

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Keith and Deanna Kessler
v. Minnesota Power, a division of ALLETE, Inc.
Complaint

Case No. PU-20-194

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **4th day of February 2021**, she deposited in the United States Mail, at Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Notice of Hearing**

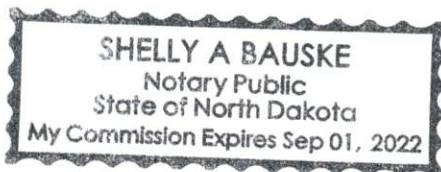
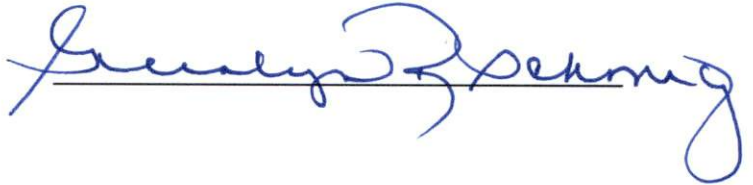
The envelopes were addressed as follows:

Mollie Smith
Attorney for Minnesota Power,
a division of Allete, Inc.
Fredrikson & Byron, P. A.
200 South Sixth Street Suite 4000
Minneapolis, MN 55402-1425
Cert. No. 7020 1290 0001 6150 3281

Lynn Boughey
Attorney for Keith & Deanna Kessler
PO Box 1202
Mandan, ND 58554-1202
Cert. No. 7020 1290 0001 6150 3298

The addresses shown are the respective addressee's last reasonably ascertainable post office addresses.

Subscribed and sworn to before me
this **4th day of February 2021**.



SEAL



Notary Public

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Affidavit of Service by Certified Mail - Notice of
Hearing

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NOTICE OF HEARING

February 3, 2021

Please take notice that a **public hearing** on Case No. PU-20-194 will **begin Thursday March 25, 2021 at 10:00 a.m. CST, in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota 58505.**

On April 23, 2020, Keith and Deanna Kessler (Kesslers) filed a complaint that one of their residences, referred to as the Section 15 home, was not identified as an occupied residence during the siting process for Allete, Inc.'s 210MW Bison 4 Wind Project in Oliver County, North Dakota, causing turbine number 441 to be constructed within 1400 feet of the Section 15 home.

The issues to be considered in this matter are:

1. Whether the Section 15 structure was an occupied residence at the time the Commission issued its Order Granting a Certificate of Site Compatibility for the Project (Order).
2. If the Section 15 structure was an occupied residence at the time the Commission's Order was issued, does placement of turbine number 441 violate the Commission's Order; if so, what remedies are appropriate.
3. At the public hearing, did Minnesota Power withhold information relating to the Section 15 structure from the Commission that Minnesota Power should have communicated to the Commission; if so, what remedies are appropriate.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner