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September 10, 2021

—VIA EMAIL & U.S. MAIL—

Mr. Steven M. Kahl, Executive Director
North Dakota Public Service Commission
State Capitol Building, Dept. 408
600 East Boulevard
Bismarck, ND 58505-0480

RE: AIRCRAFT DETECTION LIGHTING SYSTEM – BORDER WINDS FACILITY
REQUEST FOR EXTENSION OF INSTALLATION DEADLINE AND STATUS UPDATE
CASE NO. PU-17-362

Dear Mr. Kahl:

Northern States Power Company, a Minnesota Corporation, doing business in North Dakota as Xcel Energy, respectfully submits this request to the North Dakota Public Service Commission (Commission) for an extension of the December 31, 2021 deadline for installing an operating Aircraft Detection Lighting System (ADLS) at the Border Winds facility in northeastern North Dakota. We also provide a status update, as requested by the Commission's August 2, 2021 Notice and Request for Status Updates.

Background

In an Order dated May 5, 2011 (Case No. PU-08-797), the Commission approved the Certificate of Site Compatibility No. 21 for the construction, operation, and maintenance of the 150 Megawatt Border Winds Energy Project (Border Winds) in Rolette County, North Dakota. In August 2015, Border Winds began commercial operations. In an Order dated January 10, 2018 (Case No. PU-17-362), the Commission transferred this Certificate of Site Compatibility to Xcel Energy.

Since the Certificate of Site Compatibility for Border Winds was issued before June 5, 2016, it must be equipped with a functioning light-mitigating technology by December 31, 2021, as required by section 49-22-16.4(3) of the North Dakota Century Code

(N.D.C.C.) and section 69-06-11-02(2) of the North Dakota Administrative Code (N.D. Admin. Code).

In compliance with these requirements, Xcel Energy is constructing an ADLS at Border Winds. ADLS is a radar-based system that automatically activates obstruction lighting on wind turbines upon detection of aircraft approaching within defined parameters.

Project Update

The ADLS installation for Border Winds includes the construction of the ADLS radar tower, lighting control modules (LCM), additional underground power and fiber optic cables, and temporary staging areas along existing wind turbine roads. Xcel Energy contracted DeTect Inc. in May 2021 to be its ADLS vendor.

Federal Aviation Administration (FAA) certification for the radar tower location is complete. We have also begun the National Environmental Policy Act (NEPA) review process for the current ADLS plan, and it is expected to be completed on or before September 30, 2021.

New FAA lights had to be purchased for this facility as the existing lights were not ADLS compliant. The new FAA lights have already been delivered to the Border Winds site and DeTect has contracted with Wanzek to install them. Installation will start in the second week of September.

All the grading plans and engineering designs are completed for the current radar tower location, however, this is subject to change depending on landowner acceptance, as described in more detail below.

Manufacturing of the ADLS components and infrastructure supporting the ADLS electronics have been completed. This includes the generator skid and computer server rack along with other electrical components associated with the generator. The purpose of the generator is to supply power to the ADLS system in case of the main power failure.

Construction of the ADLS tower is on hold at this time due to the pending landowner negotiations and uncertainty of the radar tower location. If the tower needs to be relocated, it will likely impact the height of the tower.

Request for Extension

Xcel Energy's intent was to complete the ADLS construction activities by November 30, 2021, prior to ground freeze and extreme cold weather, and fully install and activate the ADLS by December 31, 2021. However, construction activities have been delayed as described in more detail below. With this letter, the Company respectfully requests an extension of the deadline to complete the ADLS installation to June 30, 2022.

Earlier this summer, the Company had a verbal agreement with a landowner to install the ADLS radar tower on his land. Accordingly, plans for the siting, grading, access road, and conduit were completed in June 2021, and work had started on trenching. However, in the final negotiations for the lease agreement in August 2021, the landowner indicated that he opposes the planned radar tower location because he believes the fenced area around the tower will disturb his farming activity. He also requested to change the orientation of the access road.

We are currently discussing and negotiating options with the landowner, but to date a lease agreement has not yet been signed. If we are unable to reach an agreement with the landowner, it is likely we will need to relocate the radar tower site, which will also result in a change to the tower height. These changes would require an updated FAA certification, a new NEPA review, and additional engineering work. In addition, it may involve additional local and state permitting. A new NEPA review alone would take approximately four months from the time new siting and grading plans are available.

Because of this uncertainty, we have not been able to order the radar tower. The ADLS installation project was originally planned so that construction of the radar tower would be completed by November 2021, prior to ground freeze and extreme winter weather. This schedule would have allowed unhindered foundation work and trenching and avoided the damage that very cold temperatures can impose on fiber optic cable during installation. However, based on the current situation, it is unlikely that we will be able to conduct the necessary construction activities prior to extreme cold weather conditions.

For the above noted reasons, Xcel Energy respectfully requests that the Commission grant a six-month extension to June 30, 2022 to complete the ADLS installation for Border Winds.

Please contact me if you have any further questions about this extension request or the ADLS installation project. Thank you.

Sincerely,



DAVID H. SEDERQUIST
SR. CONSULTANT, REGULATION & FINANCE

cc: Patrick Fahn
Marcus Dethloff