

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**COMMENTS AND RECOMMENDATIONS OF
MINNESOTA DEPARTMENT OF COMMERCE
ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS**

DOCKET NOS. IP6985/WS-17-700 AND IP6985/TL-17-701

Date: May 21, 2019**EERA Staff:** Louise Miltich | 651-539-1853 | louise.miltich@state.mn.us

In the Matter of Northern States Power Company's Request for Transfer of the Large Wind Energy Conversion System Site Permit Issued for the up to 200 MW Blazing Star 2 Wind Farm in Lincoln County and for Transfer of the Route Permit for the Blazing Star 2 Wind Farm 115 Kilovolt High Voltage Transmission Line in Lincoln County**Issues Addressed:** These comments and recommendations address the proposed transfer of the site and route permit for the Blazing Star 2 Wind Project to Northern States Power Company.Additional documents and information can be found on eDockets:
<https://www.edockets.state.mn.us/EFiling/search.jsp> (17-700, 17-701)

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Introduction and Background

On November 6, 2018, the Minnesota Public Utilities Commission (Commission) issued Blazing Star Wind Farm 2, LLC a Large Wind Energy Conversion System (LWECS) site permit for the Blazing Star 2 Wind Farm.¹ The permit authorizes construction and operation of an up to 200 megawatt wind farm in Lincoln County, MN. On March 20, 2019 the Commission issued Blazing Star Wind Farm 2, LLC a route permit for the Blazing Star 2 Wind Farm 115 kilovolt (kV) high voltage transmission line (HVTL)² The permit

¹Minnesota Public Utilities Commission, November 6, 2018. Order issuing permit with modifications. eDockets Number [201811-147637-01](#).

² Minnesota Public Utilities Commission, March 20, 2019. Order approving findings of fact and conclusions of law and issuing route permit. eDockets Number [20193-151229-01](#).

authorizes construction of an approximately 7.5 mile-long 115 kV HVTL that will interconnect the Blazing Star 2 Wind Farm with the grid.

On March 20, 2019, Northern States Power Company (d/b/a Xcel Energy, referred to hereinafter as the Company) purchased Blazing Star 2 Wind Farm 2, LLC. On April 26, 2019, the Company notified the Commission of their acquisition and filed a request with the Commission to transfer the Blazing Star 2 Wind Farm LWECS Site Permit and the Blazing Star 2 Wind Farm 115 kV HVTL Route Permit to Xcel.³

On May 13, 2019 the Commission issued a Notice of Comment Period requesting comments on the permit transfer.⁴

Regulatory Process and Procedures

To transfer an LWECS site permit, a permittee must provide the “name of the existing permittee, the name and description of the person to whom the permit is to be transferred, the reasons for the transfer, a description of the facilities affected, and the requested date of the transfer.”⁵ The entity to which the permit is to be transferred must provide “such information as the [Commission] shall require to determine whether the new permittee can comply with the conditions of the permit.”⁶

The Commission must approve the permit transfer “if the Commission determines that the new permittee will comply with the conditions of the permit.”⁷ The Commission may impose reasonable conditions on the permit transfer.⁸

Similarly, to transfer an HVTL route permit, a permittee must provide the “name of the existing permittee, the name and description of the entity to which the permit is to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer.”⁹ The entity to which the permit is to be transferred must provide “such information as the [Commission] shall require to determine whether the new permittee can comply with the conditions of the permit.”¹⁰

The Commission must approve the permit transfer “if the Commission determines that the new permittee will comply with the conditions of the permit.”¹¹ The Commission may impose reasonable conditions on the permit transfer.¹²

³ Xcel Energy, April 26, 2019. Notice of acquisition and request for transfer of site permit and route permit and service list additions. eDockets Numbers [20194-152374-01](#) and [20194-152374-02](#).

⁴ Minnesota Public Utilities Commission, May 13, 2019. Notice of comment period on request for site and route permit transfers. eDockets Numbers [20195-152869-02](#) and [20195-152869-01](#).

⁵ Minnesota Rule 7854.1400 Subpart 1; Blazing Star 2 Wind Farm LWECS Site Permit, Section 14.0.

⁶ Id.

⁷ Minnesota Rule 7854.1400 Subpart 2.

⁸ Id.

⁹ Minnesota Rule 7850.5000 Subpart 1; Blazing Star 2 HVTL Site Permit, Section 14.0.

¹⁰ Id.

¹¹ Minnesota Rule 7850.5000 Subpart 2.

¹² Id.

EERA Staff Analysis and Comments

In their April 26, 2019 filing, the Company provided name of the existing permittee, the name and description of the person to whom the permit is to be transferred, the reasons for the transfer, a description of the facilities affected, and the requested date of the transfer.¹³ Therefore, EERA believes the basic informational requirements of the permit transfer request have been met.

The Blazing Star 2 Wind Farm LWECS site permit and HVTL route permit contain construction related obligations for the permittee. In addition, the LWECS site permit contains on-going operational obligations for the permittee. For example, the site and route permits both require that the permittee employ best management practices to avoid the potential spread of invasive species on lands disturbed by project construction activities¹⁴ and the LWECS site permit requires compliance with statewide noise standards during operation of the LWECS.¹⁵ Similarly, both permits require compliance with state statutes and rules and all necessary permits for the construction and operation of the project.¹⁶

The Company has stated that they will comply with all conditions in the Blazing Star 2 Wind Farm LWECS site and HVTL route permit and have indicated that the Company has appropriately skilled and experienced staff to deliver on this commitment.¹⁷ Based on the record to date and EERA staff's experience with permits for other Xcel Energy projects, EERA staff has no reason to believe that the Company will not comply with the conditions in the Blazing Star 2 Wind Farm permits.

EERA Staff Recommendation

If the Commission determines that the Company will comply with the conditions of the Blazing Star 2 Wind Farm permits, EERA staff recommends that the Commission approve transfer of the Blazing Star 2 Wind Farm LWECS site permit and HVTL route permit to the Company.

¹³ Xcel Energy, April 26, 2019. Notice of acquisition and request for transfer of site permit and route permit and service list additions. eDockets Numbers [20194-152374-01](#) and [20194-152374-02](#).

¹⁴ Blazing Star 2 Wind Farm LWECS Site Permit, Section 5.2.10. Blazing Star 2 Wind Farm HVTL Route Permit, Section 5.3.11.

¹⁵ Blazing Star 2 Wind Farm LWECS Site Permit, Section 4.3.

¹⁶ Blazing Star 2 Wind Farm LWECS Site Permit, Section 5.5.2. Blazing Star 2 Wind Farm HVTL Route Permit, Section 5.5.2.

¹⁷ Xcel Energy, April 26, 2019. Notice of acquisition and request for transfer of site permit and route permit and service list additions. eDockets Numbers [20194-152374-01](#) and [20194-152374-02](#).