



Public Service Commission

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07 July 2025

Hope L. Hogan, Director
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re:
Badger Wind, LLC
Amend-Badger Wind Project – Logan & McIntosh
Siting Application
Case No. PU-24-87

Dear Ms. Hogan:

Enclosed is a request for an Administrative Law Judge for the captioned case. The Commission has issued a Notice of Hearing which is attached.

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,

A handwritten signature in blue ink, appearing to read "Brian Johnson".

Brian Johnson
Special Assistant Attorney General

Enclosures
c: w/encl. via e-mail only
Mollie Smith (msmith@fredlaw.com)



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 Badger Wind, LLC, Amend-Badger Wind Project-Logan & McIntosh, Siting Application, PSC
 Case No. PU-24-87

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Chapter 49-22-16.4(2) (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 16 April 2025, Badger Wind, LLC filed a request for waiver of requirement to install light-mitigating technology system.

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
 A Notice of Hearing has been issued for July 24, 2025 at 8:30 a.m. Central Time in the Commission Hearing Room on the 12th Floor of the State Capitol, 600 East Boulevard Ave, Bismarck, ND 58505 and has been attached.

(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 Brian Johnson, Special Assistant Attorney General	Date 7/7/2025
Signature of Requesting Person 	Telephone Number (701) 328-2407

X

Attachment
Request for ALJ
07 July 2025

Re:
Badger Wind, LLC
Amend-Badger Wind Project – Logan & MacIntosh
Siting Application
Case No. PU-24-87

AGENCY North Dakota Public Service Commission	Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505-0480	Telephone Number 701-328-2400
Representation Brian Johnson Special Assistant Attorney General		701-328-2407
PARTY Badger Wind, LLC	Address 401 N Michigan Ave Ste 501 Chicago, IL 60611-5883	Telephone Number 312-237-4700
Representation Mollie Smith	Fredrickson & Byron, P.A. 200 S. 6 th St. Ste 4000 Minneapolis, MN 55402- 1425	612-492-7270

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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

Case No. PU-24-87

NOTICE OF HEARING

A **Public Hearing** on the application in Case No. PU-24-87 is scheduled for **July 24, 2025, at 8:30 a.m. Central Time in the Commission Hearing Room on the 12th Floor of the State Capitol, 600 East Boulevard Ave, Bismarck, North Dakota 58505.**

On April 16, 2025, Badger Wind, LLC filed a Request for Waiver of Requirement to install a Light-Mitigating Technology System for 9 of the 92 turbines anticipated to be constructed on the Badger Wind Project in Logan & McIntosh Counties, North Dakota. The Federal Aviation Administration did not approve the use of an aircraft detection lighting system on these 9 turbines and is requiring that standard synchronized red lights be utilized.

The issue to be considered in this proceeding is whether a waiver of requirement should be granted based on technical or economic feasibility.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission 24 hours in advance.

Issued: July 2, 2025

PUBLIC SERVICE COMMISSION



**Steve Kahl
Executive Secretary**