

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

**Attachment 2: Distance of Turbines to Wishek Airport**

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”), the North Dakota Public Service Commission (“Commission”) and Commission Staff requested that Badger Wind provide the distance between the Wishek Airport and the nine (9) turbines that are the subject of the Waiver Request, as well as the additional 10 turbines the Federal Aviation Administration (“FAA”) initially determined should utilize standard lighting. The distances are provided below.

<b>Turbine</b>	<b>FAA-Required Lighting</b>	<b>Distance to Wishek Airport</b>
T-80	Standard Lighting	1.94 nautical miles
T-81	Standard Lighting	1.98 nautical miles
T-70-A	Standard Lighting	2.03 nautical miles
T-68B	Standard Lighting	2.36 nautical miles
T-105	Standard Lighting	2.38 nautical miles
T-83	Standard Lighting	2.41 nautical miles
T-115	Standard Lighting	2.48 nautical miles
T-84	Standard Lighting	2.61 nautical miles
T-85	Standard Lighting	2.87 nautical miles
T-71	ADLS (approved after reevaluation)	2.19 nautical miles
T-49	ADLS (approved after reevaluation)	2.58 nautical miles
T-48	ADLS (approved after reevaluation)	2.71 nautical miles
T-54	ADLS (approved after reevaluation)	2.85 nautical miles
T-55	ADLS (approved after reevaluation)	2.95 nautical miles
T-78	ADLS (approved after reevaluation)	2.99 nautical miles
T-65B	ADLS (approved after reevaluation)	3.01 nautical miles
T-73B	ADLS (approved after reevaluation)	3.07 nautical miles
T-72	ADLS (approved after reevaluation)	3.09 nautical miles
T-56	ADLS (approved after reevaluation)	3.15 nautical miles

The FAA’s regulations do not specify a distance a wind project should be from an airport in order to utilize an Aircraft Detection Lighting System (“ADLS”). Rather, the FAA evaluates lighting and marking plans on a case-by-case basis: “Approval of an ADLS will be on a case-by-case basis and may be modified, adjusted, or denied based on proximity of the obstruction or group of obstructions to airports, low-altitude flight routes, military training areas, or other areas of frequent flight activity. It may be appropriate to keep certain obstructions closest to these known activity areas illuminated continuously during the nighttime hours, while the remainder of the group’s obstruction lighting is controlled by the ADLS.”<sup>1</sup>

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<sup>1</sup> FAA Advisory Circular No. 70/7460-1M, Section 10.2.3.

In hindsight, based on the FAA's denial of ADLS for the Project, we now understand there is the potential that ADLS will not be approved for first-in-line turbines within approximately three (3) nautical miles of an airport. While this information will inform siting of future Ørsted Onshore North America, LLC ("Ørsted") wind projects, it was not information Ørsted or Badger Wind had or could have anticipated. As discussed at the informal hearing, Badger Wind coordinated closely with the FAA, Wishek Airport, and the North Dakota Aeronautics Commission in siting the Project, which resulted in removing five (5) turbines and shifting two (2) turbines to ensure compatibility with airport operations. ADLS was not an issue that was raised. Additionally, Ørsted operates ADLS on multiple wind projects, and this was the first time Ørsted has encountered this type of situation. This is also a novel issue for our consultant, Capital Airspace Group, which has extensive experience with the FAA and use of ADLS on wind projects all over the United States.

Badger Wind understands there may be a concern that granting the Waiver Request sets a precedent. However, future project developers will have the ability to take the FAA's decision on Badger Wind's lighting plan into consideration in project siting, thereby avoiding the need for a waiver. Further, Ørsted commits to not site any future turbine within 3.15 nautical miles of a public-use airport in North Dakota. Given this, and the significant impacts that would result to not just Badger Wind, but to landowners and the community, granting the Waiver Request is appropriate.