

NORTH DAKOTA PUBLIC SERVICE COMMISSION

<p>In the Matter of the Application for a Siting Permit for the Ruso Wind Project - Ward and McLean Counties</p> <p>ND PSC Docket No. PU-19-28</p> <p>OAH File No. 20190068</p>	<p>Motion to Consider Post-Hearing Filing</p>
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The Laborers District Council of Minnesota & North Dakota (“LIUNA Minnesota & North Dakota”) hereby moves that the North Dakota Public Service Commission (“Commission”) consider an additional post-hearing filings in the above-referenced case. Specifically, LIUNA Minnesota & North Dakota requests that the Commission accept the legal memo from the Braaten Law Firm that was filed on August 27, 2019 as an attachment to our response to the proposed Findings of Fact, Conclusions of Law and Order submitted by Ruso Wind Partners, LLC (“Applicant”) as Late-Filed Exhibit No. 60.

The Braaten Law Firm memo supports, and is relevant to, statements made in LIUNA Minnesota & North Dakota’s direct testimony concerning the Commission’s legal authority to consider and to require reporting on the use of local labor in the construction of the proposed project, and responds to questions raised by Commissioners and Commission staff during the June 17 hearing regarding such authority. The memo was not designated as an exhibit because we considered it to be part of our legal argument rather than an element of the factual record. We understand, however, that the Commission has directed that the memo be proposed as a late-filed exhibit in order to ensure that the information is properly introduced into the record, and to provide Applicant an opportunity for a formal response.

We believe that the inclusion of the memo in the record will aid the Commission in its consideration of what the Commission can and should do, if anything, to mitigate potential negative impacts associated with reliance on non-local construction labor, and to advance the the State of North Dakota’s energy conversion system policy criteria favoring utilization of local labor. For these reasons, LIUNA Minnesota & North Dakota respectfully requests that our motion be granted and that the Commission consider proposed Late-Filed Exhibit No. 60.

Sincerely,



Kevin Pranis
Marketing Manager