

COMMENTS OF THE MILLS FAMILY

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

69-06-08-01, 69-09-02-35 Criteria Changes

We would like to comment on the plan to use radars as a way to control the lights on the wind turbines. Our family and other supporters are not against the idea of utilizing radar on new projects. We however are against the idea of retrofitting the older wind turbines with the radar system unless they have some type of tax credit or state assistance to help pay for it. An alternative plan to radar would be to use LIDS: Lighting Intensity Dimming Solution created by Technostrobe. The reasons for using this system instead of radar are as follows:

- LIDS controls the brightness of lights as to where radar does nothing for the brightness of the lights.
- If visibility is low-the lights get brighter
- If visibility is good the lights get dimmer which reduces the intensity of the light by 90%.
- LIDS is not a detriment as lights on towers only need to be seen 2 miles away for aviation/pilots/plane traffic.
- Currently lights have 2,000cd – which are needed to penetrate 2 miles in the worst possible visibility.
- For an estimated \$2 Million per wind farm LIDS could be installed on the wind turbines.

Once this system comes out it should be used for all upcoming projects. This should be the preferred system over the radar. This is a benefit in areas that have high amounts of air traffic which are not going to notice any benefit from the radar system since the lights will not be turned off often. As with the idea of retrofitting of the radars the same idea goes for using LIDS to convert the older wind turbines which should be done with assistance so as to not cause the shutdown of existing wind farms. LIDS have not been approved by the FAA but will be in the review process soon. For more information about the technology please go to their website <http://technostrobe.com/contact>.

Moving onto the reclamation proposals we do not agree with the suggested changes for 69-09-09-05(2) the original provisions are fair and realistic. The idea of complete removal of underground cables no matter the depth should then be expected of power companies, cable companies, gas companies and even telephone companies. Wade Mills with his 17 years of road construction experience has stated that his employer on most projects there are abandoned lines that are on the blueprints and known to be there. When they are doing a street jobs, the only wires that are removed are those that are dug up under the street, wires on private

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property are never removed. By requiring wind farms (or any other utilities) to remove these wires, this would do more harm to the native grasslands than if you were to just leave them in the ground. This would penalize just the wind energy providers and be yet another veiled attempt to stop the development of this power source.

The rule change proposed for reclamation bond being 100% funding is another biased proposal as it is not expected for power, gas, or water companies. Not even cable or phone companies are held to this expectation. If anything the funding should be on an incremental system based upon the completion of the project, so if only 25% is completed then the funding should match the completion in this case 25%.

Another point on the proposed changes is the investment grade bond to be class A for wind farms. The federal government considers AAA to BBB- investment grade. Therefore, we feel ND should follow federal guidelines for investments. PSC member Randy Christmann stated during a PSC meeting on February 27, 2017, we require A rating on our coal fired and natural gas power plants. However, they are not building multiple projects in the US, if they were they would not be able to achieve an A rating. We would like to see the rating for wind power bond rating to follow federal government standards.

The fears of a company starting projects and then filing bankruptcy to get tax credits are unfounded according to the testimony by Frank Costanza at the February 27, 2017 meeting. These attempts of rule changes are just blatant attempt to stop future wind development. With the budgetary problems the townships and the state are having this would be foolish to prevent another source of revenue for our local governments.

We would like to comment on the troubling statements that were allowed to be brought up during testimony concerning a proposed wind farm west of Moffit, ND that had no place in the last meeting. In regards to the statement about Whooping Cranes nesting with eggs in the area, is a complete false statement. There is a 2-year independent bird study that will be completed at the end of March 2017 that currently shows no Whooping Cranes in the proposed area. Why this was thrown into the conversation is ridiculous, according to ND Game and Fish website <https://gf.nd.gov/wildlife/id/grassland-birds/whooping-crane>, it states about Whooping Cranes, "Listed as threatened in 1967 and endangered in 1970. Whooping Cranes formerly nested in North Dakota, but no nests have been recorded for more than 100 years. North Dakota provides important stopover habitat as the few birds left in the wild migrate through during both spring and fall." Secondly on a related topic that was brought up during the meeting about the incidental losses of birds to wind turbines. They estimated deaths caused by a turbines in North America are about 134,000 to 230,000 deaths whereas power lines cause an estimated 130 million deaths yet we do not hear the opponents of the wind turbines also clamoring for the end of power lines.<sup>1</sup>

We hope that at the remaining meetings the PSC can maintain the topics that are to be

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<sup>1</sup> America Wind Wildlife Institute, "A Comprehensive Analysis of Small-passerine Fatalities from Collision with Wind Turbines at Wind Energy Facilities."

<http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0107491>

discussed instead of allowing these off topic statements to detract from the process at hand.

The Mills family respectfully submits these enclosed comments for filing in the above referenced matters.

Sincerely,

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