

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Otter Tail Power Company
Amend - Luverne Wind Upgrade
Siting Application**

Case No. PU-23-176

NOTICE OF OPPORTUNITY FOR HEARING

On October 30, 2008, in Case No. PU-08-34, the Commission issued its Findings of Fact, Conclusions of Law and Order issuing Certificate of Site Compatibility Number 9 to M-Power, LLC (M-Power) authorizing the construction of an up to 49.5 MW Luverne Wind Farm in Steele County, North Dakota.

On May 20, 2009, in Case No. PU-09-73, the Commission adopted an Order reissuing Certificate of Site Compatibility No. 9 to Otter Tail Power Company (OTP).

On August 16, 2023, in Case No. PU-23-176, the Commission adopted an Order amending Certificate of Site Compatibility No. 9 to repower the 33 existing 1.5 MW General Electric (GE) 82.5-meter rotor diameter blades, hubs, and gearboxes with upgraded 1.6 MW GE generator technology and 97-meter rotor diameter blades, hubs, and gearboxes.

On September 20, 2023, OTP filed an application to amend the Commission's August 16, 2023, Order to remove a nonparticipating landowner setback waiver requirement. OTP expressed in its application to amend that the landowner set for as a basis for the setback is a participating landowner.

The issue to be considered in this whether the proposed amendment is consistent with the requirements and criteria set forth in North Dakota Century Code chapter 49-22?

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. **Comments and requests for hearings must be received by December 8, 2023.** If deemed appropriate, the Commission can determine the matter without a formal hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify the Commission.

Issued: October 24, 2023
PUBLIC SERVICE COMMISSION

Sheri Haugen-Hoffart

Sheri Haugen-Hoffart
Commissioner

Randy Christmann

Randy Christmann
Chair

Julie Fedorchak

Julie Fedorchak
Commissioner