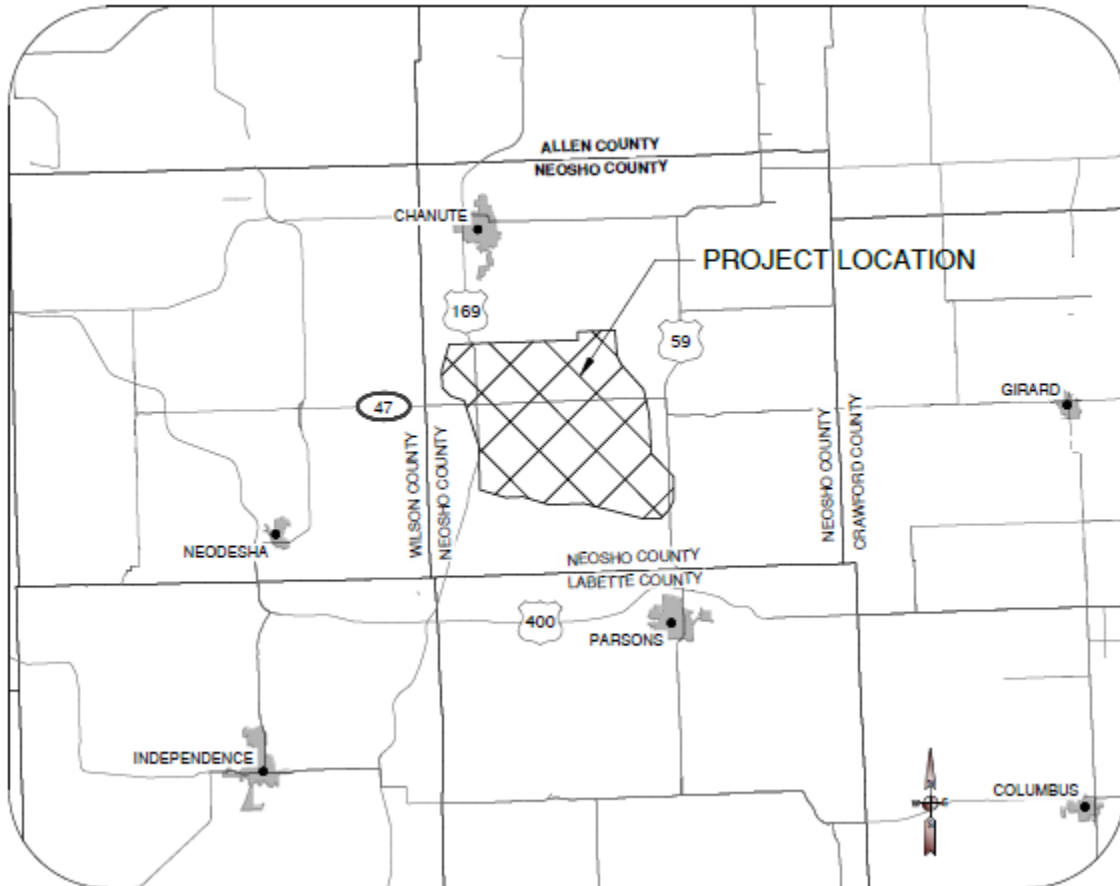


# Neosho Ridge Wind Project

*Neosho County, Kansas*



*Project Progress Report No. 20*

*March 2021*

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

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



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

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*March 2021*

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## 1.0 Summary

From a development perspective, the majority of the activities have been completed and all that remains is receipt of approval from South Kansas & Oklahoma Railroad (SKOL) and Neosho County to install a culvert along 150<sup>th</sup> Road.

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 complete mechanical completions of the turbines. 96% of turbines have been deemed mechanically complete by the end of this reporting period.
- All 14 circuits have now been energized.
- Installation of the SCADA system is nearly complete.
- Vestas continued commissioning activities; 94% of turbines have been commissioned by the end of this reporting period.
- Reclamation work continued.

## 2.0 Safety

There was 2 incident to report for this period:

- Property Damage - Team member was operating a dump truck when a deer ran out of the ditch causing the team member to swerve onto the shoulder. Wet conditions caused the dump truck to slide into the bridge railing ahead and the dump truck to slightly tip to its side hanging over/into the ditch/bridge. The bridge railing was damaged as well as the front end of the dump truck.
- Property Damage – Team member was using mini excavator to install new culverts on 70th road when he struck an unmarked underground internet cable

	Lost Time	Recordable	First Aid	Property Damage	Near Miss	Vehicle Incidents	Totals
This Period	0	0	0	2	0	0	2
Cumulative	0	0	21	79	2	23	125

## 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:*
  - First and Second Closing.
- *Purchaser:*
  - First and Second Closing.

## 3.2 Turbine Supply Agreement and Service and Maintenance Agreement

During this reporting period, Vestas submitted to the project Excusable Events No. 44 under the Turbine Supply Agreement (TSA) which is provided in Appendix A. To date, Vestas has submitted to the project 39 Excusable Event Notices under the TSA and 1 Force Majeure Notice under the Service and Maintenance Agreement.

Vestas also submitted a Notice of Disclosure Pursuant to Order of Government Authority which is also included in Appendix A.

A settlement agreement has been entered into by and between Vestas and Empire. The agreement along with a summary of the agreement will be submitted as a separate filing.

As commissioning activities are still on-going at the time of this reporting period the final impact to the project cost and schedule as it relates to the Vestas claims 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 3 Notices under the Engineering, Procurement and Construction (EPC) Agreement: 1 Notice related to Mechanical Completion Certificates that were deemed to be complete, 1 Notice related to their proposed path for foundations concerns, and 1 Notice related to the turbine oscillations experienced on two turbines and the resulting damage. All Notices have been provided in Appendix A. To date IEA has submitted 12 Notices under the EPC Agreement to the project.

During this reporting period, the project submitted a Notice to IEA to provide the Contractor with the Excusable Event Notices 42 and 44 that have been received from Vestas. The Notice is included in Appendix A.

At the time of this reporting period the final impact to the project cost and schedule due to the Notices received by the Contractor and sent by the project is unknown. Further details will be provided in subsequent reports as necessary.

### 3.4 Interim Generator Interconnection Agreement

Nothing to report for this reporting period.

## 4.0 Development Activities

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

IEA continues to work with both Neosho County and South Kansas & Oklahoma Railroad (SKOL) to obtain approval of a culvert design/install on 150<sup>th</sup> road which is in proximity to the railroad. Once approved by both the County and SKOL the work will be completed.

IEA also continues the process of closing out use of right of way permits with the KDOT along highway 59. IEA and the project are also working with Neosho County to identify certain sections of public roads that have been restored and are no longer needed for construction activities. Further details will be provided in subsequent reports as necessary.

## 5.0 Construction Activities

IEA continues construction on-site. The following provides an update on construction activities during this reporting 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.
- IEA continues to submit mechanical completion certificates.
- All 14 circuits have been energized.
- Installation of the SCADA system is nearly complete.
- Vestas continued commissioning activities.
- Reclamation work continued.
  
- **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: 139 of 139 = 100%
  - Tower's Wired 139 of 139 = 100%
  - Mechanical Completion Certificates 134 of 139 = 96%
- **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%
- **Reclamation**
  - Public Road Radius Topsoil 21 of 52 = 37%
  - Access road Radii Removal 51 of 104 = 47%
  - Access Road Culvert Addition 33 of 104 = 31%
  - Foundation Site Reclamation 108 of 139 = 77%
  - Foundation Aggregate Skirts 133 of 139 = 96%
  - Crane Path Topsoil 67 of 139 = 48%
- **Commissioning (Vestas)**
  - Commissioning Completion Certificates 131 of 139 = 94%

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, 134 turbines have achieved mechanical completion. Vestas continue with commissioning activities and has completed 131 turbines to date.

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 \*\* [REDACTED] \*\*, plus \*\* [REDACTED] \*\* of recorded commitments, plus \*\* [REDACTED] \*\* of construction loan disbursements of the total budgeted expenditure of \*\* [REDACTED] \*\*. 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. \*\* [REDACTED]

[REDACTED]

[REDACTED] \*\*



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



## 7.0 Progress Photos



Turbines at sunset



Turbines during lightning event



Turbines at dusk

**Appendix A**

**Notices Relating to Neosho Ridge Wind, LLC**

**\*\*Confidential in its Entirety\*\***

**Appendix B**

**Construction Management Monthly Progress Report**

**\*\*Confidential in its Entirety\*\***