

April 22, 2014

Executive Secretary
Public Service Commission
State Capitol
Bismarck, ND 58505



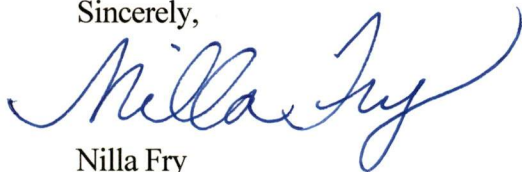
Re: Transmittal Letter: PSC Case No. PU-11-696

Dear Commissioners:

Enclosed please find an original letter and seven copies for submission to the Public Service Commission Case No. PU-11-696. The Commission is scheduled to meet tomorrow to discuss this case.

Courtesy copies have been sent electronically to Mitchell Armstrong, attorney for the PSC, at marmstrong@smithbakke.com, and to Casey Jacobsen, attorney for Basin Electric Power Cooperative, at cjacobson@bepc.com.

Sincerely,



Nilla Fry
Paralegal

Copy: Clients



Derrick Braaten
Partner

derrick@baumstarkbraaten.com

109 N. 4th Street, Suite 100
Bismarck, ND 58501
Phone: 701-221-2911
Fax: 701-221-5842
www.baumstarkbraaten.com

April 22, 2014

Executive Secretary
Public Service Commission
State Capitol
Bismarck, ND 58505

**Re: PSC Case No. PU-11-696, Comments of Rob and Mary Sand, Lori Jepson,
and Killdeer Mountain Alliance**

Dear Commissioners:

I am writing on behalf of Rob and Mary Sand, Lori Jepson, and the Killdeer Mountain Alliance (KMA) to voice support for Commissioner Julie Fedorchak's recent comments that the PSC should delay final consideration of Basin Electric's requested Certificate of Corridor Compatibility and Route Permit for Transmission Facility until after completion of the final federal Environmental Impact Statement.

Rob and Mary Sand and Lori Jepson, as individual landowners owning property within the boundary of the National Park Service's 2010 study of the Killdeer Mountain Battlefield, and the Killdeer Mountain Alliance, as a group of allied landowners, Native Americans, outdoor enthusiasts, scientists, historians and others concerned about development near the Killdeer Mountains, have an interest in the siting of the transmission corridor and route. Rob Sand and Lori Jepson, on behalf of KMA, have previously submitted comments to the PSC in this case regarding the group's specific concerns about the proposed route through the Battlefield.

Despite the comments submitted by various parties regarding the Killdeer Mountain Battlefield's status as a historical resource, the PSC has still failed to designate the Battlefield as an "avoidance area" under North Dakota Administrative Code § 69-06-08-02(2). N.D.A.C. § 69-06-08-02 requires that "avoidance areas" "may not be considered in the routing of a transmission facility unless the applicant shows that under the circumstances there is no reasonable alternative...Economic considerations alone will not justify approval of these areas." As the PSC has failed to designate the Battlefield as an "avoidance area," Basin has not been required to show that there are no reasonable alternatives to a route that cuts through the middle of the historic battlefield. We believe this runs counter to the testimony presented to the PSC.

Delaying the PSC's final consideration of Basin Electric's requested Certificate of Corridor Compatibility and Route Permit for Transmission Facility until after the release of the final Environmental Impact Statement will allow the Commissioner's decision to benefit from

April 22, 2014
Page 2

further information demonstrating the need to categorize the Killdeer Mountain Battlefield as an avoidance area and to require Basin to show that there is no reasonable alternative to cutting through the Battlefield.

If you have any questions, please feel free to contact me.

Sincerely,



Derrick Braaten

Copy: Clients