

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Badger Wind, LLC
Amend-Badger Wind Project-Logan & McIntosh
Siting Application

Case No. PU-24-87

STAFF RESPONSE TO APPLICATION FOR PROTECTION OF INFORMATION

JUNE 25, 2024

On February 23, 2024, and on June 24, 2024 Badger Wind LLC (Badger) filed Applications for Protection of Information to protect certain information in the captioned case.


Badger requests that protection be given to the cultural resource location information in the cultural resource location information contained on pages 8-10, Exhibits 1, 2, 2a – 2f, and 3, and Photos 12 – 20 (in Appendix A) to the Archaeological Reconnaissance Survey Report, along with associated GIS data. The second request is for the cultural resource location information contained on Exhibits 2 and 2a-f to the Addendum Class III Archeological Survey report also be granted protection. Specifically, Badger Wind requests that the information be available only to the Commission, the Commission's counsel, the Commission's siting analysts, and the Administrative Law Judge (should one be designated).

North Dakota Century Code (N.D.C.C.) 49-22-26 allows the commission to limit access to, and release of, information that contains data that specifically identifies the location of cultural, archaeological, historical, or paleontological sites.

Staff believes that Badger's application satisfies the requirements of the North Dakota Century Code for protection of the information, which is the subject of this request.

For reasons set forth above, Staff recommends that the Commission grant the application of Badger to protect certain information filed in the captioned case.

Dated this 25th day of June, 2024.



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