



Public Service Commission

State of North Dakota

COMMISSIONERS

Randy Christmann
Sheri Haugen-Hoffart
Julie Fedorchak

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

26 October 2023

Timothy Dawson, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re:
Oliver Wind IV, LLC
200 MW Oliver Wind IV Energy Center-Oliver County
Siting Application
Case No. PU-23-317

Re:
Oliver Wind IV, LLC
345-kV Transmission Line-Oliver & Mercer
Siting Application
Case No. PU-23-318

Dear Mr. Dawson:

Enclosed are two requests for an Administrative Law Judge for the captioned two cases. The Commission has not yet issued a Notice of Hearing. When the Notices are issued, we will forward it to your office.

The Administrative Law Judge will serve as a procedural law judge and the hearing will be electronically recorded.

If you have any questions, please contact me. Thank you.

Best regards,

John Schuh
General Counsel

Enclosures

c: w/encl. via e-mail only

Casey Furey (cfurey@crowleyfleck.com)
Erik Edison (ejedison@crowleyfleck.com)

5 PU-23-317 Filed 10/26/2023 Pages: 4
Request for ALJ
Public Service Commission

7 PU-23-318 Filed 10/26/2023 Pages: 4
Request for ALJ
Public Service Commission



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
SFN 17819 (Rev. 06-2007)

Name of Agency, Board, or Commission

North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Oliver Wind IV, LLC, 200 MW Oliver Wind IV Energy Center-Oliver County, Siting Application
PSC Case No. PU-23-317

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:

On September 28, 2023, Oliver Wind IV, LLC filed an application for a Certificate of Site Compatibility proposing to build up to 73 wind turbines in Oliver County, North Dakota

It requests designation of an administrative law judge (please check one):

- ☐ To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- ☒ To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- ☐ To conduct the hearing, issue findings of fact, conclusions of law, and a final order.


PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See Attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person John Schuh, General Counsel	Date 10/26/2023
Signature of Requesting Person X 	Telephone Number (701) 328-2421



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
SFN 17819 (Rev. 06-2007)

Name of Agency, Board, or Commission

North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the Oliver Wind IV, LLC, 345-kV Transmission Line-Oliver & Mercer, Siting Application, PSC Case No. PU-23-318

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22 (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:

On September 28, 2023, Oliver Wind IV, LLC filed a Consolidated Application for Certificate of Corridor Compatibility & Route

Permit proposing to build a 19.5-mile, 345-kV transmission line located in Oliver and Mercer Counties.

It requests designation of an administrative law judge (please check one):

- ☐ To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- ☒ To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 28-32-31(5). See NDCC 54-57-04.
- ☐ To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

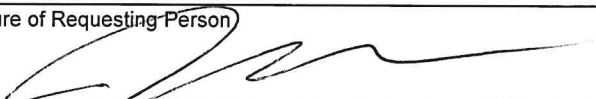
PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY See Attached	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person John Schuh, General Counsel	Date 10/26/2023
Signature of Requesting Person X 	Telephone Number (701) 328-2421

Attachment
Request for ALJ
26 October 2023

Re:
Oliver Wind IV, LLC
200 MW Oliver Wind IV Energy Center-Oliver County
Siting Application
Case No. PU-23-317

Re:
Oliver Wind IV, LLC
345-kV Transmission Line-Oliver & Mercer
Siting Application
Case No. PU-23-318

AGENCY North Dakota Public Service Commission Representation John Schuh General Counsel	Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	Telephone Number 701-328-2400 701-328-2421
PARTY Oliver Wind IV, LLC Representation Casey Furey Erik Edison	Address 700 Universe Boulevard Juno Beach, FL 33408 Crowley Fleck PLLP PO Box 2798 Bismarck, ND 58502-2798	Telephone Number 701-223-6585