

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

<b>Otter Tail Power Company Amend – Luverne Wind Farm Upgrade Project Siting Application – Steele County</b>	<p style="text-align:right"><b>Case No. PU-23-_____</b></p> <p style="text-align:center"><b>OTTER TAIL POWER COMPANY’S APPLICATION TO AMEND ORDERS AND CERTIFICATES</b></p>
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**I. Introduction.**

Pursuant to N.D.C.C. § 49-22-08(5), Otter Tail Power Company (Otter Tail) submits an application to the North Dakota Public Service Commission (Commission) requesting an amendment of the Commission’s Findings of Fact, Conclusions of Law and Order, dated October 30, 2008 (Case No. PU-08-34) (2008 Order) and Order Reissuing Certificates and Permit, dated May 20, 2009 (Case No. PU-09-073) (2009 Order), along with Certificate of Site Compatibility No. 9 and First Reissued Certificate of Site Compatibility No. 9 (collectively, Orders and Certificates) issued to Otter Tail for its portion of the Luverne Wind Farm (Facility). Specifically, Otter Tail requests that the Commission amend the Orders and Certificates to remove the 1.5 megawatt (MW) per turbine limitation and the overall 49.5 MW limitation.

**II. Procedural History.**

A brief overview of relevant procedural history is provided below:

- On October 30, 2008, the Commission issued its 2008 Order granting Certificate of Site Compatibility No. 9 to M-Power, LLC (M-Power) for the Luverne Wind Farm consisting of up to 33 1.5 MW wind turbine generators, collection substation and associated facilities (Case No. PU-08-34).
- On December 3, 2008, the Commission issued a Certificate of Public Convenience and Necessity (CPCN) to Otter Tail authorizing the purchase and operation of the 49.5 MW Facility (Case No. PU-08-766).

- On February 20, 2009, Otter Tail and M-Power filed a Joint Application for Transfer of Certificate of Site Compatibility, seeking to transfer to Otter Tail the rights and obligations of Certificate of Site Compatibility No. 9 (Case No. PU-09-073).
- On May 20, 2009, the Commission issued its 2009 Order authorizing transfer of the 49.5 MW Facility to Otter Tail and issuing First Reissued Certificate of Site Compatibility No. 9 to Otter Tail (Case No. PU-09-073). The 2009 Order amended the 2008 Order (Case No. PU-08-34) and transferred the same Facility covered by the CPCN.
- The Facility was constructed in 2009 with the Project beginning commercial operations in 2009.
- On May 8, 2023, Otter Tail filed the Certification of Bradley E. Tollerson, with accompanying documentation, pursuant to N.D.C.C. § 49-22-03(3)(a)(4) regarding planned equipment upgrades at the Facility (Upgrade Project).

### **III. Planned Upgrade Project.**

The Upgrade Project will consist of removing and replacing the existing General Electric (GE) 1.5 MW turbine 82.5 meter (270.7 feet) rotor diameter (RD) blades, hub, and gearbox with an upgraded technology package of GE 1.6 MW generator technology and 97 meter (318.2 feet) RD blades, hub, and gearbox. The 1.6 MW technology offers more optionality and enables better, more efficient turbine operations. The Facility’s total nameplate generating capacity would increase to 52.8 MW; however, the Facility’s output would remain 49.5 MW in accordance with Otter Tail’s Generator Interconnection Agreement.

### **IV. Amendment Request – Removal of Capacity Limitation.**

In order paragraph no. 1 of the 2008 Order, the Commission granted Certificate of Site Compatibility No. 9, which designated a site for “up to 33 1.5 MW wind turbine generators” and associated facilities. Also, in order paragraph no. 6 of the 2008 Order, the Commission authorized construction of “up to 49.5 MW of wind turbines” and associated facilities. In order paragraph no. 2 of the 2009 Order, the Commission issued First Reissued Certificate of Site Compatibility No. 9 to Otter Tail “for the 49.5 MW Phase II portion of the Luverne Wind Farm

... for which the Commission issued Certificate of Public Convenience and Necessity No. 5385.” Likewise, First Reissued Certificate of Site Compatibility No. 9 issued to Otter Tail designates a site for “up to 33 1.5 MW wind turbine generators”.

As noted above, when repowered, the Facility’s nameplate capacity would increase to 52.8 MW, even though the megawatts delivered to the grid will be limited to 49.5 MW. Based on review of prior repower dockets, Otter Tail understands that the Commission has previously concluded that order and certificate amendments are required where a megawatt limitation is specified.<sup>1</sup> Therefore, Otter Tail requests that the Commission amend the Orders and Certificates to remove the per turbine megawatt limitation and the overall megawatt limitation.

**V. Conclusion.**

For the reasons set forth above, Otter Tail respectfully requests that its application to amend the Orders and Certificates to remove the per turbine megawatt limitation and overall capacity limitation be granted.

Dated this 8th day of May, 2023.

FREDRIKSON & BYRON, P.A.

By 

MOLLIE M. SMITH, ND Bar #06714  
BRIDGET A. DUFFUS, ND Bar #09235  
*Attorneys for Otter Tail Power Company*  
200 South Sixth Street, Suite 4000  
Minneapolis, MN 55402-1425  
(612) 492-7270  
msmith@fredlaw.com  
bduffus@fredlaw.com

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<sup>1</sup> See Order, dated December 3, 2019, Ashtabula Wind Energy Center Repower (Case No. PU-19-284); Order, September 5, 2018, Langdon Wind Energy Center Upgrade Project (Case No. PU-18-186); and Order, dated October 27, 2022, Border Winds Energy Project Repower (Case No. PU-22-173).