

January 15, 2020

**VIA E-MAIL AND FEDERAL EXPRESS**

Mr. Steven Kahl  
Executive Director  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**RE: Ruso Wind Partners, LLC – Ruso Wind Project – Siting Application  
Ward & McLean Counties, North Dakota  
Case No. PU-19-28**

Dear Mr. Kahl:

Prior to the North Dakota Public Service Commission (“Commission”) meeting on January 8, 2020, Ruso Wind Partners, LLC (“Ruso”) learned from Commission counsel of concerns as to whether Ruso’s proposed light-mitigating technology condition for the Ruso Wind Project (“Project”) would be permissible under N.D.C.C. § 49-22-16.4. As a result, Ruso requested that consideration of an order for the Project be removed from the agenda for the January 8 meeting.

As next steps, Ruso requests the opportunity to brief the legal questions raised regarding the application of N.D.C.C. § 49-22-16.4 and to present oral argument before the Commission on the matter. These requests are made pursuant to N.D.A.C. §§ 69-02-04-10 and 69-02-04-09(2), respectively. Ruso proposes submitting its brief on or before January 29, 2020, and requests that oral argument (or an informal hearing, as the Commission deems appropriate) be held on or before February 14, 2020, if possible. Also, if possible, Ruso requests that the Commission schedule the oral argument (or informal hearing) during its Administrative Meeting on January 22, 2020 so that Ruso can plan accordingly.

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153 PU-19-28 Filed 01/15/2020 Pages: 3  
Request for informal hearing  
Ruso Wind Partners, LLC  
Mollie Smith - Fredrikson & Byron, P. A.

Mr. Steven Kahl  
January 15, 2020  
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An original and ten copies of this letter and a Certificate of Service are enclosed. If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Mollie M. Smith". The signature is written in a cursive style with a large, stylized "M" and "S".

MOLLIE M. SMITH

MMS/69159638  
Enclosures

cc: Service List  
Elizabeth Wash (via e-mail only, w/ enclosures)  
Morgan Berry (via e-mail only, w/ enclosures)

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

**Ruso Wind Partners, LLC**  
**Ruso Wind Project – Siting Application**  
**Ward & McLean Counties, North Dakota**

**Case No. PU-19-28**

**CERTIFICATE OF SERVICE**

Mollie M. Smith, being first duly sworn, does depose and state that on January 15, 2020, this Certificate of Service and a true and correct copy of the following document:

1. Letter Requesting Briefing and Oral Argument

were sent by electronic mail and mailed via Federal Express to:

Steven Kahl  
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Mollie M. Smith