

February 21, 2018

VIA E-MAIL AND FEDERAL EXPRESS

Mr. Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Meadowlark Wind I LLC's Application for a Certificate of Site Compatibility
for the New Frontier Wind Energy Project in McHenry County, North Dakota
Case No. PU-11-69**

Dear Mr. Nitschke:

In accordance with Certification Provision No. 11 of the North Dakota Public Service Commission's ("Commission") May 10, 2017 Order of Continuing Suitability for the New Frontier Wind Energy Project ("Project"), Meadowlark Wind I LLC provides notice of its intent to start construction of the Project on February 26, 2018 with tree and shrub clearing activities. Construction on Project infrastructure is anticipated to start around April 15, 2018, weather permitting.

Also, enclosed are two (2) copies of the following documents:

1. The minutes of the pre-construction conference held on February 15, 2018;
2. The Zoning Permit and Conditional Use Permit issued by McHenry County for the Project (submitted pursuant to Certification Provision No. 3).

A copy of this letter is also enclosed. Electronic copies of this letter and the above-referenced documents were filed with the Commission today via e-mail.

Attorneys & Advisors
main 612.492.7000
fax 612.492.7077
fredlaw.com

Fredrikson & Byron, P.A.
200 South Sixth St
Minneapolis, Minn
55402-1425

99 **PU-11-69** Filed: 2/23/2018 Pages: 7
**Notice of intent to start construction,
pre-construction minutes, permits**

Meadowlark Wind I LLC
Mollie Smith, Fredrikson&Byron, P.A.

Mr. Darrell Nitschke
February 21, 2018
Page 2

If you have any questions, please let me know.

Sincerely,



MOLLIE M. SMITH

MMS/ms
Enclosures

cc: Jerry Lein (via e-mail – w/o encl.)
Todd Hartleben (via e-mail – w/o encl.)
Chad Tucker (via e-mail – w/o encl.)
Bill Behling (via e-mail – w/o encl.)
Dan Moller (via e-mail – w/o encl.)

63315313.1

Meadowlark Wind I LLC
New Frontier Wind Energy Project
Case No. PU-11-69

Pre-Construction Meeting Minutes
February 15, 2018 @ 3:00 pm CST

Attendees:

Capital Power

Dan Moller	(780) 392-5237	dmoller@capitalpower.com
Kent Brandt	(780) 392-5183	kbrandt@capitalpower.com
Bill Behling	(617) 330-1324	wbehling@capitalpower.com
Paul Wendelgass	(617) 330-1325	pwendelgass@capitalpower.com
Joe Griffiths	(630) 488-5593	jgriffiths@capitalpower.com

Blattner Energy

Bill Erickson	(320) 356-2340	BillE@blattnerenergy.com
Tina Miller	(320) 356-7351	TMiller@blattnerenergy.com

Tetra Tech

Sarah McCall	(303) 980-3676	sarah.mccall@tetrattech.com
--------------	----------------	--

Fredrikson & Byron

Mollie Smith	(612) 492-7270	msmith@fredlaw.com
--------------	----------------	--

North Dakota Public Service Commission

Jerry Lein	(701) 328-1035	jlein@nd.gov
------------	----------------	--

Carlson McCain – PSC Construction Inspector

Chad Tucker	(701) 595-7007	ctucker@carlsonmccain.com
-------------	----------------	--

Discussion:

Jerry Lein reviewed the Commission's May 10, 2017 Order of Continuing Suitability, including: Order Paragraph Nos. 1-10; and the Certification Relating to Order Provisions – Energy Conversion Facility Siting. Discussion regarding certain provisions is summarized below.

Order –

- **Paragraph No. 2:** Jerry noted that turbine locations to be used were identified in updated Figure 1 filed in the docket.

Certification –

- **Provision No. 3:** Discussed whether permits have been filed. New Frontier team indicated that copies of the local permits would be filed with the Commission prior to tree and shrub clearing,

Meadowlark Wind I LLC
New Frontier Wind Energy Project
Case No. PU-11-69

and other permits would be filed with the Commission prior to the work for which each permit is required.

- **Provision No. 4:** Jerry noted that construction cannot move forward once a permit is suspended or revoked.
- **Provision No. 9:** Noted that all required parties were present (as noted above). Discussed that Blattner would be handling tree/shrub removal and Project construction, so only this pre-construction conference call is needed. Chad Tucker stated that he would be the one conducting field inspections and provided his contact information (noted above).
- **Provision No. 10:** Discussed that Project facility construction would start around April 15, 2018, and Jerry directed the New Frontier team to coordinate with Chad on the date of initial topsoil removal so topsoil segregation techniques could be observed.
- **Provision No. 11:** Discussed filing written notice of intent to start construction prior to initiating tree/shrub clearing. Jerry stated the notice should specify when tree/shrub clearing would begin and when Project facility construction would begin, and should include the pre-construction conference notes. New Frontier team stated that tree/shrub clearing would begin around February 26, 2018, and Project facility construction would start around April 15, 2018 (weather permitting), and that the necessary notice and notes would be filed with the Commission. Also discussed requirement to file monthly construction updates, and Jerry indicated that there is no set format and it is fine to file reports provided by the construction contractor. Blattner will provide its updates to Capital Power, who will file the reports with the Commission.
- **Provision No. 22:** Jerry recommended videotaping roads in advance to document existing condition as a means of avoiding potential disputes post-construction.
- **Provision No. 25:** Jerry reminded the New Frontier team to close gates to avoid letting out cattle.
- **Provision No. 31:** Jerry stated that pre-construction engineering design drawings should be submitted prior to beginning Project facility construction.
- **Provision No. 34:** Jerry stated that post-construction as-built information must be filed in ESRI/GIS format, and the team should call if they have any questions regarding format to provide.
- **Provision No. 35:** Jerry noted this provision follows the One-Call requirements, and adds that if something is hit, the Commission should be notified. Jerry also emphasized the importance of calling to get a locate prior to digging, digging prior to the locate expiring, and calling for another locate if the locate expires before digging is done. Jerry noted the Commission has issued fines in the past for failure to comply with this provision.
- **Provision No. 37:** Jerry asked who complaints should be directed to. Dan Moller stated that complaints should be directed to him until such time as an on-site Capital Power supervisor is in place. Dan's contact information is provided above.

Meadowlark Wind I LLC
New Frontier Wind Energy Project
Case No. PU-11-69

Conclusion:

Jerry provided his contact information (noted above) and encouraged the team to call him with any questions.

ZONING PERMIT

McHenry County

Fee Paid \$15,700.00 Date 9-8-16 Permit # 849

Permit Issued to (Name) Meadowlark Wind I LLC

Address c/o Capital Power, 155 Federal St. Boston, MA Phone 617-330-1324

For Construction of wind energy project per application dated September 9, 2016

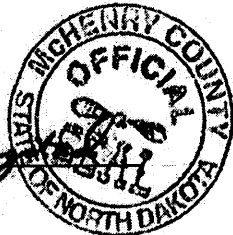
Location (Legal Description) Turbines are proposed to be located in Sections
 7,8,16,17,18,19,20,21,22,23,26,27,28,29,30,31,32,33,34,35 in 151-80.

This certificate, is issued on the basis of approved plans as stated on the "zoning request application" form, authorizes only the use, arrangement and construction set forth in such approved plans and applications, and no other use, arrangement or construction. Any use, arrangement or construction at variance with that authorized shall be deemed a violation of the regulation and subject as such to penalties as prescribed by the regulation and/or certificate revocation.

All certificates shall expire one year from date of issuance unless a longer period of construction is agreed to in writing at the time of application.

This notice must be posted in a conspicuous place on or near the construction site.

 Harry E. Bejtlich
County Commission



 11-1-16
Date

CONDITIONAL USE PERMIT

McHenry County

To Accompany Zoning Permit # 849 Date 11-1-16

Name of Applicant Meadowlark Wind I LLC

Having reviewed the proposed conditional use with respect to the provisions of Article 4, Section 4 of the McHenry County Zoning Regulations, the McHenry County Commission agrees to the issuance of a zoning permit to the above named applicant, contingent upon the following conditions:

No additional conditions were placed.

Should the applicant violate any or all of the above stated conditions, the zoning permit shall be declared invalid and appropriate action will be instituted by the McHenry County Commission.

Harry E. Bergstrom
Chairman, McHenry County Commission

