

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Meadowlark Wind I, LLC
New Frontier Wind Energy Project – McHenry County
Siting Application

Case No. PU-11-69

AFFIDAVIT OF SERVICE BY REGULAR AND ELECTRONIC MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **9th day of November, 2018**, she deposited in the United States Mail, Bismarck, North Dakota, **4** envelopes by first class mail, fully prepaid and **42** addressees electronically mailed a copy of:

- **Notice Of Intent To Amend Order And Notice Of Opportunity For Hearing**

The envelopes and electronic mails respectively were addressed as follows:

See attached list.

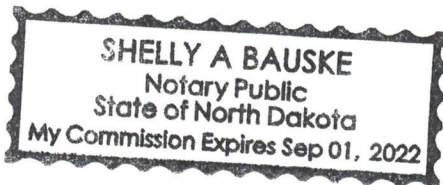
The mailing and email addressee's are the respective addressee's last reasonably ascertainable mailing address.

Subscribed and sworn to before me
this **9th** day of **November 2018**.

Shelly A Bauske

Notary Public

SEAL



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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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**NOTICE OF INTENT TO AMEND ORDER AND
NOTICE OF OPPORTUNITY FOR HEARING**

November 8, 2018

On April 25, 2012, the Public Service Commission (Commission) issued its Findings of Fact, Conclusions of Law and Order designating a site in McHenry County, North Dakota for a proposed 102 MW New Frontier Wind Energy Project consisting of up to 63 wind turbine generators and associated facilities.

On May 10, 2017, The Commission issued an Order of Continuing Suitability for Certificate No. 29 (Order of Continuing Suitability).

On November 2, 2018, Meadowlark Wind, LLC (Meadowlark) filed a request for setback determination. Meadowlark reports partially-constructed turbines T6 and T26 were mistakenly located within turbine setback areas. Meadowlark requests a variance for the placement of T26 and a clarification of compliance for T6, allowing the turbines to remain in their present locations.

On November 6, 2018, Meadowlark filed additional support for the setback determination with a motion to amend the Commission's May 10, 2017 Order of Continuing Suitability to remove the setbacks applicable to Turbines T6 and T26, and allow the setback distance from occupied residences set forth in Order of Continuing Suitability Ordering Provision 4.c to be waived by the residence owner.

The issues are:

1. Whether the Commission has the authority to grant a variance to the turbine setback area and, if so, should one be granted for the placement of T26.
2. Whether T6 complies with the Order of Continuing Suitability.
3. Whether Meadowlark's proposed amendments to the Order of Continuing Suitability will continue to produce minimal adverse effects on the environment and upon the welfare of the citizens of North Dakota.
4. Whether Meadowlark's proposed amendments will continue to be compatible with the environmental preservation and the efficient use of resources, and

5. Whether Meadowlark's proposed amendments will continue to minimize adverse human and environmental impact while ensuring continuing system reliability and integrity and ensuring that the energy needs are met and fulfilled in an orderly and timely fashion.

Comments and requests for hearing must be received by December 12, 2018. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. If deemed appropriate, the Commission can determine the matter without a hearing.

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



**Brian Kroshus
Commissioner**



**Randy Christmann
Chairman**



**Julie Fedorchak
Commissioner**