



November 27, 2019

Steve Kahl
Director of Administration/Executive Secretary
North Dakota Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Montana-Dakota Utilities Co. / Otter Tail Power Company 345KV Transmission Line
- Dickey County Siting Application - Application for a Modified Certificate of Corridor
Compatibility
Certification of No Avoidance or Exclusion Areas
Case No. PU-13-840**

Dear Mr. Kahl:

On November 21, 2019 Otter Tail Power Company and Montana-Dakota Utilities Co. (Applicants) appeared at an informal hearing to discuss the August 5, 2019 application which included a modification of the Corridor for the Big Stone to Ellendale 345kV Transmission Line substation at Ellendale, North Dakota. The North Dakota Public Service Commission requested a certification that the area included in the modified Corridor met the requirements for Compliance with Siting Criteria, Exclusion Areas and Avoidance areas. The Applicants' certification is enclosed as Attachment A.

The proposed corridor modification complies with the Commission's siting criteria for transmission facilities set forth in Section 69-06-08-02 of the North Dakota Administrative Code. Information regarding the exclusion areas and avoidance areas present within the proposed corridor modification is provided below.

B. Exclusion Areas

Section 69-06-08-02(1) of the North Dakota Admin. Code identifies geographical areas that "must be excluded in the consideration of a route for a transmission facility." The rules note that "[a] buffer zone of reasonable width to protect the integrity of the area must be included. Natural screening may be considered in determining the width of the buffer zone." As shown in Table 1, no exclusion areas are located within the proposed corridor modification.

Table 1: Exclusion Areas – Corridor Modification

Geographic Area	Present within Modification	Proposed Buffer
Designated or registered national: parks; memorial parks; historic sites and landmarks; natural landmarks; monuments; and wilderness areas	Not present within corridor or route modification.	No impacts are anticipated, and no buffer is proposed
Designated or registered state: parks; historic sites; monuments; historical markers; archaeological sites; and nature preserves	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
County parks and recreational areas; municipal parks; and parks owned or administered by other governmental subdivisions	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas critical to the life stages of threatened or endangered animal or plant species	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas where animal or plant species that are unique or rare to this state would be irreversibly damaged	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas within 1,200 feet of the geographic center of an intercontinental ballistic missile (ICBM) launch or launch control facility	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas within 30 feet on either side of a direct line between ballistic missile (ICBM) launch or launch control facilities to avoid microwave interference	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed

C. Avoidance Areas

Section 69-06-08-02-2 of the North Dakota Admin. Code specifies geographical areas that “may not be considered in the routing of a transmission facility unless the applicant shows that under the circumstances there is no reasonable alternative.” The rule further provides that when evaluating “whether an avoidance area should be designated for a facility, the Commission may consider, among other things, the proposed management of adverse impacts; the orderly siting of facilities; system reliability and integrity; the efficient use of resources; and alternative routes. Economic considerations alone will not justify approval of these areas. A buffer zone of a reasonable width to protect the integrity of the area shall be included unless a distance is specified in the criteria. Natural screening may be considered in determining the width of the buffer zone.”

As set forth in Table 2, with the exception of rural water pipelines, which may be present but are not impacted, no avoidance areas are located within the proposed corridor modification.

Table 2: Avoidance Areas – Corridor and Route Modification

Avoidance Area	Present within Modification	Proposed Buffer
Designated or registered national historic districts; wildlife areas; wild, scenic, or recreational rivers; wildlife refuges; and grasslands	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Designated or registered state wild, scenic, or recreational rivers; game refuges; game management areas; management areas; forests; forest management lands; and grasslands	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Historical resources which are not specifically designated as exclusion or avoidance areas	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas that are geologically unstable	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Within 500 feet of residence, school, or place of business. (this criterion shall not apply to a water pipeline transmission facility.)	Not present within corridor or route modification	No impacts are anticipated and no buffer is proposed
Reservoirs and municipal water supplies	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Water sources for organized rural water districts	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Irrigated land	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed
Areas of recreational significance which are not designated as exclusion areas	Not present within corridor or route modification.	No impacts are anticipated and no buffer is proposed

III. CONCLUSION

The Applicants respectfully request that the Commission approve the Application for a Modified Certificate of Corridor Compatibility, a Language Change to Clarify Structure Shifts and Request Use of New Tree and Shrub mitigation specifications as submitted on August 5, 2019 and discussed at the informal hearing on November 21, 2019.

An electronic copy of this filing is also being sent to the North Dakota Public Service Commission at ndpsc@nd.gov.

If you have any questions regarding this filing, please contact me at 218-739-8607 or pbeithon@otpc.com.

Sincerely,

/s/ *PETE BEITHON*

Pete Beithon
Manager, Regulatory Recovery
Otter Tail Power Company

kaw
Enclosures
By electronic filing and U.S. mail

cc: Dickey County Auditor's Office
c/o Bev Kuska
209 North 2nd Street
Ellendale, ND 58436

modified Corridor meets the requirements for Compliance with Siting Criteria, Exclusion Areas and Avoidance areas.

Dated this 27th day of November 2019.

/S/ AL KOECKERITZ
Al Koeckeritz
Project Manager BSSE

Sworn and subscribed to before me

this 27th day of November 2019

/S/ KIM WARD

Notary Public

My Commission expires: 01/31/2022