

Casey A. Furey  
100 West Broadway, Suite 250  
P.O. Box 2798  
Bismarck, ND 58502-2798  
701.223.6585  
cfurey@crowleyfleck.com

July 25, 2019

*Via Hand-Delivery and Electronic Mail*

Mr. Jerry Lein  
Senior Public Utility Analyst  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

*E-mail:*     jlein@nd.gov  
                  ndpsc@nd.gov

In re:       Expedited Request for Clearance Approval  
              Emmons-Logan Wind, LLC  
              Emmons-Logan Wind Energy Center  
              Case No. PU-18-280  
              Our File No. 035218-000046

Mr. Lein,

I am writing in response to your request for additional information regarding Emmons-Logan Wind, LLC's ("Emmons-Logan Wind") expedited request for tree and shrub clearance (Docket No. 132). The clearance request is related to the access road, located in SE ¼ of Section 27, T134, R75, depicted in the map attached to the Memorandum for Expedited Request for Approval (Docket No. 132). As originally designed, this access road was proposed in a location that would have avoided impacts to the trees located in the shelter belt for which clearance is requested. Subsequently, the affected landowner requested the access road be relocated to its current location to minimize impacts to cultivated crops. Emmons-Logan Wind accommodated the request of this landowner and incorporated the design request into its site plan.

The access road requires clearance widths of up to 95 and 250 feet in width to provide adequate clearance for grading, large equipment, turbine and blade hauling, and to provide ample turning radii. The Memorandum for Expedited Request for Approval (Docket No. 132) contains additional information on the specific dimensions of the clearance request. The access road is located along a quarter-section and Emmons-Logan Wind will be improving an existing two-track road. Per your request, a revised map of the access road and clearance area is attached. You

133 PU-18-280 Filed 07/25/2019 Pages: 3

Response to phone request for additional info re expedited request for tree and shrub clearance  
Emmons-Logan Wind, LLC  
Casey Furey, Crowley Fleck, PLLP

had inquired whether Emmons-Logan Wind has access to the parcel to the west of the access road that transverses north and south, Emmons-Logan Wind does not have access to this parcel.

The access road modification filing that was also submitted on July 23 (Docket No. 132) pertained in-part to this access road. Constructability issues were identified with the access road's location. To address these issues, and still accommodate the landowner's request regarding location, Emmons-Logan Wind proposed shifting the access road approximately forty feet. Emmons-Logan Wind complied with the filing requirements of Certification Relating to Order Provision No. 38(A) that governs filing procedures for site plan modifications that do not require Commission approval. The general location of the access road was previously approved by the Commission and the subsequent modification is authorized under Provision No. 38(A); however, in order for Emmons-Logan Wind to continue with construction in this location, Commission approval for tree and shrub clearance greater than 50 feet in width is required.

For the reasons discussed above, and because Emmons-Logan Wind's request is limited to the location depicted in the attached map, good cause exists for the Commission to grant Emmons-Logan Wind's clearance request. As previously indicated, construction of the Emmons-Logan Wind Energy Center is ongoing and construction crews are on standby to commence construction in this area. To avoid significant delays to the construction schedule, Emmons-Logan Wind respectfully requests that the Commission expedite approval of the clearance request at a special meeting as soon as possible.

Please feel free to contact me with any questions.

Sincerely,

**CROWLEY FLECK PLLP**



Casey A. Furey  
CAF/tka

Enc. Clearance Request Map

cc: John Schuh (via email)  
Tracy C. Davis (via email)  
Allison Northcutt (via email)