



UTILITIES CO.

A Division of MDU Resources Group, Inc.

400 North Fourth Street

Bismarck, ND 58501

(701) 222-7900

March 9, 2017

Executive Secretary
North Dakota Public Service Commission
State Capitol Building
Bismarck, ND 58505-0480

Re: Case No. PU-17-23
Public Service Commission- Public
Utilities - Wind Facility Decommissioning
Rulemaking

Montana-Dakota Utilities Co. (Montana-Dakota), a Division of MDU Resources Group, Inc., herewith submits its comments regarding the North Dakota Public Service Commission's (NDPSC) proposed changes to the Commission's administrative rules pertaining to wind turbine decommissioning in Chapter 69-09-09 of the North Dakota Administrative Code (NDAC).

Montana-Dakota supports the wind decommissioning rules in general and offers the following comments regarding several of the proposals:

69-09-09-01.6 – The Company requests clarification that the definition of “Existing Facility” as originally proposed to be a facility for which a site compatability certificate has been issued prior to July 1, 2017. It is important for the Company and its customers that the conditions under which a certificate of site compatability was issued not be modified prior to completion of construction. Doing so could cause construction delays and increased costs that may have been avoided if known at the time the site compatability certificate was issued. This would also cause changes to be made to each site compatabiliy certificate.

69-09-09-05.3 & 69-09-05.5 - The Company appreciates the opportunity to rebut the presumption that a project is to be declared at the end of its useful life if its annual capacity factor is less than ten percent given the many catastrophic events outside the Company's control that could cause a drop in the capacity factor to ten percent such as a tornado, earthquake, major equipment failure, or major fire. However, restoration of the facility may be delayed if Commission approval to restore is required.

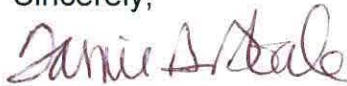
69-09-09-05.4 - Consideration should be given to landowner preference and the specifics of the lease agreement regarding restoration and reclamation of the site to the approximate original topography that existed prior to construction of the facility as proposed.

69-09-09-06.3 - Montana-Dakota utilizes in-house engineers to develop the decommissioning plan. Requiring the use of a North Dakota Professional Engineer would result in additional costs to develop the initial plan as well as provide updates to that plan. A suggested alternative would be to allow experienced engineering estimates with the qualifications of the engineer outlined in the decommissioning filing. The Commission could then decide to accept or reject the engineering estimate provided by the Company.

Montana-Dakota appreciates the opportunity to offer comments regarding the Commission's proposed administrative rule changes.

Please contact me at 701.222.7856 or tamie.aberle@mdu.com with any questions regarding the comments provided above.

Sincerely,



Tamie A. Aberle
Director of Regulatory Affairs

Attachments

cc: Darcy Neigum
Alan Welte