

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Foxtail Wind, LLC/Northern States Power Company
Transfer of Site Certificate
Siting Application

Case No. PU-18-144

AFFIDAVIT OF SERVICE BY REGULAR AND ELECTRONIC MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

She is over the age of 18 years and not a party to this action and, on the **7th** day of **December 2018**, she deposited in the United States Mail, Bismarck, North Dakota, **3** envelopes by first class mail, fully prepaid, securely sealed each containing a photocopy of:

- **Order on Reissuing Certificate**

The envelopes were addressed as follows:

See attached list

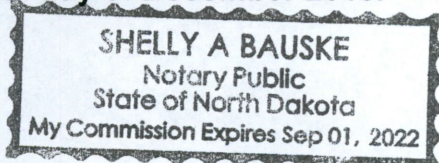
Geralyn R. Schmaltz further deposes and says that on the **7th day of December 2018**, she sent an electronic message to **43** addressees, each including an electronic copy in portable document format of the same document.

The electronic mails were addressed as follows:

See attached list

The addresses shown are the respective addressee's last reasonably ascertainable post office and electronic mail addresses.

Subscribed and sworn to before me
this **7th day of December 2018**.



A handwritten signature in blue ink, appearing to read "Geralyn R. Schmaltz", written over a horizontal line.

A handwritten signature in blue ink, appearing to read "Shelly A. Bauske", written over a horizontal line.

Notary Public

15 PU-18-144 Filed: 12/7/2018 Pages: 8
Affidavit of Service, Reg. and E-mail – Order on
Reissuing Certificate

County Auditor
Dickey County Courthouse
PO Box 215
Ellendale ND 58436

County Commission
Dickey County Courthouse
PO Box 215
Ellendale ND 58436

Federal Aviation Administration
Bismarck Airports District Office, BIS-i
Bismarck ND 58504

ndaero@nd.gov
Gaye Niemiller
Aeronautics Commission
PO Box 5020
Bismarck ND 58502-5020

masagsve@nd.gov
Matt Sagsveen
Attorney General's Office

dhseo@nd.gov

Department of Human Services

energyimpact@nd.gov
Energy Infrastructure and Impact Office

ppicha@nd.gov
Paul Picha
Historical Society

sjdavis@nd.gov
Scott Davis
Indian Affairs Commission
State Capitol - 1st Floor J Wing INSIDE
Bismarck ND 58505

gheiser@nd.gov
Gerald Heiser
N D Water Commission
900 E Boulevard
Bismarck ND 58505

ndascd@lincolnoakes.com
ND Assoc of Soil Conservation Dist
3310 University Drive
Bismarck ND 58504-7564

mdockter@nd.gov
Monte Dockter
ND Department of Transportation
State Highway Building
Bismarck ND 58505

caboyd@nd.gov
Clint Boyd
ND Geological Survey

goehring@nd.gov
Doug Goehring
Agriculture Department
State Capitol
Bismarck ND 58505

todd.j.lindquist@usace.army.mil
Todd Lindquist
Corp of Engineers
PO Box 527
Riverdale ND 58565-0527

cte@nd.gov

Dept of Career and Technical Education
State Capitol
Bismarck ND 58505

governor@nd.gov
Doug Burgum
Governor's Office
State Capitol
Bismarck ND 58505

squinnell@nd.gov
Susan Quinnell
Historical Society

jjuhibregtse@nd.gov
Jared Huibregste
N D Water Commission
900 E Boulevard
Bismarck ND 58505

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Jay Fuhrer
NATURAL RESOURCE CONSERVATION SVC
PO BOX 1458
BISMARCK ND 58502-1458

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Kevin Sonsalla
ND Department of Commerce

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Terry Steinwand
ND GAME & FISH DEPT
INSIDE MAIL

emurphy@nd.gov
MR ED MURPHY
ND GEOLOGICAL SURVEY

mkommer@nd.gov
Michelle Kommer
ND Job Service
P.O. Box 5507 INSIDE MAIL
Bismarck ND 58506-5507

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Mike Humann
ND Land Department

ndicininfo@nd.gov
North Dakota Industrial Commission

TylerHamman@lignite.com
Tyler Hamman
North Dakota Transmission Authority

gerbele@nd.gov
Garland Eberle
State Engineer
ND Water Commission

pwax@nd.gov
Peter Wax
State Health Department

kskroch@nd.gov
Kathy Skroch
State Representative
10105 155th Avenue SE
Lidgerwood ND 58053-9761

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Jeffrey Magrum
State Representative
PO Box 467
Hazelton ND 58544-0467

jdotzenrod@nd.gov
JIM DOTZENROD
STATE SENATOR
507 5TH ST
WYNDMERE ND 58081-4217

wendy_ross@nps.gov
Wendy Ross
Theodore Roosevelt Nat'l Park
PO Box 7
Medora ND 58645

labor@nd.gov
ND Labor Department

jjkringstad@ndpipelines.com
ND Pipeline Authority

melissabaker@nd.gov
Melissa Baker
North Dakota Parks & Rec
1600 E Century Ave, Ste. 3 INSIDE MAIL
Bismarck ND 58503-0649

thomas.claeys@ndsu.edu
Thomas Claeys
NSDU North Dakota State Forest Service

krockema@nd.gov
Karl Rockeman
State Health Department

dglatt@nd.gov
Dave Glatt
State Health Department

sertelt@nd.gov
Sebastian Ertelt
State Representative
906 Ash Street
Lisbon ND 58054-4316

mbrandenburg@nd.gov
MIKE BRANDENBURG
STATE REPRESENTATIVE
8044 COUNTY ROAD 34
EDGELEY ND 58433-9761

rerbele@nd.gov
ROBERT S ERBELE
STATE SENATOR
6512 51ST AVE SE
LEHR ND 58460-9149

sschwenke@fs.fed.us
Sherri Schwenke
U S Forest Service
240 W Century Ave
Bismarck ND 58501-1494

gjwiche@usgs.gov
District Chief
U S Geological Survey
821 E Interstate Ave
Bismarck ND 58501

cenwo-de@usace.army.mil
District Engineer
US Army Engineer District Omaha
1616 Capitol Ave
Omaha NE 68102

managementauthority@fws.gov

US Fish & Wildlife Service
3425 Miriam Ave
Bismarck ND 58501

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Foxtail Wind, LLC / Northern States Power Company
Transfer of Site Certificate
Siting Application**

Case No. PU-18-144

ORDER ON REISSUING CERTIFICATE

December 6, 2018

Preliminary Statement

On January 31, 2018, in Case No. PU-17-284, the Commission issued Certificate of Site Compatibility Number 53 to Foxtail Wind, LLC authorizing construction of a 150 MW Foxtail Wind Energy Center and associated facilities in Dickey County, North Dakota.

On May 4, 2018, Northern States Power Company (NSP) filed an application to transfer Certificate of Site Compatibility Number 53 from Foxtail Wind, LLC to NSP.

On May 23, 2018, NSP filed a revised application to transfer Certificate of Site Compatibility Number 53 from Foxtail Wind, LLC to NSP.

On May 29, 2018, the Commission issued a Notice of Opportunity for Hearing, which provided until July 9, 2018 for receiving written comments or hearing requests. No response was received.

The Notice identified the issues to be considered are whether NSP agrees and is able to comply with the terms and conditions of the certificate and whether the requested transfer is compatible with the public interest.

Discussion

NSP is a public utility duly authorized to conduct business in North Dakota. NSP provides retail electric and natural gas service in five upper Midwest states, including North Dakota where it presently serves approximately 94,000 retail electric customers under the regulatory jurisdiction of this Commission.

NSP purchased 100 percent of the membership interest of Foxtail Wind, LLC. NSP stated that upon closing, NSP planned to merge Foxtail Wind, LLC into NSP and continue development of the wind farm as NSP.

The affidavit of Christopher B. Clark filed in support of NSP's application affirms that NSP agrees to abide by all of the terms and conditions in Certificate of Site Compatibility Number 53 and stands ready, willing and able to perform the obligations stated therein. Further, NSP's revised application includes information showing that Foxtail Wind LLC supports the transfer of Certificate of Site Compatibility No. 53 to NSP.

NSP agrees and is able to comply with the terms and conditions of Certificate of Site Compatibility Number 53.

The Commission finds that NSP agrees and is able to comply with the terms and conditions of Certificate of Site Compatibility Number 53.

In accordance with the Commission's previous Orders in Case Nos. PU-17-387 and PU-17-120, the Commission finds that the requested transfer of Certificate of Site Compatibility Number 53 is in the public interest.

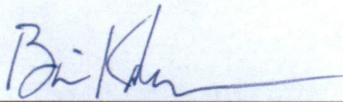
Therefore, the Commission issues the following:

Order

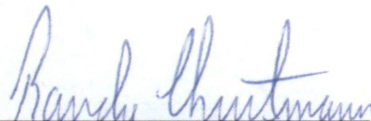
The Commission Orders:

1. The application for transfer of Certificate of Site Compatibility Number 53 is granted.
2. First Reissued Certificate of Site Compatibility Number 53 is issued to NSP.

PUBLIC SERVICE COMMISSION



Brian Kroshus
Commissioner



Randy Christmann
Chairman



Julie Fedorchak
Commissioner

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

First Reissued Certificate of Site Compatibility Number 53

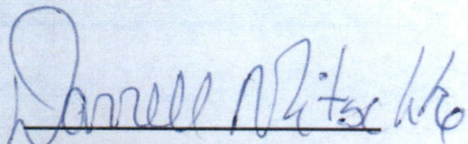
This is to certify that the Commission has designated an energy conversion facility site for Northern States Power Company, for the construction and operation of a wind energy facility and associated facilities in Dickey County, North Dakota:

The facility may be sited in this designated location in compliance with the energy conversion facility siting criteria. This certificate is issued in accordance with the Finding of Fact, Conclusion of Law and Order of the Commission in Case No. PU-17-284 dated January 31, 2018 and the Order on Reissuing Certificate in Case No. PU-18-144 dated December 6, 2018 and is subject to the conditions and limitations noted in those orders.

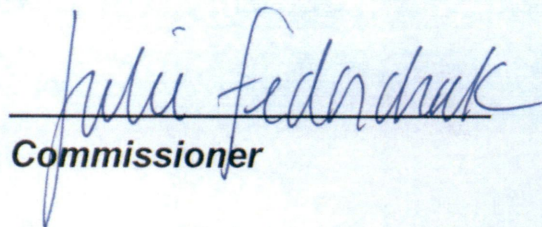
Bismarck, North Dakota, December 6, 2018.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner