



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian Kroshus
Julie Fedorchak
Randy Christmann

December 19, 2019

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Casey A. Furey
Crowley Fleck PLLP
100 West Broadway, Suite 250
Bismarck, ND 58502-2798

RE: Case No. PU-16-123
Oliver Wind III, LLC - Oliver III Wind Energy Center
Aircraft Detection Lighting System Status Update

On June 22, 2016, in Case No. PU-16-123, the Commission issued Certificate of Site Compatibility No. 49 to Oliver Wind III, LLC for the Oliver III Wind Energy Center located in Oliver and Morton Counties, North Dakota.

North Dakota Century Code ("N.D.C.C") 49-22-16.4(2) and North Dakota Administrative Code (N.D.A.C.) 69-06-11-02(1) state that, by December 31, 2019, every wind energy conversion facility for which the Public Service Commission issued a certificate of site compatibility after June 5, 2016, must be equipped with a functioning light mitigating technology. N.D.C.C. 49-22-16.4 and N.D.A.C. 69-06-11 do not allow for an extension of this deadline. Also, N.D.A.C. 69-06-11-02(5) states that the Owner of a wind conversion facility shall provide written notice to the commission upon implementation of light-mitigating technology.

Under N.D.A.C. 69-06-11-01(4), "light-mitigating technology system" means aircraft detection lighting system, lighting intensity dimming solution technology, or a comparable solution capable of reducing the impact of nighttime lighting while maintaining night conspicuity sufficient to assist aircraft in identifying and avoiding collision with the facilities.

By December 31, 2019, please provide an update of the status of the light-mitigating technology installation on the Oliver III Wind Energy Center.

Please feel free to contact me with any questions.

Best regards,

Patrick Fahn
Director, Public Utilities Division

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Request for information