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July 14, 2017

North Dakota Public Service Commission
600 East Boulevard Avenue, #408
Bismarck, ND 58505



RE: Case No. PU-16-415
Nevin Dahl and Nathan Dahl/Basin Electric Reclamation

Dear Members of North Dakota Public Service Commission:

This letter follows my initial communication to you of June 26, 2016, concerning the reclamation of my clients' property as detailed in your case file referenced above.

On July 15, 2016, Basin Electric responded to our concerns and stated that "Basin Electric has and will continue to strive to get reclamation 'right'".

Then, in its October 3, 2016 letter to my office, Basin Electric stated, "...just recently, we concluded our field reclamation. Basin Electric staff recently conducted a site inspection and were satisfied with the current status of the reclamation. In the spring of 2017, we will continue to visit the locations to evaluate if any additional work is required and to monitor the installed erosion control measures for compliance with the Project's Stormwater Protection Plan."

To my clients' knowledge, there has been no further site visits or reclamation by Basin Electric. In fact, there remains a number of unaddressed issues at the properties, specifically as follows:

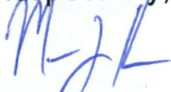
- 1) Basin Electric cut down 3,116 trees/shrubs which must be replaced as necessary to fulfill their obligation.
- 2) Basin Electric promised to put top soil around the towers but it does not appear that this has been done; and if it was, the weed-free certificates have not been provided.

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Nathan and Nevin Dahl
Matt J. Kelly, Attorney

- 3) The scoria previously placed on the roadways by Mr. Dahl was reduced to dust due to Basin Electric's traffic, and will cost between \$15,000 and \$20,000 to replace.
- 4) The creek crossing was not repaired as agreed; it was only raised and narrowed. The culvert most likely needs to be replaced as part of the repair, at an estimated cost of \$5,000.
- 5) There is significant crop damage from Basin Electric driving through Mr. Dahl's wheat fields - an area roughly 3/8 of a mile long and 30 feet wide. That area would have produced 55 bushels to the acre, and the current market price at Horizon is \$6.62 per bushel.
- 6) At the tower farthest north, Basin Electric spread manure on the ground, creating a serious concern for the growth of noxious weeds.
- 7) Finally, there is a significant pile of trees and shrubs cut down by Basin Electric that have yet to be cleaned up and removed.

As you can see from this list, the reclamation of the properties as promised by Basin Electric is far from completion. This letter serves as a request that you re-assess Basin Electric's reclamation of the Dahl properties. Thank you.

Respectfully,



Matt J. Kelly

MJK/sfr
Cc: Nevin Dahl
Nathan Dahl