

Badger Wind, LLC  
Badger Wind Project  
Docket No. PU-24-87

**Attachment 1: Consequences of Denial of the Waiver Request**

At the July 1, 2025 hearing held on Badger Wind, LLC's ("Badger Wind") Request for a Partial Waiver of the Requirement to Install a Light-Mitigating Technology System ("Waiver Request") for nine (9) turbines to be constructed as part of the Badger Wind Project ("Project"), Badger Wind described the consequences a denial of the Waiver Request would have on the Project, participating landowners, and state and local taxing authorities. As requested by the North Dakota Public Service Commission ("Commission"), Badger Wind provides the following written summary of the consequences of denying the Waiver Request:

The current Project design has been optimized to ensure maximum efficiency and output. This, in turn, maximizes the value of the Project, and the associated economic benefits to landowners and the community.

If the Waiver Request were denied, the Project would expect to lose a minimum of 19 turbine locations. Thus, even if Badger Wind activated its alternate turbine locations (which are less productive locations), the total number of turbines constructed would be reduced from 92 turbines to 82 turbines. As discussed at the hearing, this reduction would occur because removing the nine (9) turbines that are the subject of the Waiver Request would result in those turbines no longer "shielding" other turbines. Based on discussions with the Federal Aviation Administration ("FAA") regarding the Project's lighting plan, the lack of "shielding" would result in at least an additional 10 turbine locations being impacted. Twelve landowners would lose turbines, with nine (9) losing all their turbines.

Thus, even if Badger Wind activated its alternate turbine locations, ten (10) fewer turbines would be constructed and the overall Project capacity would be reduced by 28 megawatts ("MW").

Due to the reduction in overall capacity, the per-MW cost of construction would increase, and the overall value of the Project would be reduced by approximately \$60 million. The loss of turbines would also have a rippling effect on benefits to landowners, as well as tax revenue for state and local tax authorities. Denying the Waiver Request would eliminate a net of ten (10) turbine payments to landowners, which would equal approximately \$12 million in lost payments to landowners over the life of the Project. Additionally, due to the reduction in output and capacity of the Project, state and local taxing authorities would lose approximately \$4 million in tax revenue over the life of the Project.

As discussed at the hearing, Montana-Dakota Utilities Co. ("MDU") is planning to acquire an interest in the Project assets. Denying the Waiver Request would result in significantly different characteristics than the Project MDU has contracted to purchase.