

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

Ruso Wind Partners, LLC  
Ruso Wind Project – Ward and McLean Counties  
Siting Application

Case No. PU-19-28

**ORDER ADMITTING LATE-FILED EXHIBITS**

**OAH FILE Nos. 20190068**

The hearing in this matter was held on June 17, 2019. At the hearing, Exhibits 1 through 48 were admitted into the record. The parties also agreed at the hearing that Ruso Wind Partners, LLC (Ruso Wind) would file nine additional exhibits after the hearing. The late-filed exhibits were admitted into the record and pre-numbered Exhibits 49 through 57. Late-filed Exhibits 49 through 57 were filed on August 9, 2019.

On August 15, 2019, Ruso Wind filed a Motion to Consider Post-Hearing Filings. The proposed late-filed documents include Exhibit 58 - Northern Long-eared Bat Mist Netting Surveys Report and Exhibit 59 – update on the status of Ruso Wind’s interconnection request in the Midcontinent Independent System Operator, Inc.’s queue. There was no objection to admitting Exhibits 58 and 59.

On September 3, 2019, the Laborers District Council of Minnesota & North Dakota (LIUNA) filed a Motion to Consider Post-Hearing Filing. LIUNA is requesting a legal memorandum from the Braaten Law Firm be admitted as late-filed Exhibit 60. The memorandum addresses the legal authority to consider and require reporting on the use of local labor in the construction of the proposed project. LIUNA also submitted its own proposed Findings of Fact, Conclusions of Law and Order. The PSC takes no position on LIUNA’s motion. Ruso Wind does not object to the motion but requests an opportunity to respond to the

information and evidence in proposed Late-filed Exhibit 60 and the proposed Findings of Fact, Conclusions of Law, and Order.

**IT IS HEREBY ORDERED:**

1. Late-filed Exhibits 58 and 59 offered by Ruso Wind Partners, LLC are accepted into the record.
2. Late-filed Exhibit 60 offered by Laborers District Council of Minnesota & North Dakota is accepted into the record.
3. Ruso Wind Partners shall have 10 business days from the date of service of this Order to file a response to Exhibit 60 and the proposed Findings of Fact, Conclusions of Law, and Order filed by Laborers District Council of Minnesota & North Dakota.

Dated at Bismarck, North Dakota, this 9 day of September 2019.

State of North Dakota  
Public Service Commission

By Hope Hogan  
Hope L Hogan  
Administrative Law Judge  
Office of Administrative Hearings  
1707 North 9th Street  
Bismarck, North Dakota 58501  
Telephone: (701) 328-3260

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

Ruso Wind Partners, LLC  
Ruso Wind Project – Ward and McLean Counties  
Siting Application

Case No. PU-19-28

**CERTIFICATE OF SERVICE**

**OAH File No. 20190068**

The undersigned certifies that the original of the **ORDER ADMITTING LATE-FILED EXHIBITS** was sent by electronic mail and mailed, inside mail, at the State Capitol, on the 9 day of September 2019, to:

John Hamre  
Public Service Commission  
State Capitol  
600 East Boulevard Avenue, Dept. 408  
Bismarck, ND 58505-0480  
[jghamre@nd.gov](mailto:jghamre@nd.gov)

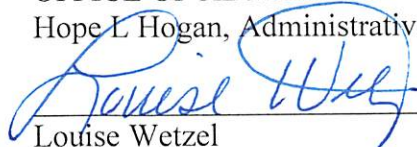
and that true and correct copies of the above document were sent by electronic mail, and mailed, regular mail, on the 9 day of September 2019, to:

Mollie Smith  
Fredrikson & Byron, P.A.  
200 South 6<sup>th</sup> Street, Suite 4000  
Minneapolis, MN 55402  
[msmith@fredlaw.com](mailto:msmith@fredlaw.com)

Zachary E. Pelham  
Special Assistant Attorney General  
Pearce & Durick  
PO Box 400  
Bismarck, ND 58502  
[zep@pearce-durick.com](mailto:zep@pearce-durick.com)

Kevin Pranis  
Labors District Council of Minnesota  
& North Dakota  
81 East Little Canada Road  
St. Paul, MN 55117  
[kpranis@liunagro.com](mailto:kpranis@liunagro.com)

OFFICE OF ADMINISTRATIVE HEARINGS  
Hope L Hogan, Administrative Law Judge

  
\_\_\_\_\_  
Louise Wetzel