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January 9, 2020

VIA U. S. AND ELECTRONIC MAIL

Mr. Steven M. Kahl, Executive Secretary
North Dakota Public Service Commission
State Capitol Building, Dept. 0408
600 East Boulevard
Bismarck, ND 58505-0480

RE: AIRCRAFT DETECTION LIGHTING SYSTEM (ADLS) COMPLIANCE
FOXTAIL WIND ENERGY CENTER (CASE NO. PU-17-284)

Dear Mr. Kahl:

Northern States Power Company, doing business as Xcel Energy, respectfully submits this response to the Commission's January 3, 2020 Notice of Non-compliance relating to the December 31, 2019 deadline to have an operational Aircraft Detection Lighting System (ADLS) in place at its Foxtail Wind Energy Center (Foxtail Project).

Xcel Energy takes very seriously the statutes in the North Dakota Century Code and the Commission's Administrative rules, including the requirements to install functioning ADLS at all North Dakota wind projects. We are committed to providing area landowners and the public the benefits of this technology, and regret that our objective to have the Foxtail Project's ADLS functioning on the project's commercial operation date was not achieved. The Company worked diligently through very challenging weather conditions in 2019 to achieve completion of its 150 MW Foxtail Project by the end of 2019. While we were able to achieve commercial operation at Foxtail on December 31, 2019, it was determined that at least 2-3 weeks of additional time was needed to safely and effectively complete the installation and testing of what will likely be the state's first operational ADLS.

Background

Part (1) of Section 69-06-11-02 of the Commission's Administrative Rules states that:

A wind energy conversion facility for which a certificate of site compatibility was issued after June 5, 2016, must be equipped with a functioning light-mitigating technology in compliance with this

chapter by December 31, 2019.

The Foxtail Project was granted a siting permit on January 31, 2018 with an initial in-service target of September 2019. In connection with abnormally wet weather conditions during the summer and fall and an early snowcover, the project completion date was pushed into late December.

In spite of these challenges, we pressed on late in the year with the intention to have the ADLS operational by the December 31 deadline. By yearend, Foxtail's ADLS radar structure had been erected and all related hardware installed. Notwithstanding these efforts, there are three remaining steps to making the ADLS operational that are contingent on actions and conditions outside of our control: Formal Federal Communications Commission (FCC) approval, completion of wire terminations, and programming and testing of the ADLS.

Xcel Energy submitted a timely application for approval of the ADLS by the FCC, and we were informally notified on December 18th that the FCC had processed the application and written approval would be forthcoming. However, formal FCC approval still has not been officially received; FCC staff are investigating the delay and have informed us that they would report back to us after the holidays, once their staff had returned from vacation. Until that approval is received, however, our contracted ADLS installer (TERMA North America, experts in aviation radar technology) is not authorized to turn the radar antenna on and verify that it is able to communicate and operate the lights. We remain in close contact with the FCC to ensure we receive official approval of the system soon.

Additionally, TERMA North America has informed us that, with the approval of the FCC and assuming cooperative weather, they would need two to three weeks to complete wiring terminations. Their timeline was based primarily on safety guidelines which require a consistent three- to four-day period of warmer temperatures and wind speeds of less than 12 mph "up tower" (i.e., the highest part of the radio tower). To expedite the work, TERMA has placed two technicians on stand-by just for this project so that wiring can begin as soon as favorable weather occurs. We are also looking at sheltering options to combat cold temperatures in the event that weather is not forecasted to improve in the near future. Once the wire terminations are complete, programming and testing the ADLS can commence.

As indicated in our January 2nd letter, the Company currently has tower lighting in place that has been operating in the traditional manner during construction and the initial days of commercial operation. We will continue to illuminate the towers in this manner until the ADLS is up and running, which we currently anticipate to be later this month.

Again, Xcel Energy is supportive of the Commission's objective to have ADLS technology in place at North Dakota wind facilities, and we are committed to improving the nighttime aesthetics of our own wind projects in the state. Xcel Energy regrets that it did not inform the Commission prior to December 31st of some of the challenges that we and TERMA were working to overcome to fully commission the project's ADLS. We respectfully appeal to the Commission for a grace period as we work earnestly to bring the Foxtail ADLS online as soon as is practicable.

Please feel free to contact me at (701) 241-8632 or dave.sederquist@xcelenergy.com should you have any questions about this response.

Sincerely,



David H. Sederquist
Sr. Regulatory/Financial Consultant
Xcel Energy