 and NDAC Chapters 69-06-04 and 69-06-05 to allow a combined Application for a Certificate of Site or Corridor Compatibility and Transmission Facility Permit. This waiver is required to meet the project milestones provided as Exhibit A to this Application and the in-service date for enXco's wind generation facilities. The failure to complete construction of the transmission upgrades within the project milestones provided in the GIA would jeopardize operation of the wind generation facility as the facility would not be allowed to interconnect with the transmission system and/or the facility's operation and output would be restricted because of transmission

system constraints in the absence of the network upgrades. The proposed facilities' size, length, design, location and purpose are expected to have minimal adverse effects. The new substation will be located within the corridor of Montana-Dakota's existing 230 kV transmission line. Because of the relatively short length of the new transmission line and its purpose to provide additional transmission capacity between the interconnection point for the wind generation facility and the Ellendale Junction substation, the new transmission line will be constructed within or within relative proximity of the corridors of existing transmission facilities.

IV.

Montana-Dakota respectfully requests that the North Dakota Public Service Commission grant the waivers requested herein in order to facilitate construction of the transmission line and substation necessary for enXco's interconnection with the electric grid in the time frame required.

V.

The Affidavit of Andrea L. Stomberg in support of this Application is provided as Exhibit B.

Dated this 19th day of May, 2010.

MONTANA-DAKOTA UTILITIES CO.,
a Division of MDU Resources Group, Inc.

By: 

Tamie A. Aberle
Pricing & Tariff Manager
Montana-Dakota Utilities Co.



Exhibit A

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application of)
MONTANA-DAKOTA UTILITIES CO., a)
Division of MDU Resources Group, Inc., for a)
Waiver of Procedures and Time Schedules) Case No. PU-10-____
)

AFFIDAVIT OF ANDREA L. STOMBERG

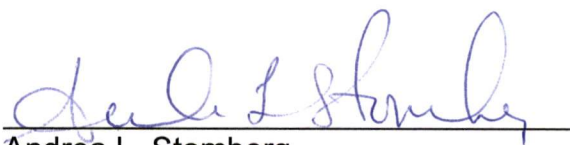
Andrea L. Stomberg, being first duly sworn, on oath deposes and says that she is the Vice President Electric Supply of Montana-Dakota Utilities Co., (Montana-Dakota) a Division of MDU Resources Group, Inc., the Applicant herein, and attests to the following :

1. That Montana-Dakota is planning to planning to construct approximately 30 miles of 230 kV electric transmission line and a 230 kV interconnection substation as network upgrades to Montana-Dakota's transmission system to allow the interconnection of enXco Development Corporation's (enXco) proposed 150 MW proposed wind farm located in McIntosh and Dickey Counties.
2. That a waiver of the requirement to file a Letter of Intent at least one year prior to filing an Application for a Certificate of Site or Corridor Compatibility, as provided by NDAC Chapter 69-06-03 and a waiver of the procedures and time schedules set forth in NDCC Section 49-22 and NDAC Chapters 69-06-04 and 69-06-05 to allow a combined Application for a Certificate of Site or Corridor Compatibility and Transmission Facility Permit are required to meet the in-service date for enXco's wind facilities.
3. The failure to complete construction of the transmission upgrades within the project milestones provided in the GIA would jeopardize operation of

the wind generation facility as the facility would not be allowed to interconnect with the transmission system and/or the facility's operation and output would be restricted because of transmission system constraints in the absence of the network upgrades.

4. That the proposed facilities' size, length, design, location and purpose are expected to have minimal adverse effects.

Dated this 19th day of May 2010.



Andrea L. Stomberg
Vice President Electric Supply

Of Counsel:
Daniel S. Kuntz
Associate General Counsel
MDU Resources Group, Inc.
P.O. Box 5650
Bismarck, ND 58506-5650