

John M. Schuh
Special Assistant Attorney General
North Dakota Public Service Commission
600 E Boulevard Dept. 408
Bismarck, ND 58505

February 13, 2019

Dear Commissioners:

Lake Region State College worked with the PSC in 2011-2012 to go through the siting process for a single wind turbine. Construction was completed and our turbine came online in February of 2013. LRSC's turbine was the first to go through the process after the 2011 Legislative Session changed requirements so that facilities capable of generating more than ½ megawatt must go through the full siting process. We worked closely with the Commissioners and staff to gain site approval.

The requirements in Case No. PU-17-339 - New Chapter 69-06-11 - Wind Energy Conversion Facility Lighting Systems for our turbine to have functioning light mitigation technology by December 31, 2021 is cost prohibitive with current light mitigation technology. The lighting system and radar needed to detect and activate the system will cost in excess of \$100,000 and possibly up to \$400,000 for our one turbine. We have any energy performance contract to pay off the costs of purchase and construction of the turbine not funded by legislative appropriation and we are just barely generating enough revenue to make the annual payments.

Our turbine site is a mile from the nearest occupied residence and the light is not an issue for the occupants. Our concern is that the turbine is located just over 3 miles from Devils Lake Airport and we want the turbine well lit for aviation traffic.

69-06-11-02 #3 appears to allow for a waiver of this chapter for a wind energy conversion facility designed for or capable of generating no more than five megawatts of electricity. We would respectfully request a waiver for this chapter. We are also requesting a waiver for annual certificate of continuing operations under Admin Code 69-09-09-03, the filing and updating of decommissioning plans under Admin Code 69-09-09-06, and the financial assurance requirement under Admin code 69-09-09-08.

Respectfully,



Doug Darling, Ph.D.
President, Lake Region State College