

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Badger Wind, LLC / Montana-Dakota Utilities Co.
Partial Transfer of Site Certificate
Siting Application

Case No. PU-25-278

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **19th day of December 2025**, she deposited in the United States Mail, at Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Order**

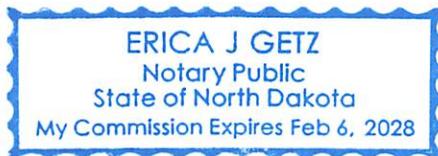
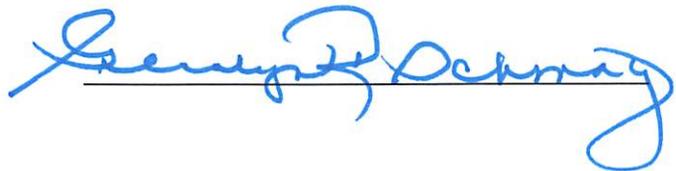
The envelopes were addressed as follows:

Zeviel Simpser
Attorney for Montana-Dakota Utilities Co.
Dorsey & Whitney LLP
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402-2157
Cert. No. 9589 0710 5270 2708 2379 76

Mollie Smith
Fredrikson & Byron, P. A.
60 S Sixth Street, Suite 1500
Minneapolis, MN 55402-1425
Cert. No. 9589 0710 5270 2379 83

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **19th day of December 2025**.



Notary Public

SEAL

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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Partial Transfer of Site Certificate
Siting Application**

Case No. PU-25-278

ORDER

December 17, 2025

Preliminary Statement

On September 11, 2024, in Case No. PU-24-87, the Commission issued First Amended Certificate of Site Compatibility No. 64 to Badger Wind, LLC (Badger) to construct an up to 262.62 MW wind energy conversion facility consisting of up to 93 turbines in Logan and McIntosh Counties, North Dakota.

On September 24, 2025, in Case Nos. PU-25-75 and PU-25-76, the Commission issued an Order granting advanced prudence and a certificate of public convenience and necessity to Montana-Dakota Utilities Co. (MDU) for its 49 percent ownership of the Badger Wind Project.

On October 30, 2025, Badger and MDU submitted a joint application for partial transfer of First Amended Certificate of Site Compatibility No. 64 to MDU.

On November 19, 2025, the Commission issued a Notice of Opportunity for Hearing (Notice) that provided until January 2, 2026, for comments or requests for hearing.

The Notice identified the issues to be considered in Case No. PU-25-278 are:

1. Whether Montana-Dakota Utilities Co. agrees and is able to comply with the terms and conditions of First Amended Certificate of Site Compatibility No. 64.
2. Whether the requested partial transfer is compatible with the public interest.

On December 15, 2025, MDU filed an application for temporary authority to own and operate an undivided 49 percent portion of the Badger Wind Project pursuant to North Dakota Century Code (NDCC) Section 49-22-25.

On December 16, 2025, MDU filed the Certification of its Vice President of Energy Supply, Darcy Neigum, in support of its application for temporary authority.

Discussion

NDCC Section 49-22-25 provides:

1. The commission may approve temporary operation of facilities or 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.

2. The commission may issue a temporary approval or variance without the necessity of notice, publication, or public hearing with any additional terms, conditions, or modifications deemed necessary to minimize impacts.

MDU's December 15, 2025, application for temporary authority asserts that it intends to execute its 49 percent ownership purchase effective on the commercial operation date of the Badger Wind Project, that the commercial operation date is anticipated to be prior to January 1, 2026, that MDU customers would fail to fully realize the benefits of MDU's ownership without completing the purchase prior to January 1, 2026, and an acknowledgement that its application to transfer 49 percent of Certificate of Site Compatibility No. 64 was filed too late to allow for the transfer to be completed prior to January 1, 2026.

In the December 16, 2025, Certification of Darcy Neigum, Vice President of Energy Supply for Montana-Dakota Utilities Co., MDU certifies that operation of the Badger Wind Project will have no adverse impacts upon the welfare of the citizens of North Dakota or the environment.

Having considered this matter, the Commission finds MDU has shown good cause and has certified that the activities will have no adverse impacts upon the welfare of the citizens of North Dakota or the environment.

Therefore, the Commission issues its:

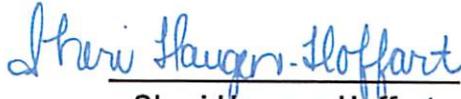
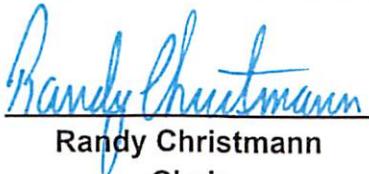
Order

The Commission Orders:

1. Montana-Dakota Utilities Co.'s application for temporary authority to own and operate an undivided 49 percent portion of the Badger Wind Project is APPROVED.

2. Montana-Dakota Utilities Co.'s temporary authority to own and operate an undivided 49 percent portion of the Badger Wind Project will terminate upon the issuance of an Order by the Commission on the transfer of Certificate of Site Compatibility No. 64.

PUBLIC SERVICE COMMISSION

 _____ Sheri Haugen-Hoffart Commissioner	 _____ Randy Christmann Chair	 _____ Jill Kringstad Commissioner
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