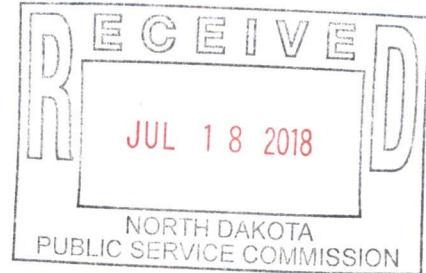


July 18, 2018

**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. 3 attached to the North Dakota Public Service Commission's ("Commission") May 10, 2017 Order of Continuing Suitability for the New Frontier Wind Energy Project, Meadowlark Wind I LLC provides two (2) copies of North Dakota Department of Transportation Utility Occupancy Application and Permit.

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

If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Mollie M. Smith".

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.)

64374165.1

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PU-11-69

Filed: 7/18/2018

Pages: 5

Letter enclosing copies of NDDOT Utility Occupancy Application and Permit

Meadowlark Wind I LLC

Mollie Smith, Fredrikson&Byron, P.A.

# UTILITY OCCUPANCY APPLICATION AND PERMIT

North Dakota Department of Transportation, Design  
SFN 7995 (6-2016)

## FOR STATE USE ONLY (Type or Print)

RIMS Document Number 42334	Contract Number 64181131	District Tracking Number 23-18
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## APPLICANT INFORMATION

### Authorized Utility Agent (must be same as signatory for permit)

Company Name Meadowlark Wind I LLC	Contact Name Christopher L. Kopecky	Telephone Number 617-274-7706
Mailing Address Street #1200-10423, 101 St NW	City Edmonton	State AB
	ZIP Code T5H 0E9	Email Address ckopecky@capitalpower.com

### Preparer - Consultant

Company Name Blattner Energy, Inc.	Contact Name Jeremy Moore	Telephone Number 320-241-0063
Mailing Address 392 County Road 50	City Avon	State MN
	ZIP Code 56310	Email Address jmoore@blattnerenergy.com

### Utility Contractor

Company Name Blattner Energy, Inc.	Contact Name Jeremy Moore	Telephone Number 320-241-0063
Mailing Address 392 County Road 50	City Avon	State MN
	ZIP Code 56310	Email Address jmoore@blattnerenergy.com

## TYPE OF FACILITY (Complete appropriate space only.)

Description of Proposed Facility Underground collection cables		
Size of Facility 100 MW	Number of Cables 3	Length of Down Guys
Pipeline Pressure	Size of Casing 8" HDPE	Length of Casing
Location of Pole(s)	Location of Appurtenances	Location - Others

**TERMS AND CONDITIONS:** Installation and maintenance of said facilities on highway right of way shall be subject to the North Dakota Department of Transportation's (NDDOT's) "A Policy for Accommodation of Utilities on State Highway Right of Way", current edition, and the following terms and conditions, attached hereto and made a part hereof.

The installation shall be completed on or before: 

Date 10/01/2018
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See page 2 for additional Terms and Conditions.

## APPROVAL

Company Name (Utility Agency) Meadowlark Wind I LLC	Authorized Utility Agent Name (Type or Print) Christopher L. Kopecky	Authorize Agent Title VP, Bus. Development & Commercial
Date July 16, 2018	Authorized Agent's Signature <i>Christopher L. Kopecky</i>	

To be signed by Owner, Partner, Corporate President, Vice President, or other authorized Corporate Officer. If signed by other authorized Corporate Officer, please attach copy of Power of Attorney or other documentation showing authority to sign.

The Owner is hereby granted permission to install and maintain the facilities applied for, as shown on the plans attached hereto, and made a part hereof.

NDDOT Approved Date  
7/18/2018

## NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

District Engineer (Type or Print) James L. Redding	District Engineer Signature <i>James L. Redding</i>
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- (A) Installation/maintenance of said facilities shall be done in a manner satisfactory to the NDDOT district engineer.
- (B) Owner shall notify the NDDOT district engineer forty-eight (48) hours prior to installing, maintaining, relocating, or removing said facilities. All disturbed areas shall be restored to their original condition in a manner satisfactory to the NDDOT district engineer.
- (C) The owner shall be required to wear an ANSI/ISEA 107-2010 Class II high visibility garment while within the highway right-of-way as per the requirements of 23 CFR 634.
- (D) Owner shall repair or replace highway structures and appurtenances, and any existing facilities located on, over, or under highway right of way, which may be damaged as a result of the installation and maintenance of said facilities on highway right of way.
- (E) The Risk Management Appendix, attached, is hereby incorporated and made a part of this agreement.
- (F) Owner shall promptly remove said facilities from highway right of way, or shall relocate or adjust said facilities, at its sole cost and expense when requested to do so by NDDOT. The owner may be held responsible for delay costs caused by the owner's failure to use reasonable efforts to relocate or adjust facilities in a timely manner.
- (G) NDDOT specifically reserves the right to revoke, or change the terms and conditions of, this Permit with or without cause and upon notice to the Owner.
- (H) The Owner, for him or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that (1) no person, on the grounds of race, color, national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person, on the grounds of race, color, national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the Owner will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and regulations, such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities set forth in this Assurance.  
  
That in the event of breach of any of the above Non discrimination covenants, the NDDOT will have the right to terminate this Permit and to enter or re-enter and repossess said land and the facilities thereon and hold the same as if said Permit had never been made or issued.
- (I) If the utility facility includes drain tile, a "Request for Drainage on Highway Rights of Way", state form number 50909, must be made in conjunction with this permit.
- (J) The Department's review and subsequent approval of this permit request does not relieve the applicant of the responsibility to comply with all Federal and State laws and regulations that govern, but are not limited to, the protection of wetlands, threatened and endangered species, and migratory birds. The applicant is responsible to comply with all Federal and State laws and regulations that govern the protection of cultural resources within the permit application area (e.g., S.106 of the National Historic Preservation Act, 36 CRF Part 800; ND Century Code 55-02-07; ND Century Code 55-03-01.1). The applicant shall be aware of the ND State burial law (ND Century code 23-06-27; Administrative Rule 40-02) and ensure compliance for any discovery of human remains within the permit request area.
- (K) The Contractor agrees that NDDOT's review of the utility relocation plans, specifications, calculations, and field inspections shall be solely for NDDOT purposes and not for the benefit of the Utility or any third party and shall not be deemed to mean that the Utility's design and construction is structurally sound and appropriate or meets applicable federal and state regulations, laws, or local ordinances, codes, or industry standards (collectively, "Requirements"). The Utility affirms that it has taken all of the actions necessary and required for the construction, operation, and maintenance of its facility authorized hereunder, including compliance with all Requirements."
- (L) Detailed location maps showing lateral offsets from roadway centerlines are required for a permit.

For State Use Only

District Tracking Number 23-18
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Please attach detail location map for each Utility Location. Use multiple utility locations when changing lateral offsets.


Highway Number 41	Utility Location <input type="checkbox"/> Along or <input checked="" type="checkbox"/> Across	
Nearest City or Hwy Jct. ND Hwy 53	Direction (N, S, E, W) North	Approximate Miles From 3.91
Begin	Reference Marker MP 62	Direction (N, S, E, W) South
	Direction From Centerline (N, S, E, W)	
End	Longitudinal Offset (feet) 69	Lateral Offset (feet)

For State Use Only				
	Begin		End	
Location Number	Reference Pt	Offset	Reference Pt	Offset
1	61	0.9975		
Begin	Reference Marker	Direction (N, S, E, W)	Longitudinal Offset (feet)	
	Direction From Centerline (N, S, E, W)		Lateral Offset (feet)	
End				


# New Frontier Wind

Bore #1

## Legend

-  Bore #1 - 69' South of MP 62
-  Mile Post 62

Mile Post 62 

 Bore #1 - 69' South of MP 62

Google Earth

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80 ft