

215 South Cascade Street  
PO Box 496  
Fergus Falls, Minnesota 56538-0496  
218 739-8200  
[www.otpc.com](http://www.otpc.com)

August 15, 2023



Mr. Steve Kahl  
Director of Administration/Executive Secretary  
North Dakota Public Service Commission  
State Capitol Building  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**Re: In the Matter of Otter Tail Power Company's Application for a Certificate of Public Convenience & Necessity for a new 115 kV Substation and 115 kV Transmission Line near Ardoch, North Dakota to the near the North Dakota Border  
Case No. PU-23-228  
Response**

Dear Mr. Kahl:

In response to the letter the Public Service Commission received on July 28, 2023, from the North Dakota State Historical Society (SHPO) recommending a Class III survey of the project area, Otter Tail Power Company (Otter Tail) responds as follows:

1. Otter Tail was not expecting this recommendation as this docket is a request for a Certificate of Public Convenience and Necessity (CPCN) as opposed to a facility or transmission line siting application the Commission would have jurisdiction over. Otter Tail appreciates that the Commission has committed to working with other State agencies but would benefit from a clearer understanding of when to expect SHPO consultation so we can plan for this in work schedules and budgets. However, Otter Tail is willing to work with SHPO in this instance given that the work requested could be completed in a reasonable time and at a reasonable cost.
2. Otter Tail has hired Metcalf Archaeological Consultants, Inc. (Metcalf) to complete the requested Class III (pedestrian survey) of the project area—specifically the substation plot and the areas where structures will be placed along the line—so that cultural resources can be considered prior to any ground disturbance.
3. Metcalf will complete the work in two phases; first, they will survey the substation plot and then second, they will survey along the proposed transmission line. The substation plot, which is now owned by Otter Tail, is already cleared of crops and available to be surveyed. This phased survey work will allow landowners farming along the proposed 115 kV line time to clear crops from the easement area in a way that is not detrimental to their farming operations.
4. Otter Tail confirmed the appropriateness of this approach with Lorna Meidinger, SHPO, Lead Historic Preservation Specialist, on Monday, August 14, 2023.

5. Metcalf has already completed the Class III survey report for the substation plot and will hand deliver a copy to SHPO on Tuesday, August 15, 2023. Metcalf is recommending a finding of “*No Significant Sites Affected (North Dakota Century Code 49-22-09)*” for the substation plot. (Given that the substation plot and transmission easements are on currently disturbed farm ground, the likelihood of finding items of cultural significance is slim.)
6. Ms. Meidinger explained that SHPO can acknowledge receipt of the report once it is received but advised that it will take approximately 30 days to respond to the findings of the survey report. Otter Tail would begin work at the substation plot once it receives a satisfactory response.
7. Otter Tail will have the second phase of the survey completed and sent to SHPO in October 2023. Work on the 115 kV transmission line would be delayed accordingly.
8. Otter Tail requests that the Commission move forward with consideration of the CPCN application with the understanding that Otter Tail is committed to working with SHPO and will complete their recommended process prior to commencing construction.

An original and copies have been sent to you via USPS.

Sincerely,

*/s/LISA M. MCFARLAND*  
Lisa M. McFarland  
Associate General Counsel

kaw  
Enclosures  
By electronic filing and U.S. mail