

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Allete Clean Energy, Inc.
100 MW Clean Energy #1 Wind Pjc- Mercer & Morton
Siting Application

Case No. PU-11-662

AFFIDAVIT OF SERVICE BY CERTIFIED AND REGULAR 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 **6th** day of **September 2018**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order**

And Original Of:

- **Certificate of Site Compatibility for Energy Conversion Facility Second Amended Certificate Number 30**

The envelope was addressed as follows:

David Moeller
ALLETE Clean Energy, Inc.
30 West Superior Street, Suite 200
Duluth MN 55802-2093
Cert. No. 7018 0680 0001 3737 6915

Geralyn R. Schmaltz further deposes and says that on the **6th day of September, 2018**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

The envelope was addressed as follows:

Daniel McCourtney
ALLETE Clean Energy, Inc.
30 West Superior Street, Suite 200
Duluth, MN 55802-2093

Case No. PU-11-662
Affidavit of Service
Page 1 of 2

57 **PU-11-662** Filed: 9/6/2018 Pages: 5
Affidavit of Service Cert. and Reg. Mail – Order

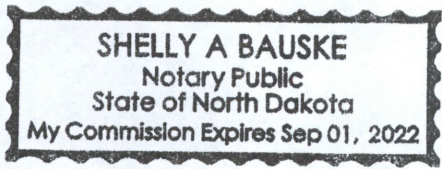
Each address shown is the respective addressee's last reasonably ascertainable post office address.

Gerwyn D Schmatz

Subscribed and sworn to before me
this **6th** day of **September 2018**.

Shelly A Bauske
Notary Public

SEAL



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**ALLETE Clean Energy, Inc.
100 MW Clean Energy #1 Wind Pjc – Mercer & Morton
Siting Application**

Case No. PU-11-662

ORDER

September 5, 2018

On August 29, 2012, the Commission adopted its Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility No. 30 to ALLETE Clean Energy, Inc. (ACE) authorizing construction of a 100 MW Clean Energy #1 Wind Project in Mercer and Morton Counties of North Dakota.

On November 16, 2017, in Case No. PU-17-302, the Commission issued First Amended Certificate of Site Compatibility Number 30 to ACE authorizing an increase in total project generating capacity from 100 MW to 106 MW.

On June 13, 2018, ACE filed a request to amend the Commission's August 29, 2012 Order to remove language from Paragraph 34 of the attached Certification Related to Order Provisions that appears to require notice and opportunity for hearing prior to approving project modifications.

On July 9, 2019 the Commission issued a Notice of Opportunity for Hearing that provided until August 20, 2018 for receiving written comments and hearing requests. No response was received. The Notice identified that the issue to be determined in this proceeding is whether the Commission's August 29, 2012 Findings of Fact, Conclusions of Law and Order should be amended.

Having considered this matter the Commission finds that the August 29, 2012 Order should be amended to remove language from the attached Certification Related to Order Provisions that appears to require notice and opportunity for hearing prior to approving project modifications. Therefore the Commission issues the following:

Order

The Commission Orders:

1. ACE's request to amend paragraph 34 of the Certification Related to Order Provisions attached to and made a part of the Commission's August 29, 2012 Findings of Fact, Conclusions of Law and Order in Case No. PU-11-662 is granted.
2. Paragraph 34 is amended to read as follows:

34. 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.

3. Second Amended Certificate of Site Compatibility Number 30 is issued to ALLETE Clean Energy, Inc.

4. All applicable provisions and requirements in the Commission's Findings of Fact, Conclusions of Law and Order issued August 29, 2012 in Case No. PU-11-662 continue to apply except where altered by this Order.

PUBLIC SERVICE COMMISSION



**Brian Kroshus
Commissioner**



**Randy Christmann
Chairman**



**Julie Fedorchak
Commissioner**

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

Certificate of Site Compatibility for Energy Conversion Facility

Second Amended Certificate Number 30

This is to certify that the Commission has designated an energy conversion facility site for Allete Clean Energy, Inc.'s Clean Energy #1 Wind Project consisting of up to 50 Wind turbine generators totaling approximately 100 MW of generating capacity and associated facilities in Mercer and Morton Counties of North Dakota.

The facility may be sited in this designated location in compliance with the energy conversion facility siting criteria. This certificate is issued in accordance with the Finding of Fact, Conclusion of Law and Order of the Commission dated August 29, 2012, the Order of the Commission in Case No. PU-17-302 dated November 16, 2017, and the Order of the Commission in Case No. PU-11-662 dated September 5, 2018 and is subject to the conditions and limitations noted in those orders.

Bismarck, North Dakota, September 5, 2018.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner