

February 24, 2020

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

Re: Montana-Dakota Utilities Co.'s REVISED
Application to Amend Certificate of Site
Compatibility No. 32 for the addition of an
88 MW Natural Gas Simple Cycle
Combustion Turbine in Morton County
North Dakota

Case No. PU-11-631

Montana-Dakota Utilities Co. (Montana-Dakota) herewith submits a Revision to its Application to Amend its Certificate of Site Compatibility No. 32 (Certificate) applicable to the Heskett 4 gas turbine submitted to the Commission on December 6, 2019.

Pursuant to discussion with Mr. Patrick Fahn, Director of Public Utilities and recent Commission decisions regarding the addition of a resource within the footprint of a certificated area, Montana-Dakota herewith withdraws its request to amend its Certificate No. 32. A Certification request will be submitted in a separate case to address the addition of the proposed Heskett 4 simple cycle combustion turbine (SCCT) to the site authorized for the Heskett 3 SCCT in accordance with North Dakota Century Code 49-22-03(3) governing the statutory certification procedure that provides for an exemption from the siting process for certain activities including the construction of the same type of facility as the existing type facility.

Montana-Dakota requested the Commission amend the following provision of the Certification Relating to Order Provisions issued on December 12, 2012 in Case No. PU-11-631 in its December 6, 2019 application:

- Remove the last sentence of Provision 31 that reads "Approval may be granted after notice and opportunity for hearing" in light of § 49-22-03(3) N.D.C.C that states construction activities under the Energy Conversion and Transmission

Facility Siting Act do not include construction of the same type of facility as the exiting type of facility that are located within the geographic boundaries of a previously issued certificate or permit.

The Company now requests the Commission also amend Provision 34 of the Certification Relating to Order Provisions issued on December 12, 2012 in Case No. PU-11-631 as follows:

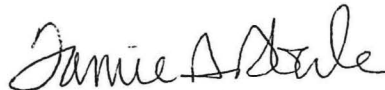
- Company understands and agrees that in the event Company desires to construct, within any site granted by a Certificate of Site Compatibility in this proceeding, an energy conversion facility that was not requested in Company's application in this proceeding, Company shall apply for a Certificate of Site Compatibility for the facility advise the Commission of its intent to do so and provide all necessary certifications.

Montana-Dakota believes that Provision 31 and Provision 34 require modification with the passage of North Dakota Century Code 49-22-03(3) governing the statutory certification procedure that provides for an exemption from the siting process for certain activities including the construction of the same type of facility as the existing type facility.

Montana-Dakota therefore amends its request submitted on December 6, 2019 and requests the Commission amend the Certification Relating to Order Provisions issued on December 21, 2012 in the above referenced case as referenced above.

Please contact me with any questions regarding this request.

Sincerely,



Tamie A. Aberle
Director of Regulatory Affairs

Cc: Karl Liepitz
Joseph Geiger