

July 16, 2021

VIA HAND DELIVERY

Mr. Steve Kahl
Executive Admin Secretary/Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: NOTICE OF NONCOMPLIANCE
CASE NO. PU-17-48**

Dear Mr. Kahl:

On June 15, 2021, Patrick Fahn, Director of the Public Utilities Division for the North Dakota Public Service Commission (“Commission”), submitted a Notice of Noncompliance stating that the case records do not indicate that Arrow Field Services, LLC (“Arrow”) has met the tree and shrub mitigation requirements attached to the Commission’s June 30, 2017 Findings of Fact, Conclusions of Law and Order entered in Case No. PU-17-48 (“Order”).

Please be advised that Arrow is currently in the process of producing a mitigation plan which will be developed in consultation with landowners and in accordance with USDA-NRCS-North Dakota Field Office Technical Guide: Windbreak and Woodland Tree Care and Management. Due to the severe drought conditions affecting western North Dakota, Arrow intends to commence replacement and mitigation activities in the spring of 2022. Arrow has elected to proceed under and be governed by the Commission’s March 13, 2019 simplified version of the Tree and Shrub Mitigation Specifications (“Specifications”) and respectfully requests that the Commission amend the June 30, 2017 Order to incorporate the March 13, 2019 Specifications into said Order.

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60

PU-17-48 Filed: 7/16/2021 Pages: 2
Response to 15 June 2021 Notice of Noncompliance

Mr. Steve Kahl
July 16, 2021

Should you have any questions, please advise.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L. Bender', with a long, sweeping horizontal stroke extending to the right.

LAWRENCE BENDER

LB/tjg

Cc: Mr. Patrick Fahn (via e-mail)
Mr. Daubs Thompson (via e-mail)

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