



September 12, 2025

Mr. Steven Kahl
Director, Public Utilities Division
North Dakota Public Service Commission
600 East Boulevard; Department 408
Bismarck, ND 58505-0480

Re: **Basin Electric Power Cooperative
Expedited Request for Approval of Temporary Variance for Construction Activities
Pursuant to NDCC § 49-22-25**

Dear Mr. Kahl:

Enclosed for filing, please find Basin Electric Power Cooperative's Expedited Request for Approval of Temporary Variance of Construction Activities Pursuant to NDCC § 49.22.25, with accompanying exhibits A-C.

For inquiries regarding the submission, please contact me at rking@bepc.com or at (701) 557-5558 with copy to Ms. Maggie Olson, Senior Staff Counsel, at molson@bepc.com or at (701) 557-5719. If preferable, correspondence can be sent to our physical address of 1717 East Interstate Avenue, Bismarck, ND 58503.

Sincerely,

A handwritten signature in black ink, appearing to read "R King".

Ryan King
Environmental Coordinator

Enclosures

cc: Maggie Olson
Erin Fox Dukart

**BEFORE THE STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Basin Electric Power Cooperative
Access Road Improvements – Ward County
NDCC 49-22-25 Request**

Case No. PU-08-75

**BASIN ELECTRIC POWER COOPERATIVE
EXPEDITED REQUEST FOR APPROVAL OF TEMPORARY VARIANCE FOR CONSTRUCTION
ACTIVITIES PURSUANT TO NDCC § 49-22-25**

Pursuant to North Dakota Century Code (NDCC) Section 49-22-25, Basin Electric Power Cooperative (Basin Electric) hereby submits this Expedited Request for Approval of Temporary Variance for Construction Activities seeking North Dakota Public Service Commission (Commission) approval for Basin Electric to complete road improvements on the Prairie Winds ND1 access routes in anticipation for a repowering project

I. Background

Basin Electric is a regional wholesale electric generation and transmission cooperative organized under the laws of the State of North Dakota, and headquartered at 1717 East Interstate Avenue in Bismarck, North Dakota. Basin Electric provides power to over 130 member cooperatives serving approximately three million consumers in nine states.

On March 6, 2009, PrairieWinds ND1, Inc., a wholly owned subsidiary of Basin Electric, submitted to the Commission an Application for a Certificate of Site Compatibility for the PrairieWinds ND1 Project in Ward County, North Dakota.

On August 12, 2009, the Commission issued the Findings of Fact, Conclusions of Law, and Order for Case No. PU-08-75, allowing PrairieWinds ND1, Inc. to construct the PrairieWinds ND1 Project, a wind energy facility comprised of 77 turbines with a proposed capacity of 115.5 megawatts (MW).

Additionally in 2009, PrairieWinds ND1, Inc. also built three turbines as part of the Minot Winds 2 project, a project that did not fall under Commission jurisdiction as they had a separate grid interconnection and was under 100MW.

For the purpose of this request, the two facilities will be considered together, collectively as “Prairie Winds.”

In early 2018, PrairieWinds ND1 was merged into Basin Electric.

II. Description of the Repower Project

The Prairie Winds North Dakota Turbine Repowering Project includes upgrading the 80 existing wind turbines to increase the lifespan of the turbines. The repower upgrades the existing General Electric (GE) 1.5-77 wind turbine generators (WTGs) to GE 1.6-97 WTGs, utilizing the GE Vernova repowering kits. The kit includes a new blade set, that will increase the overall blade lengths from 77 meters to 97 meters, complete hub, main shaft, main bearing assembly, gearbox, and generator refurbishment. The existing foundation and tower will remain in place.

The repower will increase the maximum output capacity of each WTG from 1.5MW to 1.6MW and generates a more efficient power curve, providing increased MW at lower wind speeds when compared to non-repowered turbines.

III. Scope of Request

Basin Electric submits this request in compliance with the provisions of NDCC ch. 49-22. Specifically, NDCC § 49-22-25(1) states:

The commission may approve . . . a temporary variance from approved construction, operation, or maintenance of facilities upon a showing of good cause and receipt of a utility certification that the activities will have no adverse impacts upon the welfare of the citizens of this state or the environment.

Basin Electric respectfully requests the Commission issue a temporary variance to allow Basin Electric to complete road improvements along all access roads of the Prairie Winds layout (see **Exhibit A**). Road improvements will include adding approximately four inches of aggregate to road surfaces (see **Exhibit B**). The improvements will be restricted to existing road surfaces only. No widening of roads or approaches would occur in 2025, and, instead, would be conducted after Commission approval of the amended siting application in 2026.

While Basin Electric is requesting a temporary variance from siting to allow for road improvements this year, it expects an amended siting application to be completed and submitted to the Commission in early 2026. Importantly, the repower project would only occur after filing an Amended Application of Site Compatibility with the Commission and obtaining the necessary authorizations from the Commission to proceed with the repower project.

IV. Demonstration of Good Cause

Good cause exists for approval of Basin Electric's request. Construction season is limited in North Dakota, frequently being dictated by weather. The existing gravel access roads are not in proper condition to allow heavy equipment and crane travel, especially in wet conditions such as spring. Performing road upgrades this fall when the majority of crops have been harvested will also minimize impacts to landowners during the busy spring planting season. By approving this temporary variance request and allowing road improvements this fall, Basin Electric and its contractors will minimize the

need to make such improvements in the early spring and maintain the schedule within North Dakota's narrow construction period.

The recent passage of the One Big Beautiful Bill Act (OBBA) accelerates the phase out of wind tax credits. This phase out has a number of stipulations that must be met in order for Basin Electric to take advantage of the tax credits. These stipulations include when a project begins construction and when a project is placed in service. As guidance is still being developed, Basin Electric would like to begin construction as soon as possible to avoid any confusion and potential loss of tax opportunities.

V. **No Adverse Impacts**

The road improvements will occur on existing access roads, most of which were built at the time of construction of Prairie Winds. Area landowners use these roads to access fields for agriculture and livestock purposes. The road improvements would not negatively impact area landowners but would instead benefit them as they continue to use the roads this fall and next spring. Delays while traveling these roads may occur during the completion of the improvements but as anticipated to be temporary.

Prior to construction of the roads in 2009, natural resources and cultural resources surveys were completed along each route and adjustments were made to any route to avoid a sensitive resource. The road improvements will only be performed on existing roadways; no new roads will be created as part of this request. No impact to any surface outside of the existing roadway is proposed.

Therefore, the road improvements outlined in this request are not anticipated to adversely affect the environment or citizens of North Dakota. In accordance with NDCC § 49-22-25, a certification in support of this request is attached hereto as **Exhibit C**.

VI. **Conclusion**

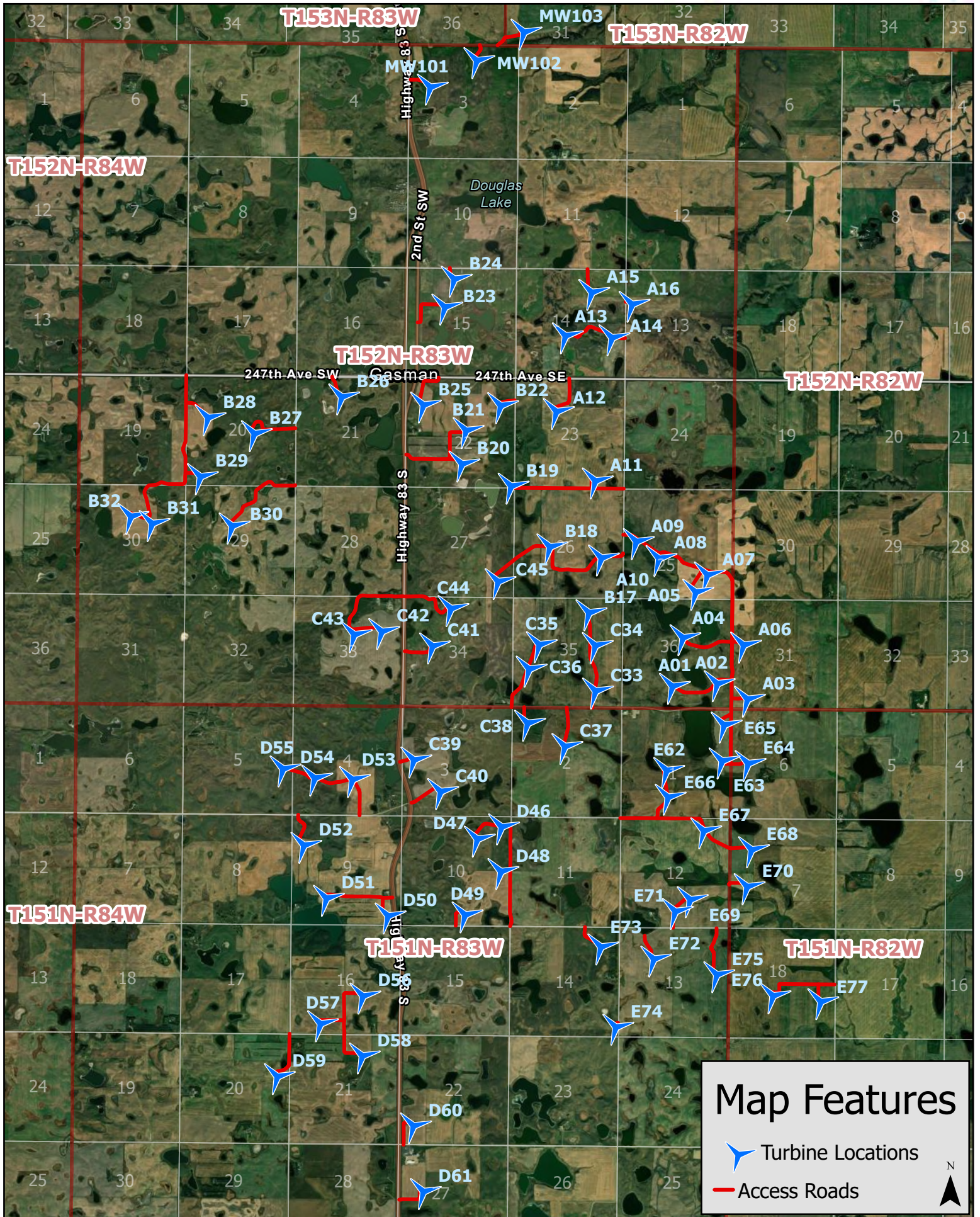
For the reasons set forth above, Basin Electric respectfully requests the Commission to grant this Expedited Request for Approval of Temporary Variance for Construction Activities authorizing the road improvements discussed herein.

Sincerely,



Troy Tweeten
Senior Vice President of Generation

EXHIBIT A – Prairie Winds Layout



Map Features

-  Turbine Locations
-  Access Roads



EXHIBIT B – Access Road Construction Detail

CONSTRUCTION

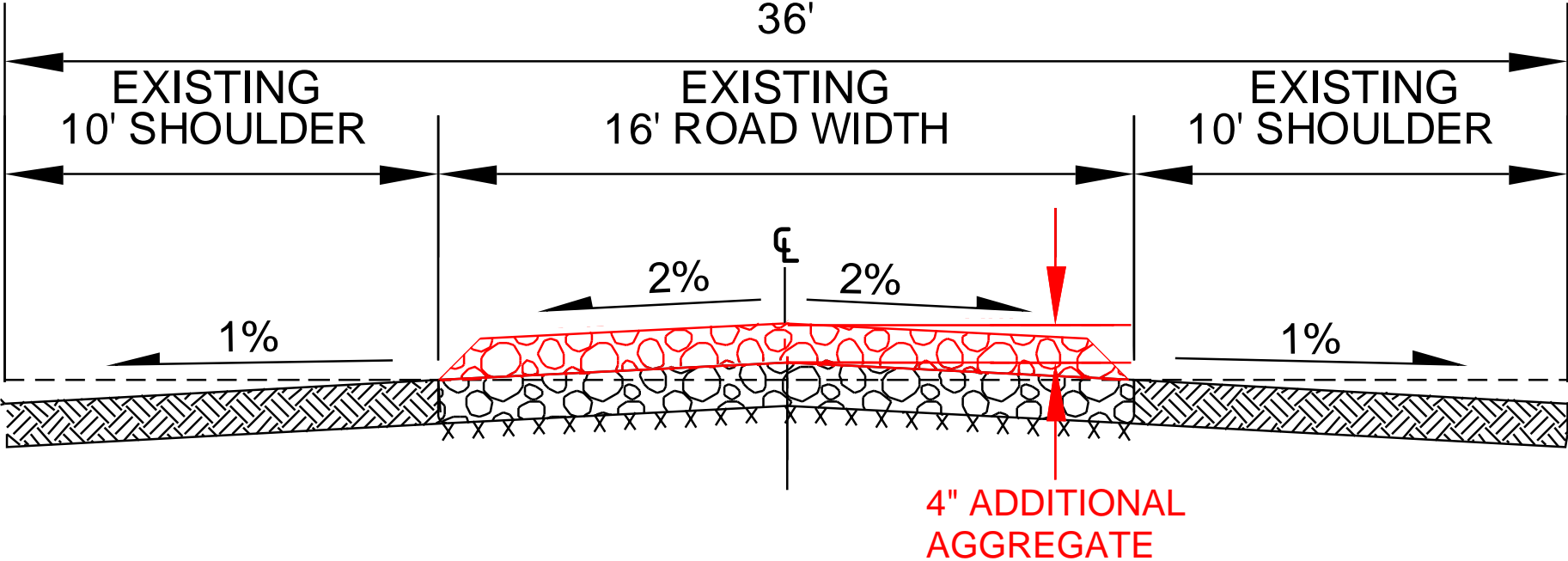


EXHIBIT C – Affidavit of Support

