

November 27, 2023

Via Hand Delivery & Electronic Mail

Mr. Steve Kahl
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480
ndpsc@nd.gov

In re: Hearing Consolidation Request
Oliver Wind IV, LLC
Oliver Wind IV Wind Energy Center - Oliver County
Oliver Wind IV 345-kV Transmission Line - Oliver & Mercer Counties
Siting Applications
Case Nos. PU-23-317 & PU-23-318
OAH File Nos. 20230356 & 20230357
Our File No. 035218-000083

Dear Mr. Kahl:

I am writing on behalf of my client Oliver Wind IV, LLC (“Oliver Wind IV”) regarding the above-referenced matters. On September 28, 2023, Oliver Wind IV filed siting applications for the proposed 200-megawatt Oliver Wind IV Wind Energy Center and the associated Oliver Wind IV 345-kV Transmission Line. The cases were docketed as PU-23-317 and PU-23-318, respectively. Since this time, Oliver Wind IV has begun discussions with Commission Staff regarding potential hearing dates and scheduling. As such, Oliver Wind IV respectfully requests the Commission consolidate both cases for hearing and hold a single, consolidated public hearing in Oliver County.

Oliver Wind IV’s consolidation request is consistent with the Commission’s authority under the Siting Act, prior precedent, and promotes the efficient use of all parties’ resources and time. As explained in Oliver Wind IV’s siting applications, the Wind Energy Center is located entirely within Oliver County, and the 19.5-mile Oliver Wind IV Transmission Line is located in Oliver County (10.8 miles) and Mercer County (8.7 miles). North Dakota Century Code Section 49-22-23 governs public hearings and provides when more than one county is involved in a proceeding, the Commission may hold a consolidated hearing in one of the affected counties. Because most of the proposed infrastructure is located in Oliver County, Oliver Wind IV requests a single hearing be held in this location. Furthermore, Oliver Wind IV’s request is consistent with Commission precedent consolidating associated wind energy and electric transmission siting cases for a single hearing.¹

¹ See e.g., *Northern Divide Wind, LLC*, Case No. PU-19-376, Dkt. No. 10 and 41 and Case No. PU-19-377,

For the above reasons, Oliver Wind IV respectfully requests the Commission exercise its authority and consolidate Case Nos. PU-23-317 and PU-23-318 for a single, consolidated public hearing in Oliver County.

Please feel free to contact me if you have any questions. Thank you.

Sincerely,

/s/ Casey A. Furey

Casey A. Furey

cc: ALJ Timothy Dawson(via email and USPS)
Brian Johnson (via email)
Robert Frank (via email)
Erik Edison (via email)
Tracy Davis (via email)

Dkt. Nos. 10 and 39 (issuing Notice of Filings and Notice of Consolidated Hearing and Amended Notice of Consolidated Hearing); *Ruso Wind Partners, LLC*, Case No. PU-19-028, Dkt. No. 12 and Case No. PU-19-029, Dkt. No. 8 (issuing Notice of Filings and Notice of Consolidated Hearing); *Burke Wind, LLC*, Case No. PU-18-302, Dkt. No. 13 and Case No. PU-18-344, Dkt. No. 24 (issuing Notice of Filings and Notice of Consolidated Hearing).