



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian Kroshus
Julie Fedorchak
Randy Christmann

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

March 19, 2020

Tamie Aberle
Director of Regulatory Affairs
Montana-Dakota Utilities Co.
400 N 4th Street
Bismarck, ND 58501

RE: Case No. PU-11-631, 88 MW Simple Cycle Combustion Turbine, Siting Application

Dear Ms. Aberle:

The Commission's December 21, 2012 Findings of Fact, Conclusions of Law and Order in Case No. PU-11-631 designated a location or site to Montana-Dakota Utilities Co. (Montana-Dakota) for the construction, operation and maintenance of an 88 MW simple cycle combustion turbine. Provision 31 of the Certification to Order Provisions attached to the Commission's Order states:

Company understands and agrees that it shall inform the Commission in writing of any plans to modify the energy conversion facility, or of any plans to modify the site plan for the energy conversion facility. Company understands and agrees to obtain written approval from the Commission prior to any modifications to the site plan or the energy conversion facility, associated facilities, and roadway locations. Approval may be granted after notice and opportunity for hearing.

Provision 34 of the Certification to Order Provisions states:

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

On February 24, 2020, Montana-Dakota filed a request that the Commission amend Provision 31 and Provision 34 of the Certification to Order Provisions.

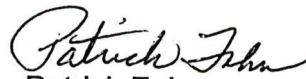
109 PU-11-631 Filed: 3/19/2020 Pages: 2
Letter waiving compliance with Certification to Order
Provisions 31 and 34

Public Service Commission Staff

Patrick Fahn

At its March 18, 2020 meeting, the Commission authorized staff to waive compliance with Provision 31 and Provision 34 of the Certification to Order Provisions. Therefore, please consider this letter a waiver of the compliance requirements of Provision 31 and Provision 34 in the Certification Relating to Order Provisions attached to the Commission's December 21, 2012 Findings of Fact, Conclusions of Law and Order in Case No. PU-11-631.

Best regards

A handwritten signature in black ink that reads "Patrick Fahn". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Patrick Fahn
Director, Public Utilities Division