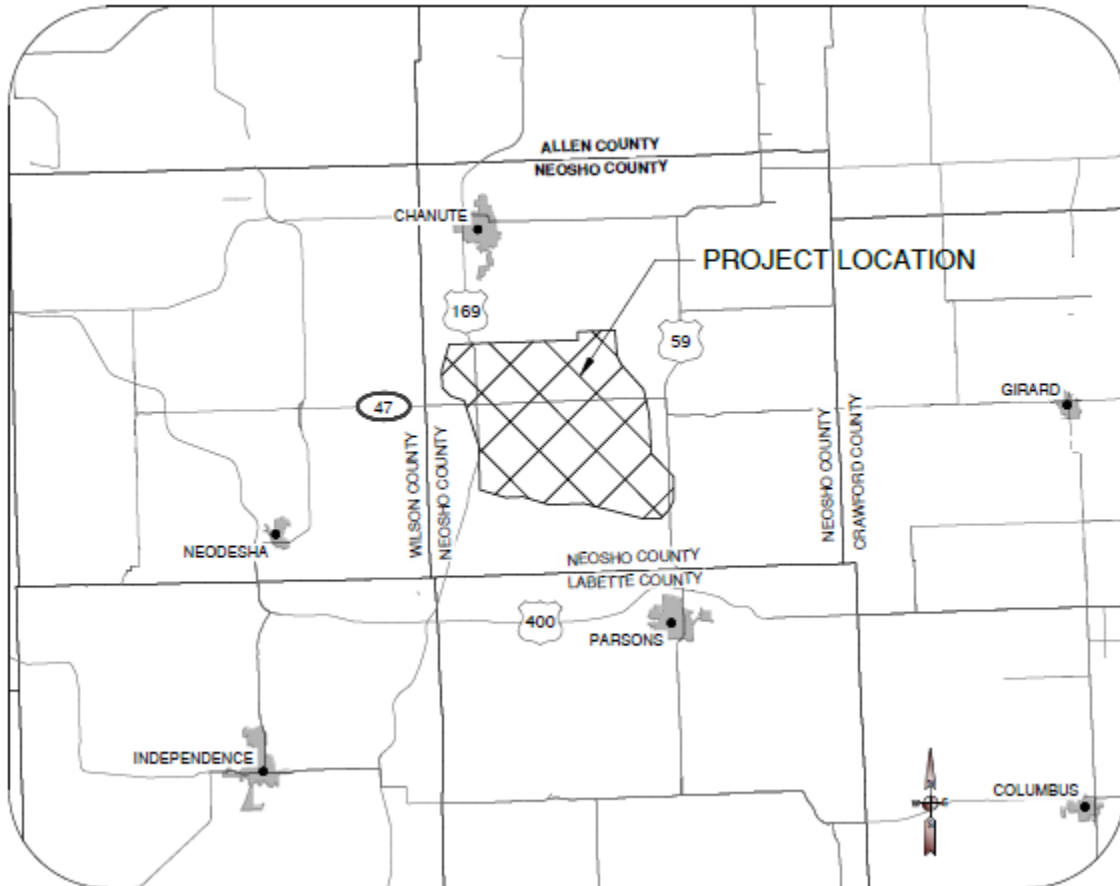


# Neosho Ridge Wind Project

*Neosho County, Kansas*



*Project Progress Report No. 17*

*December 2020*

**\*HC\* Indicates Highly Confidential \*HC\***

**\*\* Indicates Confidential \*\***



*Liberty Utilities – Empire District  
602 S. Joplin Ave.  
Joplin, MO 64802*

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*December 2020*

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## 1.0 Summary

From a development perspective, the majority of the activities have been completed and all that remains is a minor construction related permit with Neosho County. All major engineering design disciplines have been Issued for Construction (IFC).

Construction on-site continues, see below for a high-level summary of the major activities that occurred during this reporting period:

- Public road culvert improvements as well as removal of public road radii continued and are nearing completion.
- IEA continues to erect turbines and complete mechanical completion certificates. 113 turbines have been erected and 55 mechanical completion achieved by the end of this reporting period.
- Termination of collection system and installation of fiber optic cable was completed.
- 6 circuits have been energized. Crews continue to test collection system circuits to prepare for energization.
- Installation of the SCADA system is nearly complete.
- Vestas continued commissioning activities; 41 turbines have been commissioned by the end of this reporting period.
- Reclamation work for the collection system was completed while reclamation continues for the public and access roads.

## 2.0 Safety

There were 9 incidents to report for this period:

- Property – A pin pusher was dropped off forklift forks due to unlevel ground resulting in 15 gallons of hydraulic oil leaking onto the ground.
- Vehicle/First Aid – A team member struck a deer on his way to site 135 heading north on Kiowa Rd.
- First Aid – A team member's hand was caught in between the blade and the hub fiberglass during blade install resulting in a contusion on the top of the left hand. Team member had since been released back to work.
- Property – A blade gripper contacted the 11,000 boom resulting in paint transfer to the blade gripper strap from the crane.
- Property – An excavator was vandalized. Unknown individual(s) cut the battery cable and stole 2 CAT 320 batteries out of compartment. The Neosho County Sheriff's Department was notified.
- Property/First Aid – The tower wiring crew were pulling tools up tower when a tool bag broke causing objects to drop down tower hitting an individual on the right arm. Tower damage consisting of a dented hatch and damage to a ladder rung) did occur.

- Property – A crane operator was installing the hub to the nacelle when the operator had a lapse of judgment operating the 1220 crane and mistakenly hit the freewheeling pedal instead of the swing break like in the 1100 which this operator was operating earlier resulting in the hub swinging into the nacelle causing damage to the fiberglass and the hydraulic lines/connections on the nacelle.

	Lost Time	Recordable	First Aid	Property Damage	Near Miss	Vehicle Incidents	Totals
This Period	0	0	3	5	0	1	9
Cumulative	0	0	16	74	2	20	112

### 3.0 Commercial Activities

#### 3.1 Purchase and Sale Agreement

Contractual milestones achieved during the report period are as follows:

- *Seller:*
  - Nothing to report
- *Purchaser:*
  - Nothing to report

Contractual milestones to be achieved in the next report period as follows:

- *Seller:*
  - Nothing to report
- *Purchaser:*
  - Nothing to report

#### 3.2 Turbine Supply Agreement and Service and Maintenance Agreement

During this reporting period, Vestas submitted to the project Excusable Events Nos. 24, 30, 31, and 32 under the Turbine Supply Agreement (TSA) which are provided in Appendix A. A response to Excusable Events Nos. 24, 26, and 27 has been sent to Vestas and is also provided in Appendix A. To date, Vestas has submitted to the project 28 Excusable Event Notices under the TSA and 1 Force Majeure Notice under the Service and Maintenance Agreement.

At the time of this reporting period the final impact to the project cost and schedule as it relates to the Vestas Excusable Event submissions and submissions of supplier non-conformance by the project is unknown. Further details will be provided in subsequent reports.

### 3.3 Engineering, Procurement and Construction Agreement

During this reporting period, IEA submitted to the project 1 Notice of Potential Force Majeure under the Engineering, Procurement and Construction (EPC) Agreement which has been provided in Appendix A. To date IEA has submitted 7 Notices under the EPC Agreement to the project.

During this reporting period, the project submitted a Notice to IEA notifying the Contractor of its failure to achieve the Guaranteed Mechanical Completion for the WTGs as set forth in Exhibit A of the Notice. The project also submitted a response to IEA related to the submitted Weather Delay claims. Both the Notice and response are included in Appendix A.

At the time of this reporting period the final impact to the project cost and schedule due to turbine tooling, equipment, and component delivery delays as well as delays related to the coronavirus, failure to achieve the Guaranteed Mechanical Completions, Weather Delay claims and is unknown. Further details will be provided in subsequent reports as necessary.

### 3.4 Interim Generator Interconnection Agreement

Nothing to report.

## 4.0 Development Activities

Development activities for the period were minimal and are largely complete.

IEA continues to work towards obtaining all permits/agreements necessary to facilitate construction and is nearly complete. IEA is working with Neosho County to obtain approval of a culvert design/install on 150<sup>th</sup> road which is in proximity to the railroad. Once approved by the County IEA will incorporate into an agreement with South Kansas & Oklahoma Railroad (SKOL) to complete the work. There is one other area along 150<sup>th</sup> road which requires an installation of a box culvert which IEA is working with Neosho County to finalize the design and timing of install.

IEA have also initiated the process of closing out use of right of way permits with the KDOT along highway 59. Further details will be provided in subsequent reports as necessary.

## 5.0 Construction Activities

Construction activities during the report period largely consisted of engineering and site work.

All engineering designs have now been issued for construction (IFC), however various engineering studies are on-going and nearly complete.

IEA continues construction on-site. The following provides an update on construction activities during this report period as well as the progress status of major activities:

- Public road culvert improvements as well as removal of public road radii continued and are nearing completion.
- Turbine erection is on-going. IEA continues to submit mechanical completion certificates.
- Termination of collection system and installation of fiber optic cable was completed.
- 6 circuits have been energized. Crews continue to test collection system circuits to prepare for energization.
- Installation of the SCADA system is nearly complete.
- Vestas continued commissioning activities.
- Reclamation work for the collection system was completed while reclamation continues for the public and access roads.
  
- **WTG Access Roads**
  - Stripping: 195,360' of 195,360' = 100%
  - Cement Stabilized: 195,360' of 195,360' = 100%
  - Stoned: 195,360' of 195,360' = 100%
  
- **Turbine Foundations**
  - Sites Stripped: 139 of 139 = 100%
  - Excavated: 139 of 139 = 100%
  - Mud Mats: 139 of 139 = 100%
  - Rebar Installation 139 of 139 = 100%
  - Poured: 139 of 139 = 100%
  - Backfilled: 139 of 139 = 100%
  - Crane Pads Installed 139 of 139 = 100%
  
- **Offload/Erection**
  - Full Turbines Received: 139 of 139 = 100%
  - Full Turbines Erected: 113 of 139 = 81%
  - Tower's Wired 95 of 139 = 62%
  - Mechanical Completion Certificates 55 of 139 = 40%
  
- **Collection**
  - Cable Installed 592,615 of 592,615 = 100%
  - Terminations Installed 179 of 179 = 100%
  - Testing 14 of 14 = 100%
  
- **Substation**
  - Foundation 100%
  - Underground Electrical 100%
  - Steel And Equipment 100%
  - Switches 100%

- **Transmission Line**
  - Clearing 44,880 of 44,880' = 100%
  - Stage Poles and Materials 66 of 66 = 100%
  - Assemble Poles 66 of 66 = 100%
  - Set Poles 66 of 66 = 100%
  - 795 Conductor 198 of 198 = 100%
  - OPGW 66 of 66 = 100%
  
- **Commissioning (Vestas)**
  - Commissioning Completion Certificates 41 of 139 = 29%

Vestas crews continue to participate in turbine walkdowns and review of mechanical completion certificates (MCCs) that have been submitted by IEA; as of this reporting period, 55 turbines have achieved mechanical completion. Vestas continue with commissioning activities and have completed 41 turbines to date.

Construction of the O&M building is substantially complete with minor punchlist items remaining to complete. The project is expected to take ownership of the O&M building and move in by mid to late January 2021.

For further details related to construction activities and the construction schedule, please refer to the Construction Management Monthly Progress Report from the Construction Manager, APEX Wind Construction, LLC which is included as Appendix B.

## 6.0 Project Cost Report

Project expenditures to date are \*\*\_\_\_\_\_\*\*, plus \*\*\_\_\_\_\_\*\* of recorded commitments, plus \*\*\_\_\_\_\_\*\* of construction loan disbursements of the total budgeted expenditure of \*\*\_\_\_\_\_\*\*. Empire has recorded commitments under US GAAP on the basis of milestones achieved by Neosho JV payable at closing. See the next page for a report detailing expenses by budget category. \*\*\_\_\_\_\_

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**Neosho Ridge \*HC\*Highly Confidential in its Entirety\*HC\***

## 7.0 Progress Photos



Blade Installation



Tower Section Installation



Access Road



O&M Building