STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

EDF Renewable Development, Inc./Otter Tail Power **Case No. PU-19-144**
Transfer of Site Certificate
Siting Application

ORDER

June 26, 2019

Preliminary Statement

On June 8, 2011, in Case No. PU-08-932 the Commission adopted Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility Number 23 to enXco Development Corporation (enXco) designating a site for its Merricourt Wind Project in Dickey and McIntosh Counties of North Dakota. The certificate was amended on May 27, 2015 and again on November 16, 2017.

On November 3, 2017, the Commission issued an Advance Determination of Prudence in Case No. PU-17-141 and Certificate of Public Convenience and Necessity Number 5914 in Case No. PU-17-143 authorizing Otter Tail Power Company (Otter Tail) to acquire, construct and operate the Merricourt Wind Project.

On May 3, 2019, in Case No. PU-19-144, EDF Renewable Development, Inc (EDF), formerly enXco, and Otter Tail filed a joint application to transfer Second Amended Certificate Number 23 from EDF to Otter Tail.

On May 20, 2019, the Commission issued a Notice of Opportunity for Hearing that provided until June 21, 2019 for receiving written comments and hearing requests.

On June 11, 2019, the North Dakota Department of Environmental Quality filed comments.

Discussion

The Notice of Opportunity for Hearing identified the issues to be considered in this matter as whether Otter Tail agrees and is able to comply with the terms and conditions of the certificate and whether the requested transfer is compatible with the public interest.

Otter Tail is a Minnesota Corporation duly authorized to do business in North Dakota and is doing business as a public utility providing retail electric service to customers in North Dakota under the regulatory jurisdiction of this Commission.

The Affidavit of Bradley E. Tollerson dated May 2, 2019 affirms that Otter Tail agrees to assume the rights and obligations of the Second Amended Certificate No. 23, including the conditions and limitations set forth in all applicable Commission orders pertaining thereto.

In Case No. PU-17-143 the Commission found that the public convenience and necessity requires Otter Tail's ownership and operation of the Merricourt Wind Project. Therefore, the transfer of Second Amended Site Certificate Number 23 is compatible with the Public Interest.

Having considered this matter, the Commission finds Otter Tail agrees and is able to comply with the terms and conditions of the certificate and the requested transfer is compatible with the public interest.

Order

The Commission orders:

1. The joint application of EDF and Otter Tail for transfer of Site Certificate Number 23 is APPROVED.

2. First Reissued Second Amended Certificate of Site Compatibility Number 23 is issued to Otter Tail Power Company.

PUBLIC SERVICE COMMISSION

Julie Fedorchak **Commissioner**	**Brian Kroshus** **Chairman**	**Randy Christmann** **Commissioner**

PUBLIC SERVICE COMMISSION

STATE OF NORTH DAKOTA

First Reissued Second Amended
Certificate of Site Compatibility Number 23

This is to certify that the Commission has designated an energy conversion facility site for Otter Tail Power Company's wind project in Dickey and McIntosh Counties.

The facility may be sited in this designated location in compliance with the energy conversion facility siting criteria. This certificate is issued in accordance with the Findings of Fact, Conclusions of Law and Order of the Commission in Case No. PU-08-932 dated June 8, 2011, the Amended Findings of Fact, Conclusions of Law and Order of the Commission in Case No. PU-08-932 dated May 27, 2015, the Second Amended Findings of Fact, Conclusions of Law and Order of the Commission in Case No. PU-08-932 dated November 16, 2017 and the Order of the Commission in Case No. PU-19-144 dated June 26, 2019, and is subject to the conditions and limitations noted in those orders.

Bismarck, North Dakota, June 26, 2019.

ATTEST: ***PUBLIC SERVICE COMMISSION***

Executive Secretary ***Commissioner***