

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Antelope Hills Wind Pjct / West Branch Wind Pjct
Transfer of Siting Certificates and Permit
Siting Application

Case No. PU-16-671

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **2nd day of June, 2017**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order**

And Original Of:

- **First Reissued Certificate of Site Compatibility Number 41**

And Original Of:

- **First Reissued Route Permit Number 173**

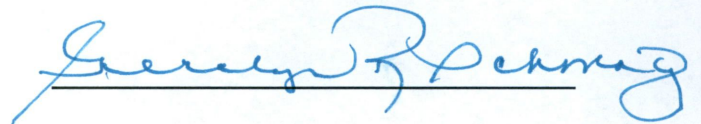
And Original Of:

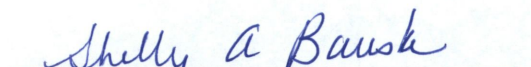
- **First Reissued Certificate of Corridor Compatibility Number 161**

The envelope was addressed as follows:

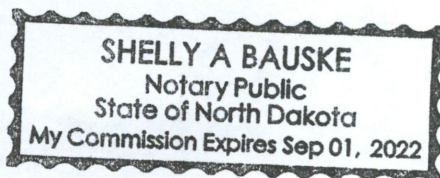
Brian R. Bjella
Crowley Fleck PLLP
PO Box 2798
Bismarck, ND 58502-2798
Cert. No. 7016 1970 0001 1484 4269

Subscribed and sworn to before me
this **2nd day of June, 2017**.




Notary Public

SEAL



26 PU-16-671 Filed: 6/2/2017 Pages: 6
Affidavit of Service, Cert. Mail - Order

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Antelope Hills Wind Project, LLC/West
Branch Wind Project, LLC
Transfer of Siting Certificates and Permit
Siting Application**

Case No. PU-16-671

ORDER

May 31, 2017

On December 17, 2014, in Case No. PU-14-679, the Commission issued Certificate of Site Compatibility Number 41 to Antelope Hills Wind Project, LLC authorizing construction of a proposed 172 MW Antelope Hills Wind Project and associated facilities in Mercer County, North Dakota.

On January 7, 2015, in Case No. PU-14-678, the Commission issued Certificate of Corridor Compatibility Number 161 and Route Permit Number 173 to Antelope Hills Wind Project, LLC authorizing construction of approximately 9.5 miles of 345 kV electric transmission line and associated facilities extending from the Antelope Hills Wind Project to the existing AVS substation in Mercer County, North Dakota.

On November 15, 2016, in Case No. PU-16-671, Antelope Hills Wind Project, LLC and West Branch Wind Project, LLC filed a joint application for transfer of Certificate of Site Compatibility Number 41, Certificate of Corridor Compatibility Number 161 and Route Permit Number 173 from Antelope Hills Wind Project, LLC to West Branch Wind Project, LLC.

On January 18, 2017 the Commission issued a Notice of Opportunity for Hearing, which provided until February 28, 2017 for receiving written comments and hearing requests. No response was received. The notice identified the issues to be considered in Case No. PU-16-671 are whether West Branch Wind Project, LLC agrees and is able to comply with the terms and conditions of the certificates and permit issued to Antelope Hills Wind Project, LLC and whether the requested transfer is compatible with the public interest.

On March 29, 2017 the Commission discussed the matter with the applicants and Commission staff during an informal hearing.

West Branch Wind Project, LLC has been acquired by and is a wholly owned subsidiary of NextEra Energy Resources, LLC (NextEra) and is authorized to transact business in North Dakota as a Foreign Limited Liability Company. NextEra is a national wind project developer.

The Affidavit of John DiDonato, NextEra Vice President of Development, provides that West Branch Wind Project, LLC agrees to assume the rights and obligations of Certificate of Site Compatibility Number 41, Certificate of Corridor Compatibility Number 161 and Route Permit Number 173; and agrees to comply with the terms and conditions set forth therein.

The Commission has jurisdiction over Antelope Hills Wind Project, LLC and West Branch Wind Project, LLC and the subject matter of the joint application under North Dakota Century Code chapter 49-22.

A certificate or permit may be transferred, subject to the approval of the commission, to any person who agrees to comply with its terms, conditions, and modifications under N.D.C.C. § 49-22-07(1).

West Branch Wind Project, LLC has agreed to comply with the terms, conditions, and modifications of Certificate of Site Compatibility Number 41 issued to Antelope Hills Wind Project, LLC and the Commission's Findings of Fact, Conclusions of Law and Order issued December 17, 2014, in Case No. PU-14-679.

West Branch Wind Project, LLC has agreed to comply with the terms, conditions, and modifications of Certificate of Corridor Compatibility Number 161 and Route Permit Number 173 issued to Antelope Hills Wind Project, LLC and the Commission's Findings of Fact, Conclusions of Law and Order issued January 7, 2015, in Case No. PU-14-678.

Having considered this matter, the Commission finds West Branch Wind Project, LLC agrees and is able to comply with the terms and conditions of the certificates and permit issued to Antelope Hills Wind Project, LLC and the requested transfer is compatible with the public interest. Therefore, the Commission issues its:

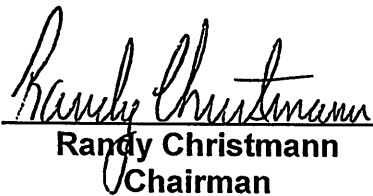
Order

The Commission Orders the joint application of Antelope Hills Wind Project, LLC and West Branch Wind Project, LLC for transfer of siting certificates and permit is granted and First Reissued Certificate of Site Compatibility Number 41, First Reissued Certificate of Corridor Compatibility Number 161 and First Reissued Route Permit Number 173 are issued to West Branch Wind Project, LLC.


PUBLIC SERVICE COMMISSION



Brian Kroshus
Commissioner



Randy Christmann
Chairman



Julie Fedorchak
Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

First Reissued Certificate of Site Compatibility Number 41

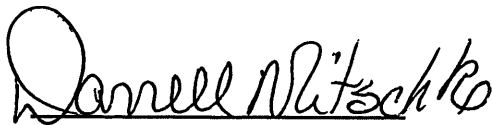
This is to certify that the Commission has designated an energy conversion facility site for West Branch Wind Project, LLC's wind energy project consisting of up to 172 MW of total wind turbine generating capacity and associated facilities in Mercer County, North Dakota.

The facility may be sited in this designated location in compliance with the energy conversion facility siting criteria. This certificate is issued in accordance with the Finding of Fact, Conclusion of Law and Order of this Commission in Case No. PU-14-679 dated December 17, 2014 and the Order of this Commission in Case No. PU-16-671 dated May 31, 2017 and is subject to the conditions and limitations noted in those orders.

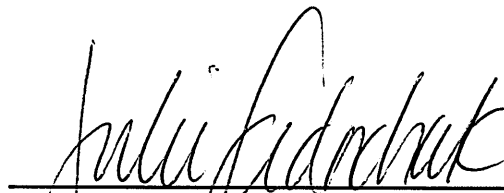
Bismarck, North Dakota, May 31, 2017.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

First Reissued
Certificate of Corridor Compatibility Number 161

This is to certify that the Commission has designated a transmission facility corridor for West Branch Wind Project, LLC for the construction of approximately 9.5 miles of 345 kV electric transmission line and associated facilities extending from the wind project collector substation to the Antelope Valley Station (AVS) switchyard substation in Mercer County, North Dakota.

This permit is issued in accordance with the Findings of Fact, Conclusions of Law and Order of this Commission dated January 7, 2015 in Case No. PU-14-678 and the Order of this Commission in Case No. PU-16-671 dated May 31, 2017 is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, May 31, 2017.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner

PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA

First Reissued Route Permit Number 173

This is to certify that the Commission has designated a transmission facility route for West Branch Wind Project, LLC for the construction of approximately 9.5 miles of 345 kV electric transmission line and associated facilities extending from the wind project collector substation to the Antelope Valley Station (AVS) switchyard substation in Mercer County, North Dakota.

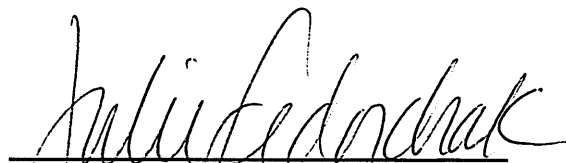
This permit is issued in accordance with the Findings of Fact, Conclusions of Law and Order of this Commission dated January 7, 2015 in Case No. PU-14-678 and the Order of this Commission in Case No. PU-16-671 dated May 31, 2017 is subject to the conditions and limitations noted in those Orders.

Bismarck, North Dakota, May 31, 2017.

ATTEST:

PUBLIC SERVICE COMMISSION


Executive Secretary


Commissioner