

September 23, 2026

Via Electronic Mail & U.S. Mail

Mr. Brian Johnson
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

In re: Oliver Wind III, LLC
Oliver Wind III Energy Center
Case No. PU-16-123
Our File No. 035218-000029

Dear Mr. Johnson:

Enclosed for filing in the above-referenced matter, please find eight copies of Oliver Wind III, LLC's memorandum providing an update on the project's Tree and Shrub Mitigation Reporting and Replanting Plan.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,

/s/ Casey A. Furey

Casey A. Furey

CAF/lh
Enc.

cc: Tracy Davis (via email)

**Oliver Wind III, LLC
700 Universe Blvd.
Juno Beach, FL 33408**

TO: North Dakota Public Service Commission (PSC)
FROM: Blair Clementich /Wind Site Manager, Oliver Wind III, LLC
DATE: September 22, 2026
SUBJECT: Oliver III Wind Project – Update on Tree and Shrub Mitigation Reporting and Replanting Plan

Purpose

The purpose of this memorandum is to formally notify the North Dakota Public Service Commission (PSC) of a missed monitoring report regarding the Oliver III Wind Project, provide an update on the status of the site's tree and shrub mitigation efforts, and outline Oliver Wind III, LLC's (Oliver Wind III) proactive plan to achieve successful replanting by Spring 2027.

Background and Status Update

As part of the environmental compliance requirements for the Oliver III Wind Project, a tree and shrub mitigation report was due to be submitted to the PSC in 2024, following approximately two years of monitoring post-planting, which occurred in 2022. During a recent internal review, Oliver Wind III discovered that this report was inadvertently missed.

Oliver Wind III takes its compliance obligations seriously and has conducted a review of this event. The initial plantings at the Oliver III Wind Project conducted between 2022 and 2024 were not successful. While a subsequent replanting effort was initially scheduled, it was deferred, and an administrative error in our internal compliance tracking system caused the reporting task to be misdated and subsequently closed without verification of submission.

Corrective Action and Path Forward

Oliver Wind III is committed to fulfilling its mitigation requirements for the Oliver III site and has been working closely with its environmental consultant (ECT) to develop a robust corrective action plan.

To ensure the long-term success of the mitigation efforts, Oliver Wind III intends to execute a comprehensive replanting program for the Oliver III site in Spring 2027. To maximize ecological success and operational efficiency, this replanting will be conducted in conjunction with the planting activities scheduled for the adjacent Oliver IV project.

Additionally, Oliver Wind III has audited and corrected its internal preventative maintenance and compliance tracking systems to ensure future monitoring and reporting deadlines for both Oliver III and Oliver IV are accurately captured and rigorously verified prior to closure.

Oliver Wind III appreciates the opportunity to provide information to the Commission as Oliver Wind III works to address the planting at the site. Oliver Wind III will provide a final report to

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the PSC within two years of the Spring 2027 replanting efforts. Oliver Wind III is available to provide any further information the Commission may require regarding this matter.

Respectfully submitted,

/s/ Blair Clementich

Blair Clementich

Wind Site Manager

Oliver Wind III, LLC