



Public Service Commission

State of North Dakota

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7 November 2018

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

Re: Burke Wind, LLC
Burke County Wind Energy Center – Burke County
Siting Application

Case No. PU-18-344

Dear Mr. Dawson:

Enclosed is a request for an Administrative Law Judge for the captioned case. The case is in the 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-18-302.

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)



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 Burke Wind, LLC, Burke County Wind Energy Center, Burke County, Siting Application
 Case No. PU-18-344

(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 14 Sept. 2018 Burke Wind, LLC filed an Application for Certificate of Compatibility proposing to build the Burke County Wind Energy Center in Burke County, North Dakota.

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

(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 11/7/2018
Signature of Requesting Person x	Telephone Number (701) 328-2407

Attachment
Request for ALJ
7 November 2018

Re: Burke Wind, LLC
Burke County Wind Energy Center – Burke County
Siting Application

Case No. PU-18-344

AGENCY	Address	Telephone Number
North Dakota Public Service Commission	600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	701-328-2400
Representation Illona Jeffcoat-Sacco PSC Advisory Counsel	Address Same as above	Telephone Number 701-328-2407
Representation Mitch Armstrong Brian Schmidt Sarah Wall (pending Commission Motion)	Address Smith Porsborg Schweigert Armstrong Moldenhauer & Smith 122 E. Broadway Ave. Bismarck, ND 58501	Telephone Number 701-258-0630
PARTY Burke Wind, LLC	Address 700 Universe Blvd. North Palm Beach, FL 33401	Telephone Number 561-691-7171
Representation Casey Furey	Address Crowley Fleck PLLP PO Box 2798 Bismarck, ND 58502-2798	Telephone Number 701-223-6585