

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

**In the matter of the Joint Application of
Ashtabula Wind, LLC and Ashtabula Wind I,
LLC for Expedited Transfer of Certificate of
Corridor Compatibility and Route Permit**

PU-19-___

**JOINT APPLICATION FOR EXPEDITED TRANSFER
OF CERTIFICATE OF CORRIDOR COMPATIBILITY AND ROUTE PERMIT**

Pursuant to North Dakota Century Code Chapter 49-22 and North Dakota Administrative Code Article 69-06, Ashtabula Wind, LLC (“Ashtabula Wind”) and Ashtabula Wind I, LLC (“Ashtabula Wind I”) (collectively “Applicants”), hereby submit this Joint Application (“Application”) for Expedited Transfer of Certificate of Corridor Compatibility No. 104 and Route Permit No. 114 issued to Ashtabula Wind in Case No. PU-08-73.

I. Statutory Authority

The transfer of a certificate of corridor compatibility is authorized under North Dakota Century Code section 49-22-07 and North Dakota Administrative Code section 69-06-01-02(4). Pursuant to North Dakota Administrative Code section 69-06-01-02(4) and North Dakota Century Code section 49-22-13(2), the North Dakota Public Service Commission (“Commission”) shall publish notice of opportunity for a public hearing on such transfer.

II. Background

1. On May 30, 2008, in Case No. PU-08-73, the Commission issued Certificate of Corridor Compatibility No. 104 and Route Permit No. 114 to Ashtabula Wind for the construction and operation of the approximately 9.5-mile, 230 kV transmission line and associated facilities (“Ashtabula Transmission Line”), in Barnes County, North Dakota.
2. The Ashtabula Transmission Line connects the collection substation within the Ashtabula Wind Energy Center (“Ashtabula I WEC”) and terminates at the Pillsbury 230 kV substation operated by Minnkota Power Cooperative, Inc. The Commission issued Certificate of Site Compatibility No. 7 to Ashtabula Wind, LLC (“Ashtabula Wind”) on May 30, 2008 in Case No. PU-08-32, as amended in Case No. PU-09-53 on April 13, 2009.

3. On July 15, 2019, in Case No. PU-19-284, Ashtabula Wind notified the Commission, pursuant to North Dakota Century Code (“N.D.C.C.”) § 49-22-03(3)(a) (the “July 15 Certification”), of improvements to the Ashtabula I WEC that would result in an increase to the nameplate generating capacity from 148.5 MW to 160.4 MW, through the installation of new gearboxes and rotors on existing turbines.
4. On October 8, 2019, Ashtabula Wind and Ashtabula Wind I, LLC (“Ashtabula Wind I”) filed a Joint Application for Expedited Transfer of the First Amended Certificate of Site Compatibility No. 7 for the Ashtabula I WEC from Ashtabula Wind to Ashtabula Wind I. On October 22, 2019, the Commission issued a Notice of Opportunity for Hearing, with requests for a hearing due November 22, 2019.

III. Application for Transfer of Certificate of Corridor Compatibility and Route Permit

Applicants respectfully request the transfer of the Certificate of Corridor Compatibility No. 104 and Route Permit No. 114 from Ashtabula Wind to Ashtabula Wind I, and state as follows:

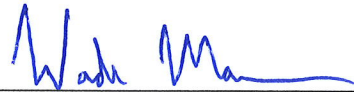
1. Ashtabula Wind and Ashtabula Wind I are both wholly-owned, indirect subsidiaries of NextEra Energy Resources, LLC, which is a wholly-owned, indirect subsidiary of NextEra Energy, Inc.
2. Ashtabula Wind is a Delaware limited liability company with its principal office in Juno Beach, Florida, and is authorized to do business in the State of North Dakota. Attached hereto as Exhibit 1, is a certified copy of the Certificate of Formation from the State of Delaware. Certificates of Good Standing for Ashtabula Wind from the North Dakota Secretary of State and the Delaware Secretary of State are attached hereto as Exhibit 2 and Exhibit 3, respectively.
3. Ashtabula Wind I is a Delaware limited liability company with its principal office in Juno Beach, Florida, and is authorized to do business in the State of North Dakota. Attached hereto as Exhibit 4, is a certified copy of the Certificate of Formation from the State of Delaware. Certificates of Good Standing for Ashtabula Wind I from the North Dakota Secretary of State and the Delaware Secretary of State are attached hereto as Exhibit 5 and Exhibit 6, respectively.
4. As a result of a pending financing transaction, Ashtabula Wind will transfer the Ashtabula Transmission Line to Ashtabula Wind I. This transaction is currently scheduled to close on or before December 15, 2019. Therefore, the Applicants respectfully request expedited treatment of this Application.
5. Ashtabula Wind I has the financial and technical qualifications to own and operate the Ashtabula Transmission Line. Ashtabula Wind I agrees to assume the rights and obligations of the Certificate and Route Permit for the Ashtabula Transmission Line and to comply with the terms and conditions of the Certificate and Route Permit and

all applicable Commission orders pertaining thereto. *See* Exhibit 7, Affidavit of Daniel Gerard, Vice President, Business Management on behalf of Ashtabula Wind I, and attached hereto.

Applicants seek the transfer of the Certificate and Route Permit from Ashtabula Wind to Ashtabula Wind I and respectfully request that the Commission:

1. Deem this Application complete, and publish a notice of opportunity for public hearing once in the official newspaper of Barnes County, North Dakota.
2. Grant the transfer of the aforementioned Certificate and Route Permit from Ashtabula Wind, LLC to Ashtabula Wind I, LLC, and reissue the Certificate in the name of Ashtabula Wind I, LLC prior to December 15, 2019.
3. Grant such other relief as the Commission shall deem appropriate.

Dated this 30th day of October, 2019.



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