

Oliver Wind III, LLC

June 30, 2016

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

Dear Mr. Nitschke:

Oliver Wind III, LLC (“Oliver Wind III”) hereby provides this notice of intent to modify the site plan of the energy conversion facility authorized by the North Dakota Public Service Commission (“Commission”) in Case No. PU-16-123 pursuant to Paragraph 34 of the Certification Relating to Order Provisions associated with the Findings of Fact, Conclusions of Law and Order issued in Case No. PU-16-123 on June 22, 2016.

Oliver Wind III plans to make the following minor modifications to the site plan:

- Consistent with Paragraph 47 of the June 22 Order, Oliver wind III has modified the site plan to remove turbine site 17 as identified at the public hearing and has activated turbine ALT 1 in its place.
- Turbine 34 will be moved north approximately 131 feet in consultation with the Morton County Planning Department to ensure compliance with the Morton County setback applicable to non-participating landowners. The turbine now meets all required setbacks.
- Turbine 15 will be moved southeast approximately 150 feet to address a potential interference with Department of Energy Western Area Power Administration (“DOE”) operations. Oliver Wind III consulted with DOE and found one turbine location where a communication beam path was impacted. Oliver Wind III consulted with both DOE and the Morton County Planning Department to confirm the move will address the potential beam path issue and meets all county setbacks.

These changes are reflected in the site plan filed with this letter. Please note that the turbine numbers referenced above relate to the site plan filed with the Commission as Hearing Exhibit 7. The turbines have been renumbered in the attached site plan.

Also filed with this letter, consistent with ordering paragraphs 4 and 6 of the June 22 Order, are acoustic and shadow flicker analyses reflecting the revised project layout. As demonstrated in these analyses, the wind facility will continue to meet the Commission’s noise avoidance area of 50dBA or less within 100 feet of an inhabited residence unless waived in writing by the landowner, and the Commission’s shadow flicker goal of 30 hours per year or less at each currently occupied residence, unless otherwise agreed by the landowner.

Finally, consistent with Findings of Fact 13 and 15 of the June 22 Order, Oliver Wind III conducted cultural resources survey work and wetland determinations for areas that had not been previously surveyed based on shifts in infrastructure. Pursuant to paragraph 1 of the June 22 Order, Oliver Wind III will submit cultural resource findings to the State Historic Preservation Office (“SHPO”) and obtain and file a copy of the SHPO’s response with the Commission prior to beginning construction in these areas.

Please feel free to contact me at with any questions at 561-304-5868.

Best regards,

A handwritten signature in black ink, appearing to read "Mark Trumbauer". The signature is fluid and cursive, with the first name "Mark" being more prominent than the last name "Trumbauer".

Mark Trumbauer

Cc: Sara Cardwell, North Dakota Public Service Commission
Jamiee Antognazzi, Keitu Engineers & Consultants