

April 1, 2021

Via Electronic Mail & Hand Delivery

Mr. Steve Kahl
Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

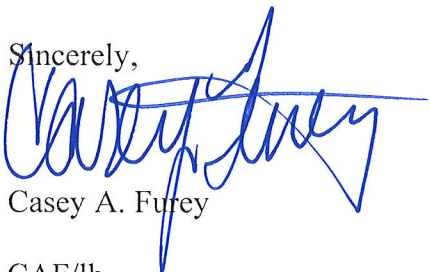
**RE: Ashtabula Wind I, LLC
Ashtabula I Wind Energy Center
Case No. PU-08-032
Aircraft Detection Lighting System
Our File No. 035218-000052**

Dear Mr. Kahl:

On behalf of Ashtabula Wind I, LLC, enclosed for filing in the above-referenced matter please find the executed Certification Relating to N.D.C.C. § 49-22-03(3)(a), Figure 1 and 2 Maps, and ND SHPO concurrence letter regarding the Aircraft Detection Lighting System. A USB drive containing GIS files is also enclosed.

Please feel free to contact the undersigned should you have any questions. Thank you.

Sincerely,



Casey A. Furey

CAF/lh
Enc.

cc: Tracy Davis (via email)

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Ashtabula Wind I, LLC
Ashtabula I Wind Energy Center – Barnes County**

Case No. PU-20-_____

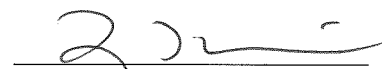
CERTIFICATION RELATING TO N.D.C.C. § 49-22-03(3)(a)

STATE OF FLORIDA)
) ss.
COUNTY OF PALM BEACH)

The undersigned, Lane Witten, Assistant Vice President, a representative of Ashtabula Wind I, LLC (“Ashtabula Wind I”) with authority to bind Ashtabula Wind I to the following, hereby certifies as follows:

1. In an order dated May 30, 2008 issued in Case No. PU-08-032, the Public Service Commission (“Commission”) approved the Certificate of Site Compatibility No. 7 to Ashtabula Wind, LLC for the construction, operation, and maintenance of a wind energy conversion facility in Barnes County, North Dakota (“Ashtabula I WEC”). The Commission approved subsequent amendments to Certificate of Site Compatibility No. 7 in Case Nos. PU-09-053 and PU-19-284.
2. In an order dated December 19, 2019 issued in Case No. PU-19-336, the Commission transferred the Second Amended Certificate of Site Compatibility No. 7 from Ashtabula Wind, LLC to Ashtabula Wind I.
3. Section 49-22-16.4(3) of the North Dakota Century Code (“N.D.C.C.”) and section 69-06-11-02(2) of the North Dakota Administrative Code (“N.D. Admin. Code”) require that a wind energy conversion facility for which a certificate of site compatibility was issued before June 5, 2016 must be equipped with a functioning light-mitigating technology by December 31, 2021.
4. In compliance with these requirements, Ashtabula Wind I intends to commence construction activities to improve the Ashtabula I WEC site by installing an Aircraft Detection Lighting System (“ADLS”), which is a radar-based system that automatically activates obstruction lighting on wind turbines upon detection of aircraft approaching within defined parameters, and by installing ADLS-controlled lighting on wind turbines that currently have traditional Federal Aviation Administration (“FAA”) lights installed. The ADLS radar system installed at the Ashtabula I WEC also will cover the neighboring Ashtabula II Wind Energy Center and Ashtabula III Wind Energy Center, owned and operated by affiliates of Ashtabula Wind I. ADLS-controlled FAA lighting also will be installed on Ashtabula II and III wind turbines.

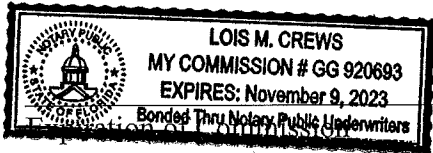
5. Construction to install the ADLS is required in order to comply with the requirements of N.D.C.C. § 49-22-16.4(3) and N.D. Admin. Code § 69-06-11-02(2). Improvements necessary for ADLS installation will be located as depicted on the map attached hereto.
6. In accordance with N.D.C.C. § 49-22-03(3)(a), Ashtabula Wind I certifies as follows:
 - a. The installation of an ADLS is an improvement to the Ashtabula I WEC.
 - b. The activities required to install the ADLS will be conducted wholly within the geographic location for which a Certificate of Site Compatibility was previously obtained.
 - c. The construction activities are for the installation of ADLS and will include the installation of two ADLS radar towers and additional underground power and fiber optic cables.
 - d. ADLS installation and associated construction activities will occur in areas in which an environmental analysis was previously conducted for the Ashtabula I WEC site. ADLS construction locations were evaluated relative to the Exclusion and Avoidance Areas set forth in N.D. Admin. Code § 69-06-08-01. This evaluation determined that ADLS will not permanently or temporarily affect any known Exclusion or Avoidance Areas.
7. Ashtabula Wind I will continue to comply with all applicable conditions and protections in siting laws and rules and Commission orders previously issued for the Ashtabula I WEC.
8. Ashtabula Wind I intends to begin construction to install the ADLS during the week of April 26, 2021, weather permitting. Ashtabula Wind I anticipates the ADLS being fully installed and activated by December 31, 2021.



Lane Witten
Assistant Vice President
Ashtabula Wind I, LLC

STATE OF FLORIDA)
) ss.
COUNTY OF PALM BEACH)

On this 30th day of March, 2021, before me personally appeared Lane Witten, known to me to be the Assistant Vice President and representative of Ashtabula Wind I, LLC, that is described within and executed, acknowledged, and affirmed to me that such company executed the same.



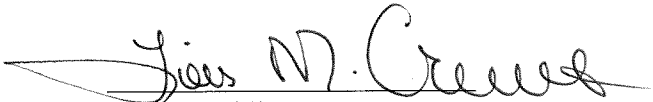
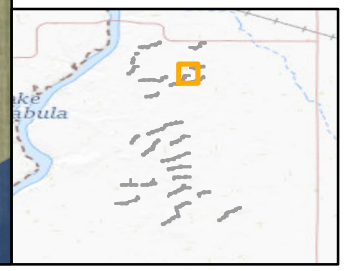
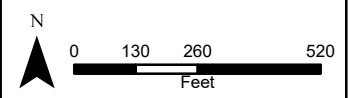

Notary Public

Figure 1
Ashtabula I
Wind Energy Center
Proposed ADLS
Radar Tower Locations
BARNES COUNTY, ND



- ★ Proposed Mid Radar Tower
 - Proposed Power Line
 - Service Road
 - ▭ PLSS Section
 - Surveyed Area
- Reviewed Feature**
- Inventoried Stream
 - Inventoried Wetland

Known archaeological sites are not depicted due to confidentiality, but ADLS projects avoid these resources.



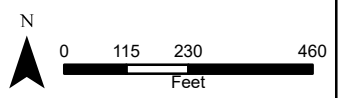
Source: Map adapted from ArcGIS Map Server World Imagery. Project data provided by NextEra Energy - Radar Towers (11-16-2020)

Figure 2
Ashtabula I
Wind Energy Center
Proposed ADLS
Radar Tower Locations
BARNES COUNTY, ND



- ★ Proposed South Radar Tower
- Collection Line
- Service Road
- - - PLSS Section
- Surveyed
- Reviewed Feature**
- Inventoried Stream
- Inventoried Wetland

Known archaeological sites are not depicted due to confidentiality, but the proposed ADLS project avoids these resources.



Source: Map adapted from ArcGIS Map Server World Imagery. Project data provided by NextEra Energy - Radar Towers (11-16-2020)



November 23, 2020

Ms. Melinda McCarthy
AECOM
1000 East Calgary Ave, Suite 1
Bismarck, ND 58501

ND SHPO Ref.: 19-5911 “Ashtabula I – ADLS Addendum: A Class III Cultural Resources Inventory in Barnes County, North Dakota” in portions of [T141N R57W Section 4] & [T143N R57W Sections 28 & 33]

Dear Ms. McCarthy,

We reviewed ND SHPO Ref.: 19-5911 “Ashtabula I – ADLS Addendum: A Class III Cultural Resources Inventory in Barnes County, North Dakota” in portions of [T141N R57W Section 4] & [T143N R57W Sections 28 & 33] and find the report by Melinda McCarthy acceptable. We concur with a determination of “No Historic Properties Affected” for this project provided it takes place in the location and in the manner described in the documentation and provided all borrow comes from an approved source.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577 or lsteckler@nd.gov

Sincerely,

for William D. Peterson, PhD
State Historic Preservation Officer
(North Dakota)

19-5911