

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

**Keith and Deanna Kessler  
v. Minnesota Power, a division of ALLETE, Inc.  
Complaint**

**Case No. PU-20-194**

**Notice and Agenda**

**April 22, 2021**

**Time:** 8:30 a.m. – Conclusion

**Location:** Commission Hearing Room  
12th Floor State Capitol  
600 E Boulevard Avenue Dept 408  
Bismarck, ND 58505-0480

**Re:** Formal Hearing - Continuation

**Agenda:**

Continuation from March 25, 2021 formal hearing.

Prepared by: Steve Kahl  
Date: 07 April 2021  
Telephone: 701-328-2400

Items may be deleted from or added to the agenda at any time. The current agenda is available at: [www.psc.nd.gov](http://www.psc.nd.gov).

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**Case No. PU-20-194**

**NOTICE OF HEARING**

**February 3, 2021**

Please take notice that a **public hearing** on Case No. PU-20-194 will **begin Thursday March 25, 2021 at 10:00 a.m. CST, in the Commission Hearing Room, 12<sup>th</sup> Floor, State Capitol, Bismarck, North Dakota 58505.**

On April 23, 2020, Keith and Deanna Kessler (Kesslers) filed a complaint that one of their residences, referred to as the Section 15 home, was not identified as an occupied residence during the siting process for Allete, Inc.'s 210MW Bison 4 Wind Project in Oliver County, North Dakota, causing turbine number 441 to be constructed within 1400 feet of the Section 15 home.

The issues to be considered in this matter are:

1. Whether the Section 15 structure was an occupied residence at the time the Commission issued its Order Granting a Certificate of Site Compatibility for the Project (Order).
2. If the Section 15 structure was an occupied residence at the time the Commission's Order was issued, does placement of turbine number 441 violate the Commission's Order; if so, what remedies are appropriate.
3. At the public hearing, did Minnesota Power withhold information relating to the Section 15 structure from the Commission that Minnesota Power should have communicated to the Commission; if so, what remedies are appropriate.

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 at least 24 hours in advance.

**PUBLIC SERVICE COMMISSION**

  
**Randy Christmann**  
Commissioner

  
**Julie Fedorchak**  
Chair

  
**Brian Kroshus**  
Commissioner