



Public Service Commission
State of North Dakota

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**Project: Northern States Power Company
230 kV Transmission Line – McHenry & Ward Counties
Case No.: PU-17-102**

The Commission's October 4, 2017, Findings of Fact, Conclusions of Law and Order in Case No. PU-17-102 issued Certificate of Corridor Compatibility No. 200 and Route Permit No. 211 to Northern States Power Company (NSP) designating a corridor and a route for the construction, operation, and maintenance of the Project enumerated above.

Reclamation and Revegetation

On November 26, 2019, the Commission's third-party inspector filed with the Commission a Reclamation and Vegetation Inspection Report. The Report may be viewed at <https://psc.nd.gov/database/documents/17-0102/083-010.pdf>.

Page 2 of the report, Section 4 notes a few minor areas that need correction.

Commission Staff asks that NSP respond in writing to the Commission stating actions that have or will be taken to resolve the areas of concern noted in the Inspection Report by January 28, 2022.

Tree and Shrub Mitigation

Tree and Shrub Mitigation Specifications (Specifications) attached to and made part of the Commission's October 4, 2017, Findings of Fact, Conclusions of Law and Order required that two trees be planted for every one tree removed, and that two shrubs be planted for one shrub removed. The Specifications required that tree and shrub

replacements be inspected annually, in September, for three years, with the first annual inspection at least one year from the anniversary date of the original plantings. The Specifications further required that a report of each annual report be submitted to the Commission by October 1 of each year, documenting the condition of plantings and any woodlands work completed as of September of each year.


Commission records show that NSP's plan for tree and shrub mitigation was approved by the Commission on June 27, 2018, and tree and shrub plantings occurred in the Fall of 2019.

The Commission has no record of a tree and shrub annual survival inspection report for October 1 of 2020, or by October 1 of 2021. It appears that NSP is in noncompliance of the Commission's October 4, 2017, Order by not filing with the Commission these annual survival inspection reports.

Commission Staff requests that the 2020 and 2021 annual reports of tree and shrub survival for the Project be filed with the Public Service Commission by January 28, 2022, to avoid a noncompliance action.

Please feel free to contact me with any questions.

Best regards,

A handwritten signature in cursive script that reads "Patrick Fahn".

Patrick Fahn
Director, Public Utilities Division