

December 15, 2021

**VIA E-MAIL AND FEDERAL EXPRESS**

Mr. Steven Kahl  
Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Department 408  
Bismarck, ND 58505-0480

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

**and**

**Ruso Wind Partners, LLC  
230 kV Transmission Line – McHenry and Ward Counties  
Siting Application  
Case No. PU-19-29**

Dear Mr. Kahl:

In a letter to Mr. Patrick Fahn, dated October 26, 2021, Ruso Wind Partners, LLC (“Ruso Wind”) indicated it planned to submit a light-mitigating technology waiver request for the Ruso Wind Project (collectively, with the Transmission line, the “Project”), along with other Project updates, in November 2021. For the reasons noted below, Ruso Wind now plans to delay its filing until 2022.

In December 2019, Ruso Wind obtained Determinations of No Hazard (“DNHs”) for the Project’s current turbine locations from the Federal Aviation Administration (“FAA”). The DNHs were set to expire in May 2021. As a result, Ruso Wind submitted DNH extension requests to the FAA in February 2021. As part of the FAA’s extension request review process, the Department of Defense (“DoD”) Clearinghouse coordinated review with the U.S. Air Force. Recently, Ruso Wind learned that the U.S. Air Force has requested further analysis of the Project in conjunction with the DNH extension requests. As a result, Ruso Wind will engage in a second Mitigation Response Team (“MRT”) process with the DoD Clearinghouse and the U.S. Air Force for the

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Project. The MRT process is anticipated to begin in early 2022, but specifics regarding the timeline have not yet been determined.

At this time, Ruso Wind plans to delay filing its light-mitigating technology waiver request and further Project updates pending completion of the MRT process. Ruso Wind will update the Commission once an anticipated timeline for the MRT process has been established.

If you have any questions, please let me know.

Sincerely,



Mollie M. Smith

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