

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Great River Energy / Rainbow Energy Center, LLC
Transfer Certificate #1 and Permit #3
Siting Application

Case No. PU-21-325

AFFIDAVIT OF SERVICE BY REGULAR AND ELECTRONIC 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 **2nd day of September 2021**, she deposited in the United States Mail, Bismarck, North Dakota, **3** envelopes by first class mail, fully prepaid, securely sealed each containing a photocopy of:

Order

The envelopes were addressed as follows:

See attached list.

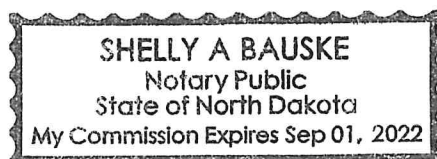
Geralyn R. Schmaltz further deposes and says that on the **2nd day of September 2021**, she sent an electronic message to **49** addressees, each including an electronic copy in portable document format of the same document.

The electronic mails were addressed as follows:

See attached list

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

Subscribed and sworn to before me
this **2nd day of September 2021**.



SEAL

Notary Public

Federal Aviation Administration
2301 University Avenue Building 23B
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County Auditor
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Washburn ND 58577

County Commission
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Representative Jeff Delzer

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Doug Goehring
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State Capitol
Bismarck ND 58505

BLM MT North Dakota FO@blm.gov

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North Dakota Field Office

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Department of Human Services

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Energy Infrastructure and Impact Office

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STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Great River Energy / Rainbow Energy Center, LLC
Transfer Certificate #1 and Permit #3
Siting Application**

Case No. PU-21-325

ORDER

September 1, 2021

Preliminary Statement

On April 8, 1976, the Commission issued Certificate of Site Compatibility for Transmission Facility Corridor, Certificate No. 1, to Cooperative Power Association and United Power Association (CPA-UPA). Certificate No. 1 was issued in accordance with the Commission's Findings of Fact, Conclusions of Law and Order dated March 6, 1976 entered in Case No. 9322. The Commission designated a corridor for the construction, operation and maintenance of a 30-inch, 6.5-mile water transmission pipeline and associated facilities in McLean County, North Dakota.

On June 15, 1977, the Commission issued Route Permit for a Water Transmission Pipeline, Permit No. 3, to CPA-UPA. Permit No. 3 was issued in accordance with the Commission's Findings of Fact, Conclusion of Law and Order dated June 15, 1977 entered in Case No. 9532. The Commission designated a route within the designated corridor for the construction, operation and maintenance of a 30-inch, 6.5-mile water transmission pipeline and associated facilities from a point of beginning located in Section 22, Township 144 North, Range 83 West, to a point of termination in Section 17, Township 145 North, Range 82 West, all in McLean County, North Dakota.

On July 12, 2021, Great River Energy (GRE), successor to Cooperative Power Association and United Power Association, and Rainbow Energy Center, LLC (Rainbow) submitted a joint application for the transfer of Certificate of Corridor Compatibility No. 1 and Route Permit No. 3 to Rainbow Energy Center, LLC, Case No. PU-21-325.

On July 22, 2021, the Commission issued a Notice of Opportunity for Hearing (Notice) that provided until August 23, 2021, for comments or requests for hearing. No comments or requests for hearing were filed. The Notice stated that the Commission can determine the matter without a hearing.

The Notice identified the issues to be considered in Case No. PU-21-325 are:

1. whether Rainbow agrees and is able to comply with the terms and conditions of Certificate of Corridor Compatibility No. 1 and Route Permit No. 3, and
2. whether the requested transfer is compatible with the public interest.

By the affidavit of Stacy Tschider, President of Rainbow Energy Center, LLC, Rainbow agrees to assume the rights and obligations of GRE with respect to Certificate of Corridor Compatibility No. 1 and Route Permit No. 3, agrees to comply with the conditions and limitations set forth in the Commission's March 6, 1976 Findings of Fact, Conclusions of Law and Order issuing Certificate of Corridor Compatibility No. 1 in Case No. 9322, and agrees to comply with the conditions and limitations set forth in the Commission's June 15, 1977 Findings of Fact, Conclusions of Law and Order issuing Route Permit No. 3 in Case No. 9532.

Having considered this matter, the Commission finds Rainbow agrees and is able to comply with the terms and conditions of Certificate of Corridor Compatibility No. 1, Route Permit No. 3, and the requested transfer is compatible with the public interest.

Therefore, the Commission issues its:

Order

The Commission orders:

1. The joint application of Great River Energy and Rainbow Energy Center, LLC for the transfer of Certificate of Corridor Compatibility No. 1 and Route Permit 3 is APPROVED.
2. First Reissued Certificate of Corridor Compatibility No. 1 is issued to Rainbow Energy Center, LLC.
3. First Reissued Route Permit No. 3 is issued to Rainbow Energy Center, LLC.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

**PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA**

**Reissued
Corridor Certificate Number 1**

This is to certify that the Commission has designated a transmission facility corridor for Rainbow Energy Center, LLC for the construction, operation, and maintenance of approximately 6.5 miles of 30-inch diameter water pipeline and associated facilities in McLean County, North Dakota

This certificate is issued in accordance with the Commission's March 6, 1976, Findings of Fact, Conclusions of Law and Order in Case No. 9322 and reissued by the Commission's September 1, 2021 Order in Case No. PU-21-325 and is subject to the conditions and limitations noted in the Orders.

Bismarck, North Dakota, September 1, 2021.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner

**PUBLIC SERVICE COMMISSION
STATE OF NORTH DAKOTA**

**Reissued
Route Permit Number 3**

This is to certify that the Commission has designated a transmission facility route for Rainbow Energy Center, LLC for the construction, operation, and maintenance of approximately 6.5 miles of 30-inch diameter water pipeline and associated facilities in McLean County, North Dakota

This permit is issued in accordance with the Commission's June 15, 1977, Findings of Fact, Conclusions of Law and Order in Case No. 9532 and reissued by the Commission's September 1, 2021 Order in Case No. PU-21-325 and is subject to the conditions and limitations noted in the Orders.

Bismarck, North Dakota, September 1, 2021.

ATTEST:

PUBLIC SERVICE COMMISSION



Executive Secretary



Commissioner