

June 26, 2025

VIA E-MAIL AND HAND DELIVERY

Mr. Steven Kahl
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Badger Wind, LLC
Amend – Badger Wind Project – McIntosh & Logan Counties
Siting Application
Case No. PU-24-087**

Dear Mr. Kahl:

In connection with the above-referenced matter, Badger Wind, LLC encloses for filing an electronic copy of its presentation for the July 1, 2025 public hearing. We will bring hard copies of the presentation to the public hearing.

If you have any questions, please let me know.

Sincerely,


MOLLIE M. SMITH

MMS/bad/86722741

Enclosure

cc: Rob Frank (via e-mail, w/ encl.)
Brian Johnson (via e-mail, w/ encl.)
Nick Gebauer (via e-mail, w/ encl.)
Andrew Krieger (via e-mail, w/ encl.)

Badger Wind, LLC

PU-24-087

**Request for Partial Waiver of Light-Mitigating Technology
Requirement**

Badger Wind Requests a Partial Waiver for 9 of the 92 Turbines

- Badger Wind submitted a Request for a Partial Waiver of Requirement to Install a Light-Mitigating Technology System for nine (9) of the 92 turbines to be construction on the Badger Wind Project.
- FAA approved the following lighting plan for the Project:
 - 83 turbines: Aircraft Detection Lighting System (ADLS).
 - 9 turbines: standard lighting (not ADLS).
- Since ADLS is the only light-mitigating technology currently approved by the FAA, a waiver is warranted based on technical infeasibility.

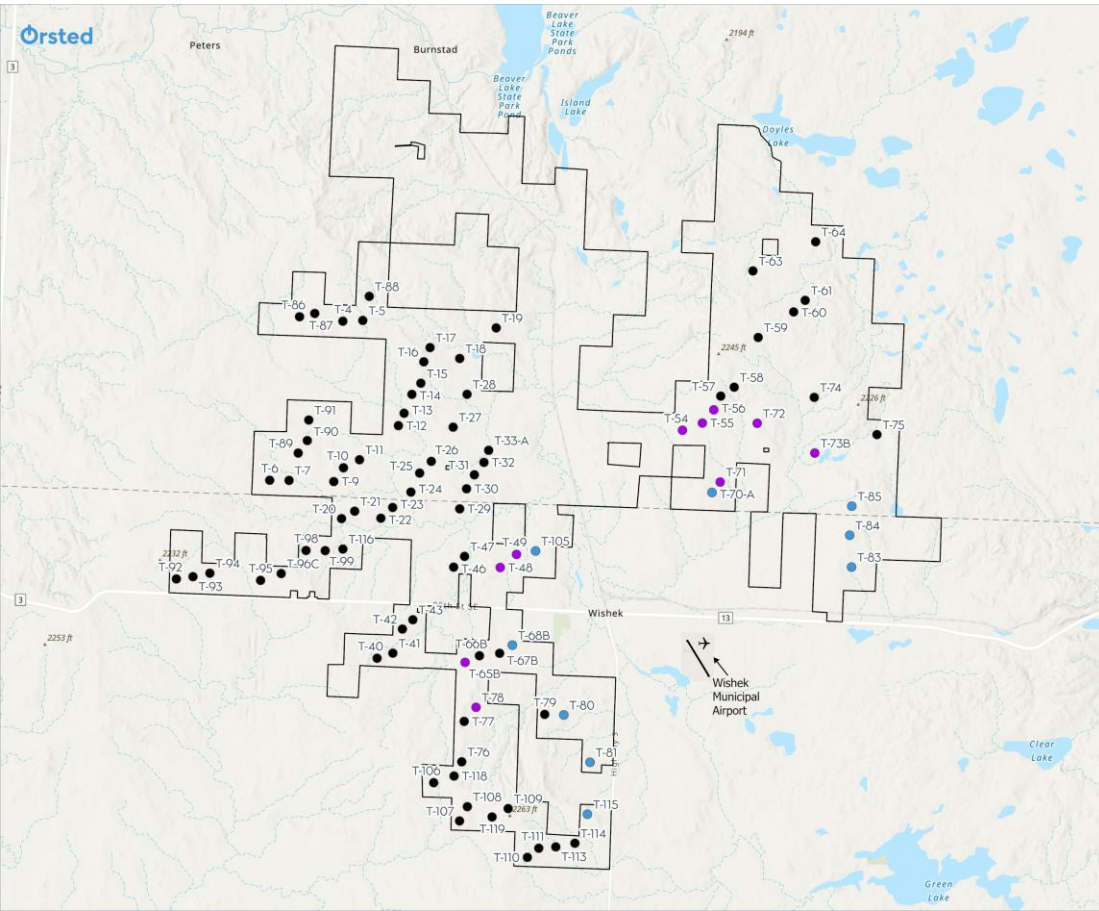
Timeline Overview

Date

Milestone

September 11, 2024	PSC issued amended Certificate of Site Compatibility to Badger Wind
September 27, 2024	Badger Wind filed Engineering Design Drawings with the PSC depicting final turbine layout
Oct – Nov 2024	ADLS tower siting and radar coverage analysis, including landowner coordination and environmental surveys for tower
December 6, 2024	ADLS tower location finalized
January 9, 2025	Final radar coverage report received from DeTect
January 14, 2025	ADLS tower DNH request and lighting and marking plan (requesting ADLS) request submitted to FAA
February 6, 2025	FAA issued DNH for ADLS tower
February 12, 2025	FAA issued initial marking and lighting plan denying ADLS on 19 turbines
March 19, 2025	Meeting with FAA to discuss ADLS denials and potential justifications for reducing ADLS denials
March 31, 2025	FAA revised marking and lighting plan approving ADLS on 83 of 92 turbines (reducing number of denied turbines to 9)
April 16, 2025	Badger Wind filed Request for Partial Waiver with PSC
December 2025	Anticipated commercial operating date (COD)/ADLS operational date

19 Turbines Were Originally Required to Have Standard Lighting



- FAA originally required standard lighting on 19 turbines (blue and purple).
- Further evaluation determined that a number of those turbines are “shielded” by turbines between them and the airport (purple).
- Based on additional coordination, FAA revised its marking and lighting determinations for these turbines:
 - Approved use of ADLS on 10 of these turbines (purple) so long as the “shielding” turbines (blue) have standard lighting.
 - Required standard lighting on 9 turbines closest to Wishek Municipal Airport (blue).

Badger Wind

July 2025

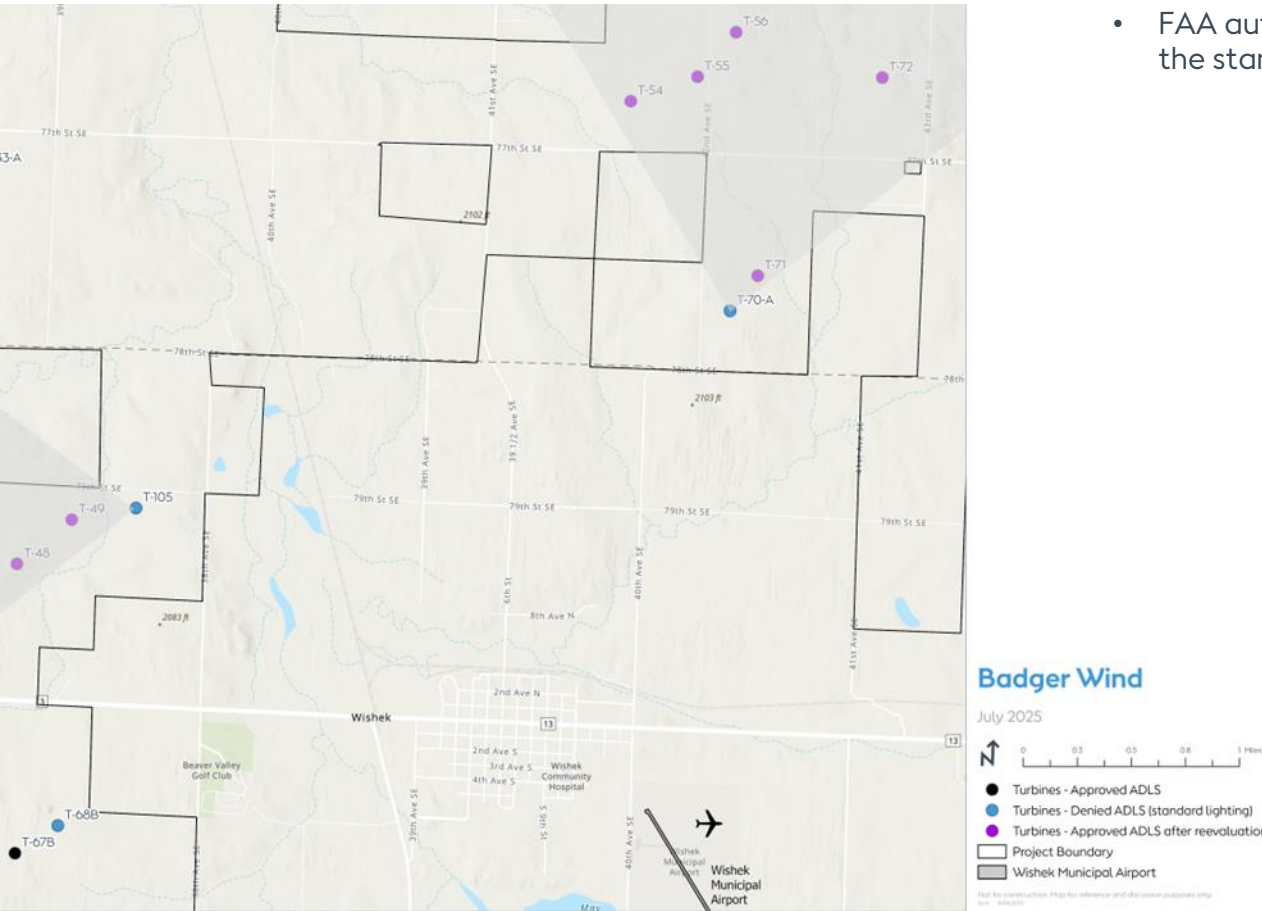


- Turbines - Approved ADLS
- Turbines - Denied ADLS (standard lighting)
- Turbines - Approved ADLS after reevaluation
- Project Boundary
- Wishek Municipal Airport

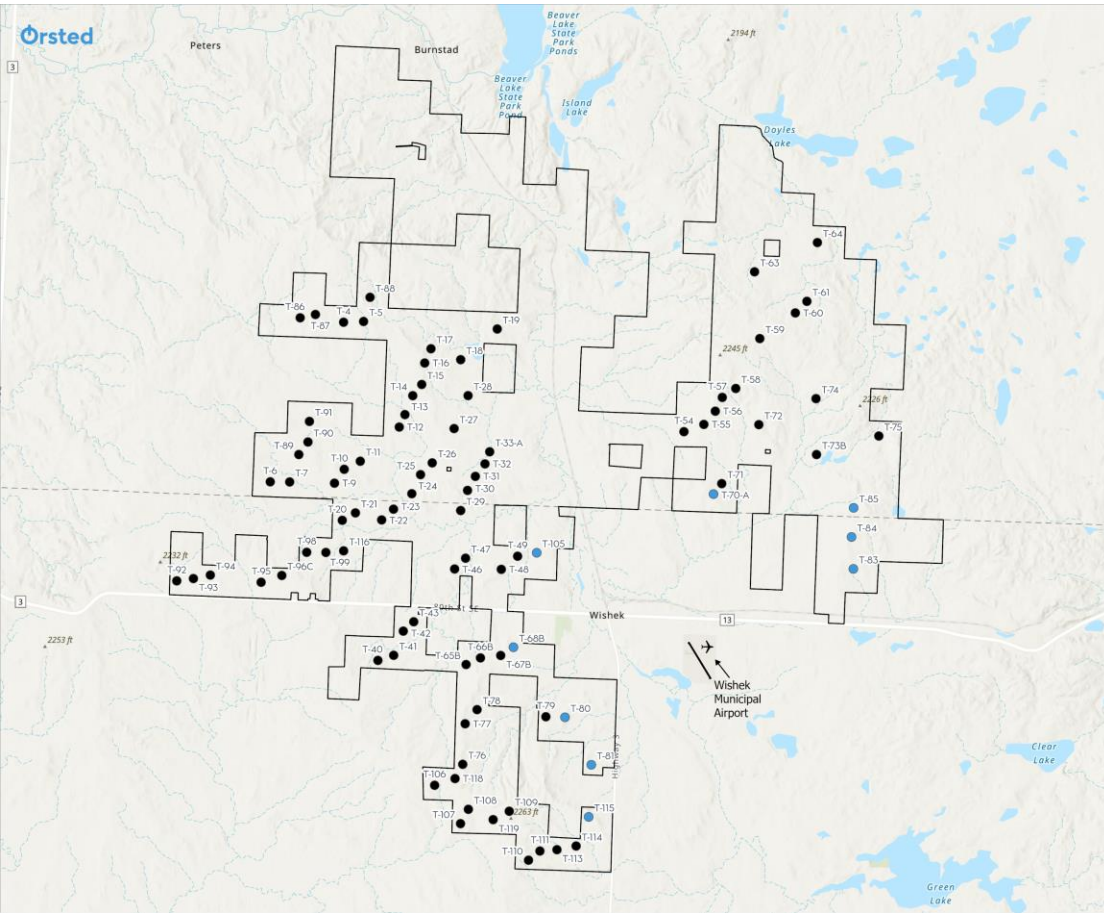
Not for construction. Map for reference and discussion purposes only.
Date: 7/20/25

FAA Re-evaluated Initial Lighting Plan based on "Shielding"

- FAA authorized ADLS on turbines "shielded" by the standard-lit turbines.



Ultimately, 9 Turbines are Required to Have Standard Lighting



- Ultimately, FAA requires standard lighting on the nine blue turbines.
- These are the turbines for which the partial waiver is requested.

Badger Wind

July 2025



- Turbines - Approved ADLS
- Turbines - Denied ADLS (standard lighting)
- ▭ Project Boundary
- ▭ Wishek Municipal Airport

Not for construction. Map for reference and discussion purposes only.
Date: 10/06/2025

Conclusion

- Based on technical infeasibility, Badger Wind requests that the Commission grant a waiver from the light-mitigating technology requirement for the nine (9) turbines identified in blue near the Wishek Municipal Airport.
- Badger Wind commits to reviewing FAA-approved light-mitigating technology systems and reporting the results to the Commission every three years, to determine if the waiver should continue based on continued technical infeasibility, or if an acceptable light-mitigating technology system could be approved by the FAA and installed on the nine (9) turbines.