

Diamond Spring, LLC

Pontotoc, Murray, and Johnston Counties, Oklahoma

RECEIVED
PUBLIC UTILITY
DIVISION

Apex Clean Energy on behalf of Diamond Spring, LLC
310 4th Street NE, Suite 200
Charlottesville, VA 22902

2016 JUN 2 AM 7 52

June 1, 2016

Oklahoma Corporation Commission
P.O. Box 52000
Oklahoma City, OK

Attn: Brandy Wreath, *Director, Public Utility Division*

NOTICE OF INTENT TO CONSTRUCT

In order to comply with the requirements of Section 2 of Oklahoma Senate Bill 808¹ ("OK Siting Laws"), which was approved by the legislature and signed by the Governor, and in advance of certain rules that are to be promulgated by the Oklahoma Corporation Commission ("Commission") pursuant to the passage of SB 808, Apex Clean Energy ("Company"), on behalf of Diamond Spring, LLC, hereby informs the Commission of its intent to construct the Diamond Spring wind energy project (the "Project") located in Murray, Pontotoc, and Johnston Counties, Oklahoma.

The Project has been under active development for several years. The most recent FAA form 7460-1 filing was made on May 27, 2016. A summary of the May 27, 2016 FAA form 7460-1 filings for each wind turbine tower location within the Project boundary is attached as Exhibit A. Exhibit B to this letter presents a diagram showing the real estate analyzed and included in statutory setback compliance. As of the date of this notice, and based on publicly available data, Company attests that the Project design complies with the setbacks required by the OK Siting Laws.

In accordance with the OK Siting Laws, Apex Clean Energy also confirms it is submitting a notice of intent to construct to the Board of the Murray County Commission, the Board of the Pontotoc County Commission, and the Board of the Johnston County Commission in the form attached hereto as Exhibit C. No project facilities are located within an incorporated area of a municipality, and thus no additional notice is required under SB 808.

Please do not hesitate to contact us with any questions regarding this filing.

Sincerely,



Mark Goodwin
President

cc: Fairo Mitchell, *Chief of Water & Energy, Public Utility Division*
Natasha Scott, *Deputy General Counsel for Public Utilities, General Counsel's Office*

¹ Senate Bill 808 will become effective 90 days after *sine die* of the Oklahoma State Legislature, and Section 2 will appear in the Oklahoma State Statutes in Section 160.21, Title 17.



My Sponsors Active Cases

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

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| Update Sponsor | Project Name | Structure Name | ASN | Status | Date Accepted | Date Determined | City | State |
|----------------|--------------------|----------------|------------------|------------------|---------------|-----------------|---------|-------|
| | DIAMO-000370442-16 | T1 | 2016-WTW-5873-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T2 | 2016-WTW-5874-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T3 | 2016-WTW-5875-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T4 | 2016-WTW-5876-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T5 | 2016-WTW-5877-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T6 | 2016-WTW-5878-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T7 | 2016-WTW-5879-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T8 | 2016-WTW-5880-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T9 | 2016-WTW-5881-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T10 | 2016-WTW-5882-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
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| | DIAMO-000370442-16 | T13 | 2016-WTW-5885-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T14 | 2016-WTW-5886-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T15 | 2016-WTW-5887-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T16 | 2016-WTW-5888-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T17 | 2016-WTW-5889-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T18 | 2016-WTW-5890-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T19 | 2016-WTW-5891-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T20 | 2016-WTW-5892-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T21 | 2016-WTW-5893-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T22 | 2016-WTW-5894-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T23 | 2016-WTW-5895-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T24 | 2016-WTW-5896-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T25 | 2016-WTW-5897-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T26 | 2016-WTW-5898-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T27 | 2016-WTW-5899-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T28 | 2016-WTW-5900-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T29 | 2016-WTW-5901-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T30 | 2016-WTW-5902-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T31 | 2016-WTW-5903-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T32 | 2016-WTW-5904-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T33 | 2016-WTW-5905-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |
| | DIAMO-000370442-16 | T34 | 2016-WTW-5906-OE | Work In Progress | 05/27/2016 | | Sulphur | OK |

My Sponsors Active Cases

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|--|--------------------|-----|------------------|------------------|------------|---------|----|
| | DIAMO-000370442-16 | T35 | 2016-WTW-5907-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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| | DIAMO-000370442-16 | T41 | 2016-WTW-5913-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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| | DIAMO-000370442-16 | T47 | 2016-WTW-5919-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T48 | 2016-WTW-5920-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T49 | 2016-WTW-5921-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T50 | 2016-WTW-5922-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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| | DIAMO-000370442-16 | T53 | 2016-WTW-5925-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T54 | 2016-WTW-5926-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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| | DIAMO-000370442-16 | T57 | 2016-WTW-5929-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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| | DIAMO-000370442-16 | T61 | 2016-WTW-5933-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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My Sponsors Active Cases

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|  | DIAMO-000370442-16 | T76 | 2016-WTW-5948-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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|  | DIAMO-000370442-16 | T101 | 2016-WTW-5973-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T102 | 2016-WTW-5974-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T103 | 2016-WTW-5975-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T104 | 2016-WTW-5976-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T105 | 2016-WTW-5977-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T106 | 2016-WTW-5978-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T107 | 2016-WTW-5979-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T108 | 2016-WTW-5980-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T109 | 2016-WTW-5981-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T110 | 2016-WTW-5982-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T111 | 2016-WTW-5983-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T112 | 2016-WTW-5984-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T113 | 2016-WTW-5985-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T114 | 2016-WTW-5986-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T115 | 2016-WTW-5987-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
|  | DIAMO-000370442-16 | T116 | 2016-WTW-5988-OE | Work In Progress | 05/27/2016 | Sulphur | OK |

| | | | | | | | |
|--|--------------------|------|------------------|------------------|------------|---------|----|
| | DIAMO-000370442-16 | T117 | 2016-WTW-5989-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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| | DIAMO-000370442-16 | T119 | 2016-WTW-5991-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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| | DIAMO-000370442-16 | T123 | 2016-WTW-5995-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T124 | 2016-WTW-5996-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T125 | 2016-WTW-5997-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
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| | DIAMO-000370442-16 | T132 | 2016-WTW-6004-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T133 | 2016-WTW-6005-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T134 | 2016-WTW-6006-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T135 | 2016-WTW-6007-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T136 | 2016-WTW-6008-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T137 | 2016-WTW-6009-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T138 | 2016-WTW-6010-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T139 | 2016-WTW-6011-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T140 | 2016-WTW-6012-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T141 | 2016-WTW-6013-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T142 | 2016-WTW-6014-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T143 | 2016-WTW-6015-OE | Work In Progress | 05/27/2016 | Sulphur | OK |
| | DIAMO-000370442-16 | T144 | 2016-WTW-6016-OE | Work In Progress | 05/27/2016 | Sulphur | OK |

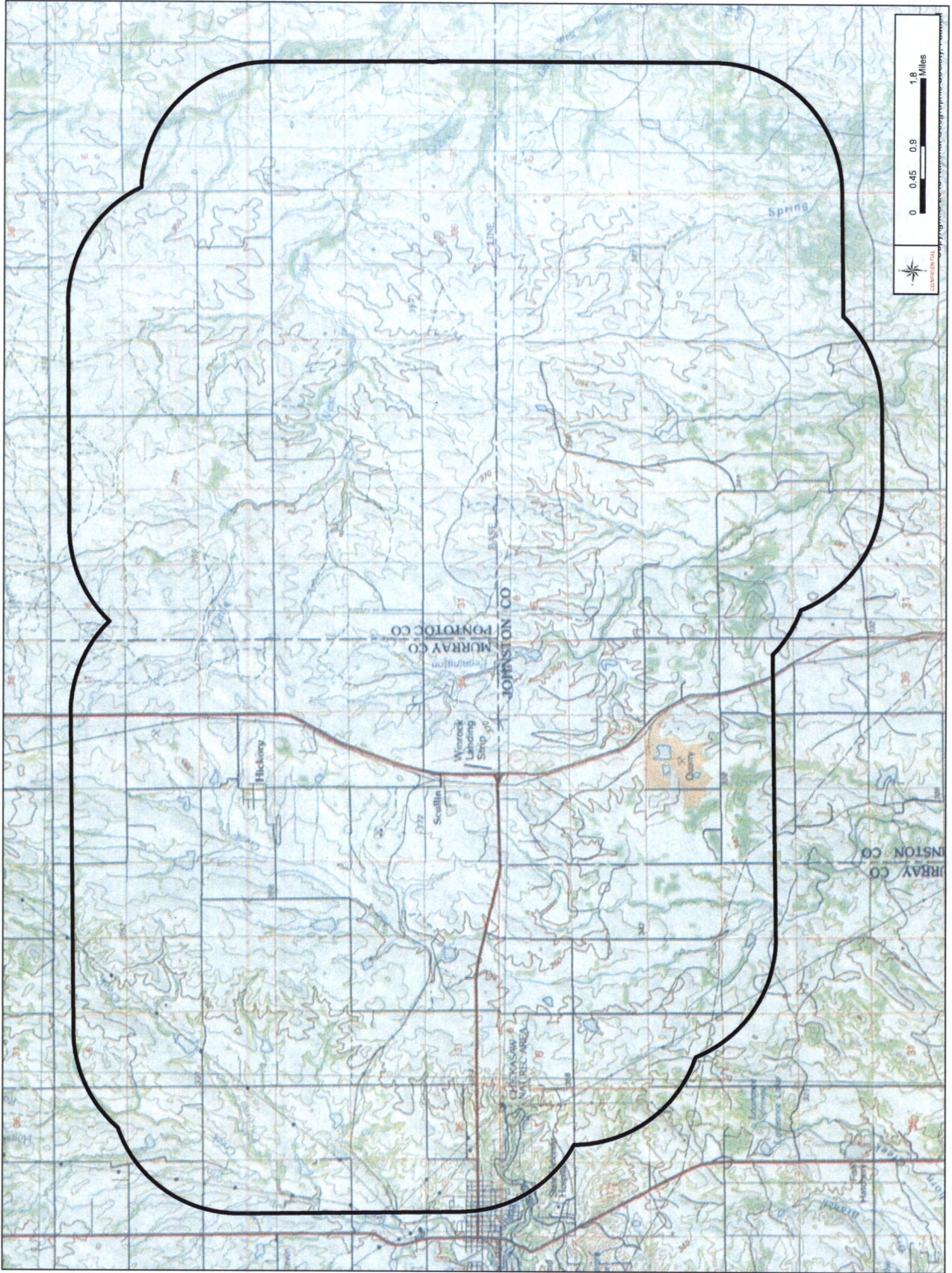
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Accepted: Cases that have been submitted to the FAA.
 Add Letter: Cases that have been reviewed by the FAA and require additional information from the user.
 Work in Progress: Cases that are being evaluated by the FAA.
 Determined: Cases that have a completed aeronautical study and an FAA determination.
 Please allow the FAA a minimum of 45 days to complete a study.
[Click here to contact the appropriate representative.](#)



Diamond Spring

 Project Boundary



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 Oklahoma City, Oklahoma 73106
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 Email: info@apexcleanenergy.com
 Website: www.apexcleanenergy.com