

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Badger Wind, LLC
251.6 MW Badger Wind Project – Logan & McIntosh
Siting Application

Case No. PU-22-86

AFFIDAVIT OF SERVICE BY REGULAR 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 **30th day of August 2022**, she deposited in the United States Mail at Bismarck, North Dakota, **one** envelope by first class mail, fully prepaid, securely sealed each containing a photocopy of:

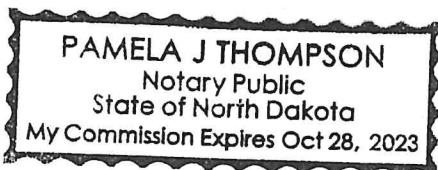
- **Staff Response to Application for Protection of Information**

The envelope was addressed as follows:

Mollie Smith & Bridget Duffus
Attorneys for Badger Wind, LLC
Fredrikson & Byron, P. A.
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **30th day of August 2022**.



SEAL

Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Badger Wind, LLC
251.6 MW Badger Wind Project – Logan & McIntosh
Siting Application

Case No. PU-22-086

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

On August 26, 2022, Badger Wind, LLC. (Badger) filed an Application for Protection of Information to protect certain information in the captioned case.

The information for which the Company seeks protection includes cultural resource location information contained in:


- Figures 3, 12, 17, 27, 32, 45, 51, 56, 59, and 64, Maps 2, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, and 2.7, and the figure included at the end of Appendix B of Late-Filed Exhibit No. 33-A (Updated Class III Cultural Resources Inventory, dated June 27, 2022);
- Figure 1, Maps A – H of Late-Filed Exhibit No. 33-C (Supplemental 2022 Intensive Cultural Resources Inventory, dated June 27, 2022); and
- Table 3 of Late-Filed Exhibit No. 33-E (Intensive Cultural Resource Inventory of Collection Line Reroutes, dated August 2, 2022).

North Dakota Century Code (N.D.C.C.) 49-22-26 allows the commission to limit access to, and release of, information that contains data that specifically identifies the location of cultural, archaeological, historical, or paleontological sites.

Staff believes that Badger's application satisfies the requirements of the North Dakota Century Code for protection of the information, which is the subject of this request.

For reasons set forth above, Staff recommends that the Commission grant the application of Badger to protect certain information filed in the captioned case.

Dated this 29th day of August, 2022.



Brian Johnson
Special Assistant Attorney General Bar ID 07397
North Dakota Public Service Commission
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