



September 30, 2024

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

Dear Mr. Kahl:

Re: Basin Electric Power Cooperative, Case No. PU-21-375
PrairieWinds ND1, Light-Mitigating Technology System – Waiver Continuance

Basin Electric Power Cooperative (Basin Electric) owns and operates the PrairieWinds ND1 wind project (PWND1), located south of Minot. PWND1 was commissioned in 2009 and consists of 77 wind turbines that generate approximately 120 MW electricity. On August 25, 2021, Basin Electric requested that Commission to issue a waiver under North Dakota Century Code Section 49-22-16.4 regarding the requirement to install light mitigation technology at PWND1. On December 15, 2021, the Commission issued its Order on Motion for Waiver granting Basin Electric's request.

At the time of the Order, Aircraft Detection Lighting System (ADLS) was the only light mitigation technology approved by the Federal Aviation Administration (FAA). The United States Airforce (USAF) in Minot, North Dakota, opposed ADLS at PWND1 due to concerns for safety and the protection of military assets. With its waiver request, Basin Electric submitted a memorandum from the USAF supporting the waiver. After a public hearing, the Commission found Basin Electric had "established a technical infeasibility to grant an extension based on the concerns of the USAF." The Order required Basin Electric to "review FAA approved light mitigation technology every three years and report to the commission to determine if the waiver should be continued based on a continued technical infeasibility, or if an acceptable light mitigation technology can be installed."

Basin Electric has completed a review of the current FAA approved light mitigation technology, as required by the Order. The FAA has not approved any new technology since the Order was issued. See FAA Advisory Circular 70/7460-1, Obstruction Marking and Lighting (November 16, 2020). ADLS remains the only option. Accordingly, Basin Electric respectfully requests that the Commission continue the waiver for three more years based on continued technical infeasibility.

For inquiries or questions regarding this request, please contact Erin Fox Dukart, Director of Environmental Services at edukart@bepc.com or 701-557-5557.

Sincerely,

A handwritten signature in blue ink that reads "Troy L. Tweeten".

Troy L. Tweeten
Senior VP of Generation

By email: ndpsc@nd.gov

c: Erin Fox Dukart
Joe Fiedler
Alex Hayward
Maggie Olson

21 PU-21-375 Filed 10/01/2024 Pages: 1
Compliance Filing - Wind Energy Facility Lighting Waiver - 69-06-11
Basin Electric Power Cooperative
Troy Tweeten, Sn. VP of Operations