

December 5, 2017

Hand Delivered

Mr. Darrell Nitschke
ND Public Service Commission
600 Boulevard Ave, Suite 1300
Bismarck, ND 58503



Re: Foxtail Wind, LLC
Case No. PU-17-284: Late Filed Exhibits

Dear Mr. Nitschke:

Consistent with Judge Dawson's directives at the November 20, 2017 hearing, please find attached the following Late Filed Exhibits:

1. Copies of decibel and shadow flicker waivers.

Late Filed Exhibit No. 27 includes an affidavit confirming that Foxtail discussed the implications of the decibel and shadow flicker waivers with the relevant participating landowners.

2. Updated Site Plan Maps.

In response to questions raised at the November 20 hearing, Foxtail has included as Late Filed Exhibit No. 28: (i) an aerial map book to ensure that Project infrastructure, setbacks and other features are clearly visible; and (2) a native prairie map book showing areas of high quality native prairie, which is informed by the Wildlife Consultation Strategy.

3. Wildlife Consultation Strategy (WCS).

Included as Late Filed Exhibit No. 29 is the current draft WCS and a detailed "comment matrix" setting forth how Foxtail addressed or responded to agency comments on the draft WCS. The WCS continues to be a working document, setting forth Foxtail's strategy to address wildlife conservation in all phases of Project development.

4. Correspondence relating to U.S. Fish and Wildlife Service (USFWS) comments.

Included as Late Filed Exhibit No. 30 is Foxtail's detailed response to the USFWS' November 14, 2017 letter to the Commission (Exhibit No. 24). Foxtail is scheduled to meet again with USFWS on December 7 and will provide minutes of the meeting to the agency for review and confirmation. In addition to confirming the accuracy of the meeting minutes, Foxtail

understands that USFWS intends to submit response to Foxtail's letter after the December 7 meeting directly to the Commission.

5. Correspondence relating to North Dakota Game and Fish (NDGFD) comments.

Included as Late Filed Exhibit No. 31 is Foxtail's detailed response to the NDGFD's November 6, 2017 letter to the Commission (Exhibit No. 23). Foxtail is scheduled to meet again with NDGFD on December 7 and will provide minutes of the meeting to the agency for review and confirmation. In addition to confirming of the accuracy of the meeting minutes, Foxtail understands that NDGFD intends to submit response to Foxtail's letter after the December 7 meeting directly to the Commission.

6. Noxious Weed mitigation plan.

Late Filed Exhibit No. 32 includes the Foxtail Noxious Weed Management and Control Plan that will be used for the project.

Thank you for your attention to this filing. Please do not hesitate to contact me with any questions or concerns.

Very truly yours,

Stinson Leonard Street LLP



Aaron K. Friess

AKF:cp

Enclosures