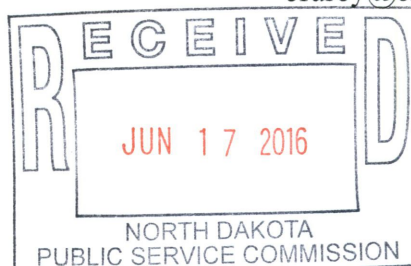


Casey A. Furey
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P.O. Box 2798
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701.223.6585
cfurey@crowleyfleck.com

June 17, 2016

Hand Delivery

Mr. Darrell Nitschke
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480



Dear Mr. Nitschke:

In re: Brady Wind, LLC
150 MW Wind Energy Center
PSC Case No. PU-15-690

Brady Wind, LLC
230 kV Transmission Line
PSC Case No. PU-15-797
Our File No. 35-218-026

Enclosed for filing in the captioned cases please find two copies of the Notice of Intent to Begin Construction and Preconstruction Meeting Minutes.

Please call should you have any questions.

Sincerely,

Casey A. Furey

CAF/lh

Enc.

cc: Zachary E. Pelham (via email)
Jerry R. Lein (via email)

106 **PU-15-797** Filed: 6/17/2016 Pages: 7
**Notice of Intent to Begin Construction,
Preconstruction Meeting Minutes**

Brady Wind, LLC

Casey Furey, Crowley Fleck, PLLP

133 **PU-15-690** Filed: 6/17/2016 Pages: 7
**Notice of Intent to Begin Construction,
Preconstruction Meeting Minutes**

Brady Wind, LLC

Casey Furey, Crowley Fleck, PLLP

Brady Wind, LLC

June 17, 2016

Darrell Nitschke
Executive Secretary, Director of Administration
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

Dear Mr. Nitschke:

Brady Wind, LLC (“Brady Wind”) hereby provides notice of intent to start construction on the energy conversion facility and transmission line authorized by the North Dakota Public Service Commission (“Commission”) on June 16, 2016 in Case Nos. PU-15-690 and PU-15-797 pursuant to:

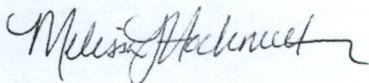
- Paragraph 11 of the Certification Relating to Order Provisions associated with the Findings of Fact, Conclusions of Law and Order issued in Case No. PU-15-690 on June 16, 2016, and
- Paragraph 10 of the Certification Relating to Order Provisions associated with the Findings of Fact, Conclusions of Law and Order issued in Case No. PU-15-797 on June 16, 2016.

Brady Wind plans to begin construction on the facilities as early as June 20, 2016.

Brady Wind also provides with this notice the minutes from the preconstruction conference call held between Brady Wind, Commission Staff, and the Commission’s third-party construction inspector on June 16, 2016.

Please feel free to contact me at with any questions at 561-694-4638.

Best regards,



Melissa Hochmuth

Cc: Jamiee Antognazzi, Keitu Engineers & Consultants

Minutes from Preconstruction Meeting

Brady Wind, LLC
Brady Wind Energy Center – Stark County
Siting Application

Case No. PU-15-690

Brady Wind, LLC
230 kV Transmission Line – Stark County
Siting Application

Case No. PU-15-797

Date and time:

June 16, 2016, 3:30-4:45 CDT

Attendees:

For North Dakota Public Service Commission (“PSC”):

- Jerry Lein, Public Utility Analyst

For Brady Wind, LLC (“Brady Wind”)

- Adrienne Charbonneau, Senior Environmental Specialist
- Melissa Hochmuth, Project Manager
- Amie Jamieson, Senior Attorney
- Perry Oberg, Principal Project Engineer
- Dick Rausch, Senior Project Manager
- Mary Rausch, Contractor
- Kimberly Wells, Environmental Services Project Manager

For , Keitu Engineers & Consultants (PSC contractor)

- Jamiee Antognazzi

Minutes:

Mr. Lein explained the purpose of the call, which is to discuss construction requirements related to the Brady wind facility and transmission line contained in the orders issued in Case Nos. PU-15-690 and PU-15-797 on June 16, 2016 and the certifications of Brady Wind appended to the orders.

Mr. Lein discussed the ordering paragraphs in the order issued in Case No. PU-15-690 related to the wind facility.

- Paragraph 1 states a certificate has been issued.
- Paragraph 2 states that the company is permitted to site up to 150 MW and up to 87 turbines in proposed locations and alternates, and build roads, collection lines, and other facilities identified in the application.
- Paragraph 3 states that Brady Wind will file the concurrence letter from the State Historic Preservation Office (“SHPO”) on architectural history when received.

- Brady Wind to confirm whether SHPO concurrence on architectural history has been filed.
- Paragraph 4 states that if modifications are made to the layout, Brady Wind will complete a cultural resource survey for archeological and architectural history for unsurveyed portions and provide to SHPO. Brady Wind will file the response from SHPO before beginning construction in the area.
- Paragraph 5 requires Brady Wind to conduct a wetland delineation for unsurveyed areas if the project layout changes.
- Paragraph 6 requires Brady Wind to conduct a sound analysis if changes to the project layout are not covered by the current sound analysis.
- Paragraph 7 requires Brady Wind to comply with a shadow flicker goal of 30 hours per year, considering site-specific conditions, unless waived by the landowner. Brady Wind must conduct a shadow flicker analysis if changes to the project layout are not covered by the existing analysis.
- There is no paragraph 8 in the order.
- Paragraph 9 requires Brady Wind to adopt eagle-related measures referenced in finding of fact #44. Mr. Lein discussed the eagle-related measures listed in finding of fact #44.
- Paragraph 10 incorporates the certification provisions by reference.

Mr. Lein discussed the ordering paragraphs in the order issued in Case No. PU-15-797 related to the transmission line.

- Paragraph 1 grants the time waivers requested.
- Paragraph 2 issues a certificate of corridor compatibility for the transmission line. The corridor will be 250 feet wide.
- Paragraph 3 issues a route permit for the proposed line and associated facilities as described in the application.
- Paragraph 4 requires Brady Wind to file the SHPO concurrence letter related to architectural history.
 - As with the wind facility, Brady Wind will confirm whether the concurrence letter was filed.
- Paragraph 5 incorporates the certification provisions by reference.

Mr. Lein discussed the certification provisions appended to the orders.

- Paragraph 1 of both certifications indicates that Brady Wind understands that the certificates are issued subject to applicable laws and rules.
- Paragraph 2 of both certificates states that Brady Wind agrees to comply with rules and regulations of other agencies having jurisdiction over the project.
- Paragraph 3 of both certificates states that Brady Wind must obtain necessary permits from other agencies and provide them to the PSC.
 - Brady Wind asked whether all permits should be filed with the PSC, or should they be sent to Staff? Mr. Lein indicated permits should be filed.
- Paragraph 4 of both certificates states that the permits may be revoked under certain conditions.
- Paragraph 5 of both certificates states that Brady Wind will maintain records to demonstrate compliance with the order.

- Paragraph 6 of both certificates states they can be modified under certain conditions.
- Paragraph 7 of the wind certificate states Brady Wind is aware of decommissioning rules and that it must file a decommissioning plan.
 - Staff and NEER stated understanding that plan must be filed before facility is placed in service.
- Paragraph 8 of the wind certificate/7 of transmission certificate requires a preconstruction conference with a company representative (Amie Jamieson and Melissa Hochmuth), its construction supervisor (Dick Rausch), and a representative of PSC Staff (Jerry Lein).
 - Mr. Lein indicated certificates generally require PSC's construction inspector (Jamiee Antognazzi).
- Paragraph 9 of wind certificate/8 of transmission certificate states cultural resource mitigation plans must be approved by SHPO.
 - As indicated, Brady Wind will confirm whether architectural history SHPO concurrence letter has been filed.
- Paragraph 10 of wind certificate/9 of transmission certificate states that topsoil removal will begin when PSC inspector is present.
 - Mr. Lein asked the schedule for topsoil removal. He stated that the purpose is to have the inspector there initially to ensure the company is doing removal properly. NEER indicated that it would likely begin on Monday afternoon June 20, or the following Tuesday June 21.
 - NEER agreed to coordinate a date and time for Keitu to be present for topsoil removal to begin.
- Paragraph 11 of wind certificate/10 of transmission certificate states that Brady Wind will provide PSC and PSC's construction inspector notice of intent to begin construction before starting. Brady Wind will keep the PSC apprised of construction activities on a monthly basis.
 - Brady Wind indicated that it will file updates on construction activities at least monthly and provide to the PSC's construction inspector.
- Paragraph 12 of wind certificate/11 of transmission certificate requires electricity generators whose primary purpose is resale to comply with the standards of NESC in effect at the time of construction.
 - Brady Wind confirmed that its construction will comply with the NESC.
- Paragraph 13 of wind certificate requires Brady Wind to comply with safety requirements.
- Paragraph 14 of wind certificate requires Brady Wind to bury collection lines at least 48 inches deep.
- Paragraph 15 of wind certificate/11 of transmission certificate sets forth requirements related to topsoil. In particular, it must be stripped and segregated.
- Paragraph 16 of wind certificate/12 of transmission certificate requires that buried crossings of graded roads shall be bored.
- Paragraph 17 of wind certificate/13 of transmission certificate states that staging cannot be on land owned by a party other than the company without the landowner's permission.
- Paragraph 18 of wind certificate/14 of transmission certificate contains requirements regarding discoveries of cultural resources etc. during construction.

- Paragraph 19 of wind certificate/15 of transmission certificate states that construction must be suspended when weather conditions mean irreparable damage to roads will result.
- Paragraph 20 of wind certificate/16 of transmission certificate indicates the PSC can stop construction under certain conditions where activities are likely to result in significant or irreparable harm.
- Paragraph 21 of wind certificate/17 of transmission certificate requires restoration of area after construction to as near as is practicable to condition before construction.
- Paragraph 22 of wind certificate/18 of transmission certificate requires repair of roads to condition before construction.
 - Mr. Lein recommended videotaping roads before construction to establish condition. Brady Wind stated it has done this.
- Paragraph 23 of wind certificate/19 of transmission certificate requires reseeding according to NCRS.
- Paragraph 24 of wind certificate/20 of transmission certificate requires reclamation and maintenance throughout life of facility.
- Paragraph 25 of wind certificate/21 of transmission certificate requires repair of fences.
- Paragraph 26 of wind certificate/22 of transmission certificate requires repair of damaged drainage tile.
- Paragraph 27 of wind certificate/23 of transmission certificate requires compliance with attached Tree and Shrub Mitigation.
- Paragraph 28 of wind certificate/24 of transmission certificate requires Brady Wind to work with landowners to mitigate any increase in television or radio interference.
- Paragraph 29 of wind certificate/25 of transmission certificate requires Brady Wind to remove waste during construction.
- Paragraph 30 of wind certificate/26 of transmission certificate requires Brady Wind to provide necessary safety measures for traffic control.
- Paragraph 31 of wind certificate states that Brady Wind will provide the PSC with engineer design drawings of the facility before construction. Paragraph 29 of the transmission certificate indicates that Brady Wind will provide design drawings upon request.
 - The parties agreed that Brady Wind would file design drawings of the wind facility and transmission line.
- Paragraph 32 of wind certificate/30 of transmission certificate states that Brady Wind will advise the PSC as soon as reasonably possible after an extraordinary event.
 - Mr. Lein gave an example of an OSHA-reportable injury.
 - Mr. Lein requested that notice be provided separately from the regular construction updates.
- Paragraph 33 of wind certificate/31 of transmission certificate requires Brady Wind to provide notice of any critical habitat/threatened or endangered species that the company becomes aware of and had not been reported.
 - Mr. Lein gave the example of an eagle nest in the project area.
- Paragraph 34 of wind certificate/32 of transmission certificate requires Brady Wind to provide notice of plans to modify the facility or site plan.
 - The parties discussed the materiality of changes that would require notice.

- Mr. Lein recommended applying the requirement conservatively and to provide the notice before the change is implemented.
- Brady Wind asked whether, for example, a 10-foot move would require notice. Parties discussed that a move that small may not be able to be seen on a site plan.
- Mr. Lein said that Brady Wind will need to use judgment, but when in doubt provide notice.
- Paragraph 35 of wind certificate/33 of transmission certificate requires Brady Wind to provide paper and electronic copies of design specifications. The provision includes technical requirements to allow PSC to use the information.
 - If Brady Wind has any technical issues with requirement, can contact Staff GIS group.
- Paragraph 36 of wind certificate/34 of transmission certificate requires Brady Wind to provide notice of any damage to underground facilities.
 - Mr. Lein emphasized importance of complying with North Dakota's One-Call requirements.
 - If something is hit while digging, stop and notify.
- Paragraph 37 of wind facility requires the company to provide educational material to landowners if requested.
- Paragraph 38 of wind facility requires the company to implement a complaint procedure.
 - Brady Wind provided the contact person for complaints: Dick Rausch at 512-970-6254.

Mr. Lein addressed tree and shrub mitigation requirements that are included in both certifications.

- Brady Wind stated there would not be much tree clearing for the wind facility, but some for the transmission line.
- The requirements state that the maximum width of clear cuts through windbreaks, shelterbelts and all other wooded areas is 50 feet, unless otherwise approved by the Commission.
- If Brady Wind needs a wider area, it should request from the PSC.

Parties discussed filing requirements before construction:

- Notes from preconstruction conference call.
- Notice of intent to begin construction.
- Remaining permits.
- SHPO concurrence, if necessary.
- Design drawings.