



# Public Service Commission

## State of North Dakota

### COMMISSIONERS

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3 August 2018

Timothy Dawson, Director  
Office of Administrative Hearings  
2911 North 14<sup>th</sup> Street – Suite 303  
Bismarck, ND 58503

Re: Emmons-Logan Wind, LLC  
Emmons-Logan Wind Energy Center  
Siting Application

Case No. PU-18-280

Dear Mr. Dawson:

Enclosed is a request for an Administrative Law Judge for the captioned case. The case is in its early stages and a Notice of Hearing has not yet been issued. When a Notice is issued we will forward it to your office. This case may be consolidated for hearing with Case No. PU-18-281.

The Administrative Law Judge will serve as a procedural law judge. If you have any questions, please contact me.

Thank you.

Best regards,

Illona A. Jeffcoat-Sacco  
General Counsel

c: w/attachments via email only: Casey A. Furey ([cfurey@crowleyfleck.com](mailto:cfurey@crowleyfleck.com))  
Zachary E. Pelham ([zep@pearce-durick.com](mailto:zep@pearce-durick.com))



**REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION**  
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS  
 SFN 17819 (Rev. 06-2007)

Name of Agency, Board, or Commission  
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Emmons-Logan Wind, LLC, Emmons-Logan Wind Energy Center, Emmons & Logan Counties  
Siting Application, PSC Case No. PU-18-280

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22 \_\_\_\_\_ (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:  
 On 19 July 2018, Emmons-Logan Wind, LLC filed an Application for Certificate of Site Compatibility proposing to construct up to 123 turbines, access roads, collection systems and substations, etc. in Emmons and Logan Counties.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

**PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.**

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments  
 The Notice of Hearing has not yet been issued. When a Notice is issued we will forward it to your office.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person Illona A. Jeffcoat-Sacco, General Counsel	Date 8/2/2018
Signature of Requesting Person X	Telephone Number (701) 328-2407

Attachment  
Request for ALJ  
3 August 2018

Re: Emmons-Logan Wind, LLC  
Emmons-Logan Wind Energy Center  
Siting Application

Case No. PU-18-280

<b>AGENCY</b>	<b>Address</b>	<b>Telephone Number</b>
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
<b>Representation</b> Illona Jeffcoat-Sacco PSC Advisory Counsel	<b>Address</b> Same as above	<b>Telephone Number</b> 701-328-2407
<b>Representation</b> Zachary E. Pelham (pending Commission Motion)	<b>Address</b> Pearce & Durick, PLLC 314 E Thayer Ave PO Box 400 Bismarck, ND 58502	<b>Telephone Number</b> 701-223-2890
<b>PARTY</b> Emmons-Logan Wind, LLC	<b>Address</b> 700 Universe Blvd. North Palm Beach, FL 33403	<b>Telephone Number</b> 561-691-7259
<b>Representation</b> Casey Furey	<b>Address</b> Crowley Fleck PLLP PO Box 2798 Bismarck, ND 58502-2798	<b>Telephone Number</b> 701-223-6585