



February 2, 2023

**VIA E-MAIL**

North Dakota Public Service Commission  
c/o Steven Kahl, Executive Secretary  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505

**RE: Decommissioning Obligation - Letter of Credit  
Bison 3 Wind Project Case No. PU-11-162**

Dear Mr. Kahl:

Minnesota Power ("Company") hereby submits to the North Dakota Public Service Commission ("Commission") the attached Letters and amended Application for the Company's Bison 3 Letter of Credit in the amount of \$5,370,040 in the above-referenced case number.

If you have any questions or if the Commission requires any additional information, please contact me at 218-723-3963 or [dmoeller@allete.com](mailto:dmoeller@allete.com).

Sincerely,

A handwritten signature in black ink that reads "David R. Moeller".

David R. Moeller  
*Senior Regulatory Counsel*

DRM  
Attach.

- 11 PU-18-232 Filed 02/02/2023 Pages: 6  
Amended request for approval to issue a Letter of Credit  
Allete, Inc.  
David Moeller, Senior Regulatory Counsel
- 155 PU-11-162 Filed 02/02/2023 Pages: 6  
Amended request for approval to issue a Letter of Credit  
Allete, Inc.  
David Moeller, Senior Regulatory Counsel



February 2, 2023

**VIA E-MAIL**

North Dakota Public Service Commission  
c/o Steven Kahl, Executive Secretary  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505

**RE: Decommissioning Obligation - Letter of Credit  
Bison 3 Wind Project Case No. PU-11-162**

Dear Mr. Kahl:

Minnesota Power ("Company") hereby submits to the North Dakota Public Service Commission ("Commission") the attached application for the Company's Bison 3 Letter of Credit in the amount of \$5,370,040 in the above-referenced case number. ALLETE, Inc., as the corporate entity that includes its Minnesota Power operating division, agrees it is responsible for decommissioning the Bison 3 facility as required by the applicable Commission orders and North Dakota laws and regulations.

If you have any questions or if the Commission requires any additional information, please contact me at 218-355-3529 or [pcutshall@allete.com](mailto:pcutshall@allete.com).

Sincerely,

A handwritten signature in blue ink that reads "Patrick L. Cutshall".

Patrick L. Cutshall  
*ALLETE Vice President and  
Corporate Treasurer*

PLC  
Encl.



February 6, 2023

**VIA E-MAIL**

North Dakota Public Service Commission  
c/o Steven Kahl, Executive Secretary  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505

**RE: Decommissioning Obligation - Letter of Credit  
Bison 3 Wind Project Case No. PU-11-162**

Dear Mr. Kahl:

Minnesota Power ("Company") hereby submits to the North Dakota Public Service Commission ("Commission") the attached application for the Company's Bison 3 Letter of Credit in the amount of \$5,370,040 in the above-referenced case number. ALLETE, Inc., as the corporate entity that includes its Minnesota Power operating division, agrees it is responsible for decommissioning the Bison 3 facility as required by the applicable Commission orders and North Dakota laws and regulations.

If you have any questions or if the Commission requires any additional information, please contact me at 218-313-4694 or [JSkelton@mnpower.com](mailto:JSkelton@mnpower.com).

Sincerely,



Josh J. Skelton  
*Chief Operating Officer - MP*

JJS  
Encl.



BANK OF AMERICA - CONFIDENTIAL

PAGE: 1

DATE: [REDACTED]

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER: [REDACTED]

APPLICANT  
MINNESOTA POWER  
30 W SUPERIOR ST  
DULUTH MN 55802

BENEFICIARY  
NORTH DAKOTA PUBLIC SERVICE  
COMMISSION  
600 E. BOULEVARD AVE., DEPT 408  
BISMARCK, ND 58505-0480

ISSUING BANK  
BANK OF AMERICA, N.A.  
ONE FLEET WAY  
PA6-580-02-30  
SCRANTON, PA 18507-1999

AMOUNT  
NOT EXCEEDING USD 5,370,040.00  
NOT EXCEEDING FIVE MILLION THREE HUNDRED SEVENTY THOUSAND FORTY AND  
00/100'S US DOLLARS

EXPIRATION  
JANUARY 1, 2024 AT OUR COUNTERS

LADIES AND GENTLEMEN:

WE HEREBY OPEN OUR IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER  
[REDACTED] IN FAVOR OF NORTH DAKOTA PUBLIC SERVICE COMMISSION, FOR THE  
ACCOUNT OF PHASE 3 OF THE BISON WIND ENERGY CENTER (CERTIFICATE  
NUMBER 25, CASE NO. PU-11-162).

THIS CREDIT IS AVAILABLE WITH BANK OF AMERICA, N.A. BY PAYMENT  
AGAINST PRESENTATION OF BENEFICIARY'S DRAFT(S) AT SIGHT DRAWN ON BANK  
OF AMERICA N.A.

DRAFT(S) MUST BE ACCOMPANIED BY:

1. THE ORIGINAL LETTER OF CREDIT AND ALL AMENDMENTS, IF ANY.
2. A DATED STATEMENT SIGNED BY AN AUTHORIZED SIGNATORY OF THE BENEFICIARY ON BENEFICIARY'S LETTERHEAD READING AS FOLLOWS:

"WE HEREBY DRAW IN THE AMOUNT OF \_\_\_\_\_ AS A RESULT OF THE FAILURE  
OF MINNESOTA POWER TO PERFORM PURSUANT TO NORTH DAKOTA ADMINISTRATIVE  
CODE CHAPTER 69-09-09 WITH THE NORTH DAKOTA PUBLIC SERVICE  
COMMISSION, FOR PHASE 3 OF THE BISON WIND ENERGY CENTER (CERTIFICATE  
NUMBER 25, CASE NO. PU-11-162)."

PARTIAL DRAWINGS: ARE ALLOWED

WE CERTIFY THAT THE AMOUNT OF THE CREDIT HEREIN ESTABLISHED WILL NOT

ORIGINAL

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PAGE: 2

THIS IS AN INTEGRAL PART OF LETTER OF CREDIT NUMBER: [REDACTED]

BE REDUCED FOR ANY REASON DURING THE PERIOD OF THIS INSTRUMENT WITHOUT THE WRITTEN CONSENT OF THE NORTH DAKOTA PUBLIC SERVICE COMMISSION.

IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT IS DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR PERIOD(S) OF ONE YEAR EACH FROM THE CURRENT EXPIRY DATE HEREOF, OR ANY FUTURE EXPIRATION DATE, UNLESS AT LEAST NINETY (90) DAYS PRIOR TO ANY EXPIRATION DATE, WE NOTIFY YOU BY REGISTERED MAIL OR OVERNIGHT COURIER AT THE ABOVE LISTED ADDRESS THAT WE ELECT NOT TO CONSIDER THIS LETTER OF CREDIT EXTENDED FOR ANY SUCH ADDITIONAL PERIOD. HOWEVER, IN NO EVENT SHALL THIS LETTER OF CREDIT BE AUTOMATICALLY EXTENDED BEYOND JANUARY 1, 2048.

THE NORTH DAKOTA PUBLIC SERVICE COMMISSION MAY DRAW ON US AT SIGHT UPON SUCH NOTICE OF OUR INTENT TO TERMINATE THE CREDIT, ACCOMPANIED BY A STATEMENT SIGNED BY AN AUTHORIZED SIGNATORY OF THE NORTH DAKOTA PUBLIC SERVICE COMMISSION CERTIFYING THAT THE AMOUNT OF THE DRAWING REPRESENTS FUNDS DUE TO THE COMMISSION BECAUSE MINNESOTA POWER HAS FAILED TO REPLACE THIS LETTER OF CREDIT BY OTHER SUITABLE BOND OR LETTER OF CREDIT PURSUANT TO NORTH DAKOTA ADMINISTRATIVE CODE CHAPTER 69-09-09.

DRAFT(S) MUST STATE "DRAWN UNDER BANK OF AMERICA N.A., STANDBY LETTER OF CREDIT NUMBER [REDACTED] DATED DECEMBER, 08, 2022."

DRAFT(S) AND DOCUMENTS SHALL BE PRESENTED AT OUR OFFICES VIA COURIER AT BANK OF AMERICA, N.A. ONE FLEET WAY, PA6-580-02-30, SCRANTON, PA 18507-1999, ATTN: GLOBAL TRADE OPERATIONS, STANDBY UNIT.

PRESENTATION OF DRAFTS DRAWN HEREUNDER MAY ALSO BE MADE VIA FACSIMILE TO 800-755-8743 (IF PRESENTED BY FAX IT MUST BE FOLLOWED UP BY A PHONE CALL TO US AT 800-370-7519 TO CONFIRM RECEIPT). ANY SUCH FACSIMILE DOCUMENTATION SHALL NOT REQUIRE PRESENTATION OF THE ORIGINAL DOCUMENTATION BY MAIL.

COMMUNICATIONS WITH RESPECT TO THIS LETTER OF CREDIT SHALL BE IN WRITING AND SHALL BE ADDRESSED TO US AT ONE FLEET WAY, PA6-580-02-30, SCRANTON, PA 18507-1999, ATTN: GLOBAL TRADE OPERATIONS, STANDBY UNIT, PHONE: 1-800-370-7519, SPECIFICALLY REFERRING TO THE NUMBER OF THIS LETTER OF CREDIT.

AFTER THE LETTER OF CREDIT IS ISSUED IT CANNOT BE REVOKED OR REDUCED WITHOUT THE CONSENT OF THE BENEFICIARY.

WE WILL GIVE PROMPT NOTICE TO THE NORTH DAKOTA PUBLIC SERVICE COMMISSION OF ANY NOTICE RECEIVED OR ACTION FILED ALLEGING THE INSOLVENCY OR BANKRUPTCY OF THE BANK, OR ALLEGING ANY VIOLATIONS OF REGULATORY REQUIREMENTS WHICH COULD RESULT IN SUSPENSION OR REVOCATION OF THE BANK'S CHARTER OR LICENSE TO DO BUSINESS. IN THE EVENT OF ACTIONS WHICH COULD RESULT IN SUSPENSION OR REVOCATION OF

ORIGINAL

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PAGE: 3

THIS IS AN INTEGRAL PART OF LETTER OF CREDIT NUMBER: [REDACTED]

THE BANK'S CHARTER OR LICENSE, THE NORTH DAKOTA PUBLIC SERVICE COMMISSION HAS THE RIGHT TO DRAW UPON THE LETTER OF CREDIT BEFORE THE END OF ITS TERM AND CONVERT IT INTO A CASH COLLATERAL BOND IF MINNESOTA POWER FAILS TO REPLACE THE LETTER OF CREDIT WITH A SUBSTITUTE BOND WITHIN THIRTY (30) DAYS AFTER RECEIPT OF SUCH A NOTICE FROM THE NORTH DAKOTA PUBLIC SERVICE COMMISSION. IN THE EVENT THE BANK BECOMES UNABLE TO FULFILL ITS OBLIGATIONS UNDER THIS LETTER OF CREDIT FOR ANY REASON, NOTICE SHALL BE GIVEN IMMEDIATELY TO THE NORTH DAKOTA PUBLIC SERVICE COMMISSION.

THE COURTS OF THE STATE OF NORTH DAKOTA, DISTRICT OF BURLEIGH COUNTY WILL RESOLVE AND DISPUTE. THE COURTS OF THE STATE OF NORTH DAKOTA WILL BE USED TO RESOLVE ANY DISPUTE REGARDING THIS LETTER OF CREDIT. THIS LETTER OF CREDIT IS SUBJECT TO THE CURRENT VERSION OF THE UNIFORM CUSTOMS AND PRACTICES FOR STANDBY CREDITS, UCP 600, AND THE NON-VARIABLE PROVISIONS OF SUBSECTION 3 OF NORTH DAKOTA CENTURY CODE SECTION 41-05-16.

IF YOU REQUIRE ANY ASSISTANCE OR HAVE ANY QUESTIONS REGARDING THIS TRANSACTION, PLEASE CALL 800-370-7519 .

*[Handwritten Signature]*  
-----  
AUTHORIZED SIGNATURE

THIS DOCUMENT CONSISTS OF 3 PAGE(S).

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