



March 8, 2016

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**VIA EFILING**

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 East Seventh Place, Suite 350  
St. Paul, MN 55101

Re: *In the Matter of the Combined Application of North Star Solar PV LLC for a Site Permit and Route Permit for the North Star Solar Electric Power Generating Plant and Associated 115 kV High Voltage Transmission Line in Chisago County*  
MPUC Docket No. IP-6943/GS-15-33

Dear Mr. Wolf:

Enclosed please find North Star Solar PV LLC (“North Star”) Reply to Petition in the above-captioned matter. This document has been filed with the eDocket system and served on the attached service list. Also enclosed is our Affidavit of Service.

Very truly yours,

WINTHROP & WEINSTINE, P.A.

*/s/ Eric F. Swanson*

Eric F. Swanson

Enclosures

Cc: Service List

11615689v1

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION  
121 Seventh Place East, Suite 350  
St. Paul, Minnesota 55101-2147

In the Matter of the Combined Application and  
of North Star Solar PV LLC for a Site Permit  
and Route Permit for the North Star Solar  
Electric Power Generating Plant and Associated  
115 kV High Voltage Transmission Line in  
Chisago County

MPUC Docket No. IP-6943/GS-15-33

**AFFIDAVIT OF SERVICE**

STATE OF MINNESOTA            )  
  ) ss.  
COUNTY OF HENNEPIN         )

Mary G. Holly, of the City of Lake Elmo, County of Washington, the State of Minnesota,  
being first duly sworn, deposes and says that on the 8<sup>th</sup> day of March, 2016, she served the  
attached **Reply to Petition** to all said persons on the attached Service List, true and correct  
copies thereof, by eFiling.

*/s/ Mary G. Holly*  
\_\_\_\_\_  
MARY G. HOLLY

Subscribed and sworn to before me this  
8<sup>th</sup> day of March, 2016.

*/s/ Jane E. Justice*  
\_\_\_\_\_  
Notary Public

My Commission Expires: January 31, 2020

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	Yes	OFF_SL_15-33_Official
Eric	Blank	eric.blank@communityenergyinc.com	Community Energy Solar	Three Radnor Corporate Center, Suite 300 100 Matsonford Road Radnor, PA 19087	Electronic Service	No	OFF_SL_15-33_Official
Barbara	Case	barbara.case@state.mn.us	Office of Administrative Hearings	600 N. Robert St.  St. Paul, Mn. 55101	Electronic Service	Yes	OFF_SL_15-33_Official
Leigh	Currie	lcurrie@mncenter.org	Minnesota Center for Environmental Advocacy	26 E. Exchange St., Suite 206  St. Paul, Minnesota 55101	Electronic Service	No	OFF_SL_15-33_Official
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500  Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_15-33_Official
Emerald	Gratz	emerald.gratz@state.mn.us	Office of Administrative Hearings	PO Box 64620  Saint Paul, Minnesota 55164-0620	Electronic Service	Yes	OFF_SL_15-33_Official
Mary	Holly	mholly@winthrop.com	Winthrop & Weinstine, P.A.	225 S Sixth St Ste 3500  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_15-33_Official
Stacy	Kotch	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd.  St. Paul, MN 55155	Electronic Service	No	OFF_SL_15-33_Official
John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	OFF_SL_15-33_Official
Brian	Meloy	brian.meloy@stinson.com	Stinson, Leonard, Street LLP	150 S 5th St Ste 2300  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_15-33_Official

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Jamie	Schrenzel	jamie.schrenzel@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Saint Paul, MN 55155	Electronic Service	No	OFF_SL_15-33_Official
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	Ste 122 9100 W Bloomington Frwy Bloomington, MN 55431	Electronic Service	Yes	OFF_SL_15-33_Official
Eric	Swanson	eswanson@winthrop.com	Winthrop Weinstine	225 S 6th St Ste 3500 Capella Tower Minneapolis, MN 554024629	Electronic Service	No	OFF_SL_15-33_Official
Chase	Whitney	chase.whitney@communityenergyinc.com	Community Energy Renewables, LLC	1120 Pearl Street, Suite 200  Boulder, CO 8-3-2	Electronic Service	No	OFF_SL_15-33_Official
Daniel P	Wolf	dan.wolf@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_15-33_Official

**STATE OF MINNESOTA  
BEFORE THE PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Matthew Schuerger	Commissioner
John A. Tuma	Commissioner

In the Matter of the Combined Application  
of North Star Solar PV LLC for a Site  
Permit and Route Permit for the North Star  
Solar Electric Power Generating Plant  
and Associated 115 kV High Voltage  
Transmission Line in Chisago County

DOCKET NO. IP-6943/GS-15-33

**REPLY TO PETITION**

On February 29, 2016, and again on March 1, 2016, the Zangs, Carey, Carpenter, Glen and Lori Anderson, Bossard and Ramburg families (collectively, “Adjacent Landowners” or “Petitioners”) filed a “Petition” with the Minnesota Public Utilities Commission (“Commission”). The Petition states that the Adjacent Landowners are “against”: (1) the Commission’s adoption of the Findings of Fact, Conclusions of Law and Recommendation (“Findings”) of the Administrative Law Judge (“ALJ”); (2) the Commission’s finding that the Environmental Assessment and the record adequately addressed the issues identified in the Scoping Decision; (3) the Commission’s issuance of a Site Permit, with conditions, for the North Star Solar Project; and (4) the Commission’s issuance of a Route Permit, with conditions, for a one mile long 115 kV transmission line connecting the North Star Solar Project to the Chisago substation.

North Star Solar PV LLC (“North Star”) anticipates that, while the Petition did not meet the filing requirements of the Commission’s Rules,<sup>1</sup> the Commission may treat the Petition as a Petition for Reconsideration of the Commission’s decisions in the above captioned docket. Therefore, North Star files this Reply. As discussed below, the Petitioners raise no new issues or new arguments. Moreover, both the ALJ’s December 16, 2015 Findings and the Commission’s February 16, 2016 Order Granting Site and Route Permits With Conditions (“Order”) thoroughly and thoughtfully examined the relevant issues in this matter, consistent with the facts, the law, and the public interest. Therefore, North Star respectfully requests that the Commission deny the Adjacent Landowners’ Petition.

North Star first notes that the Adjacent Landowners have had multiple opportunities to participate in this docket and have availed themselves of those opportunities. For example, the Zangs provided two sets of comments in late February, 2015,<sup>2</sup> further comments on March 11, 2015<sup>3</sup> and a fourth set of comments on May 15, 2015.<sup>4</sup> Mr. Carey filed comments on October 13, 2015.<sup>5</sup> Mr. Ramburg filed a letter with the ALJ on October 19, 2015.<sup>6</sup> Mr. Zangs, Ms. Carey and Mr. Carey all also provided oral comments, and Mr. Zangs provided photos, at the Public Hearing on October 7,

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<sup>1</sup> See, e.g., Minn. R. 7829.0400 (Service and Filing Requirements, requiring service on all parties, together with proof of service) and Minn. R. 7829.3000 (Petition After Commission Decision, requiring a petition for reconsideration to specifically set forth the grounds relied upon or errors claimed and the specific amendments desired and the reasons for the amendments.)

<sup>2</sup> eDocket File No. 20153-108351-01.

<sup>3</sup> eDocket File No. 20155-110568-01.

<sup>4</sup> *Id.*

<sup>5</sup> eDocket File No. 201510-115073-01.

<sup>6</sup> eDocket File No. 201510-115112-01.

2015.<sup>7</sup> The ALJ specifically noted the testimony, photos and comments of Mr. Zangs, the Careys and Mr. Ramsburg in her Findings.<sup>8</sup>

The Adjacent Landowners' ability to participate throughout this proceeding reflects the conduct of the proceeding as a whole. In addition to significant public involvement and attendance at the information meeting and Public Hearing, the record benefitted from the involvement of a number of other stakeholders, including the State Historic Preservation Office, the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the Minnesota Department of Natural Resources and local governments, including Chisago County.

The end result of this now fourteen month long process is a robust record addressing each of the site and route criteria set forth in the Commission's Rules. Indeed, the Minnesota Department of Commerce Energy Environmental Review and Analysis unit ("EERA") prepared a 76 page detailed Environmental Assessment ("EA") addressing each of the Adjacent Landowners' issues and the ALJ Findings include specific Findings of Fact addressing each of these issues, including the potential impacts on: human settlement (including displacement, noise, aesthetics, cultural values, recreation and public services),<sup>9</sup> public health and safety,<sup>10</sup> land-based economies

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<sup>7</sup> Transcript, pp. 57-63 and Public Hearing Exhibit 2 (Bob Zangs); pp. 111-113 (Tina Carey); pp. 113-114 (Fred Carey).

<sup>8</sup> Findings, pp. 16 at Finding 81; 18 at Findings 93-98; and 20 at Finding 104.

<sup>9</sup> EA, pp. 35-53, 70; Findings pp. 23-29 at Findings 113-156.

<sup>10</sup> EA, pp. 47-51, 71; Findings, p. 30 at Findings 157-163.

(including agriculture and tourism),<sup>11</sup> and the natural environment (including air quality, soils and groundwater, surface water, vegetation and wildlife).<sup>12</sup>

### CONCLUSION

North Star respectfully requests that the Commission deny the Adjacent Landowners' Petition. The EERA Environmental Assessment, the ALJ Findings and the Commission Order demonstrate the thorough consideration given to North Star's request for a Site Permit and Route Permit for the North Star Solar Project. The Adjacent Landowners raise no new issues and demonstrate no error of law requiring Commission action.

Dated: March 8, 2016

WINTHROP & WEINSTINE, P.A.

By: /s/ Eric F. Swanson

Eric F. Swanson

225 South Sixth Street, Suite 3500  
Minneapolis, Minnesota 55402  
(612) 604 6400

**ATTORNEYS FOR  
NORTH STAR SOLAR PV LLC**

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<sup>11</sup> EA, pp. 53-57, 71; Findings, pp. 31-32 at Findings 164-175.

<sup>12</sup> EA, pp. 59-70, 72; Findings, pp. 33- 41 at Findings 182-226.