

Patrick Ward

From: Patrick Ward
Sent: Friday, April 15, 2016 10:52 AM
To: 'Matthew T. Collins'; Zachary E. Pelham; Brian R. Bjella (bbjella@crowleyfleck.com); Stephanie Dassinger; Lein, Jerry R.; cfurey@crowleyfleck.com
Cc: Julia J. Douglass
Subject: RE: Brady Wind, LLC Case Nos. PU 15-690 and PU-16-797 [IWOV-Active.FID1141519]

Mr. Collins and all:

I am going to grant your request to push back the briefing deadlines on this matter. Initial briefs will be due April 22, and Reply Briefs April 29.

Patrick J. Ward
Administrative Law Judge
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From: Matthew T. Collins [mailto:MCollins@fwhtlaw.com]
Sent: Friday, April 15, 2016 10:42 AM
To: Patrick Ward <PWARD@zkslaw.com>; Zachary E. Pelham <zep@pearce-durick.com>; Brian R. Bjella (bbjella@crowleyfleck.com) <bbjella@crowleyfleck.com>; Stephanie Dassinger <sdassinger@crowleyfleck.com>; Lein, Jerry R. <jlein@nd.gov>; cfurey@crowleyfleck.com
Cc: Julia J. Douglass <JDouglass@fwhtlaw.com>
Subject: RE: Brady Wind, LLC Case Nos. PU 15-690 and PU-16-797 [IWOV-Active.FID1141519]

Judge Ward –

Attached are the other late filed exhibits from Intervener CCSC.

After the close of business on Wednesday, Brady Wind submitted its late filed exhibits, including the critical “needs” letter from Basin Electric. As you know, posting hearing briefs, findings of fact, and conclusions of law are due today. Despite only receiving Brady Wind’s late filed exhibits after 5:00 on Wednesday, CCSC will address the issues raised by them in our post-hearing submissions due today.

While CCSC certainly appreciates Brady Wind’s position that it needs until next week to respond to the motion to submit the four page excerpt of boilerplate contract terms from the PPA, CCSC believes that this is a critical exhibit and we would like to have the ability to address it in the context of our post-hearing brief, findings of fact, and conclusions of law. CCSC believes that this exhibit and the fact that it impeaches the testimony of Brady

Wind's witness is central to CCSC's strongest objection to the proposed wind farm. Not allowing CCSC to discuss the exhibit in the post-hearing brief, findings of fact, and conclusions of law would be prejudicial to CCSC's ability to contest the approval of Brady Wind's application. CCSC also believes this timing issue is not resolved by the ability to file reply briefs. CCSC would request that if the motion will not be resolved until Wednesday, April 20, the due date for the submission of post-hearing brief, findings of fact, and conclusions of law be extended to April 22.

Thank you,

Matt Collins

Matthew T. Collins

Attorney at Law

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From: Patrick Ward [<mailto:PWard@zkslaw.com>]

Sent: Friday, April 15, 2016 10:13 AM

To: Matthew T. Collins; Zachary E. Pelham; Brian R. Bjella (bbjella@crowleyfleck.com); Stephanie Dassinger; Lein, Jerry R.; cfurey@crowleyfleck.com

Subject: RE: Brady Wind, LLC Case Nos. PU 15-690 and PU-16-797 [IWOV-Active.FID1141519]

Thank you. I would like to have your response to the motion in time to make a ruling on Wednesday of next week.

From: Kathy Jensen [<mailto:KJensen@fwhtlaw.com>] **On Behalf Of** Matthew T. Collins

Sent: Friday, April 15, 2016 9:40 AM

To: Patrick Ward <PWard@zkslaw.com>; Zachary E. Pelham <zep@pearce-durick.com>; Brian R. Bjella (bbjella@crowleyfleck.com) <bbjella@crowleyfleck.com>; Stephanie Dassinger <sdassinger@crowleyfleck.com>; Lein, Jerry R. <jlein@nd.gov>

Cc: Matthew T. Collins <MCollins@fwhtlaw.com>

Subject: Brady Wind, LLC Case Nos. PU 15-690 and PU-16-797 [IWOV-Active.FID1141519]

Dear Judge Ward, Counsel and Mr. Lein:

Attached please find Matthew Collins' letter to Darrell Nitschke, Executive Director, ND Public Service Commission.

Kathy Jensen

Legal Administrative Assistant to Matthew Collins, Jesse Orman, Nathan Sellers, Dahrim K. Boulware and Renee Rice

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