



Public Service Commission  
State of North Dakota

COMMISSIONERS

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January 27, 2022

Travis R. Jacobson, Director of Regulatory Affairs  
Montana-Dakota Utilities Co.  
400 North Fourth Street  
Bismarck, ND 58501

**NOTICE OF NONCOMPLIANCE**

**Project: Montana-Dakota Utilities Co.  
Thunder Spirit Wind Project  
Case Nos. PU-11-601, PU-15-592 and PU-17-192**

The Commission's October 9, 2013, Findings of Fact, Conclusions of Law and Order in Case No. PU-11-601 issued Certificate of Site Compatibility No. 35 to Thunder Spirit Wind, LLC designating a location for the construction, operation, and maintenance of the Project.

The Commission's December 16, 2015, Order in Case No. PU-15-592 transferred Certificate of Site Compatibility No. 35 from Thunder Spirit Wind, LLC to Montana-Dakota Utilities Co.

The Commission's August 16, 2017, Order in Case No. PU-17-192 issued First Reissued Second Amended Certificate of Site Compatibility No. 35 to MDU for the Thunder Spirit Wind Project expansion increasing the project generating capacity from 150 MW to 155.5 MW.

**As-built facility design and GIS data**

The Certification to Order Provisions paragraph 35 (Certification) attached to and made part of the October 9, 2013, Order requires that the Company provide the Commission with both an electronic and a paper copy of the site approved by the Commission and the facility design specifications for the construction of the energy conversion facility showing the location of the energy conversion facility as built, and provide this information within 3 months of the completion of the construction. The Certification requires that the Company also provide an electronic version of the site approved by the

Commission and the facility design specifications for the construction of the energy conversion facility showing the location of the energy conversion facility as built that can be imported into ESRI GIS mapping software within 3 months of the completion of the construction. It appears the Company has not filed the required drawings or GIS data and is in violation of the October 9, 2013, Order.

Staff requests that the as-built paper drawings and electronic versions as well as the GIS mapping data be filed with the Public Service Commission by February 11, 2022, to avoid further action due to noncompliance.

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