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April 19, 2018

Mr. Daniel Wolf, Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East Suite 350
St. Paul, MN 55101-2147

**RE: Notice of Confidential Settlement Agreement and
Joint Recommendation and Request
Docket No. ET6657/WS-08-573**

Dear Mr. Wolf:

Consistent with the March 23, 2018 Order of the Minnesota Public Utilities Commission in the above referenced docket (the "Order"), Ordering Clause 5, Wisconsin Power and Light Company ("WPL") met with Bernie Hagen and Cheryl Hagen (the "Hagens") and the Minnesota Department of Commerce Energy Environmental Review and Analysis Division to discuss the issues outlined in the Order.

As a result of those discussions, the Hagens and WPL have entered into a Confidential Settlement Agreement under which, among other provisions: (1) WPL shall purchase the Hagens' Property; (2) the Hagens shall enter into a Neighbor Agreement and Easement that shall be binding on any future owners of the Hagens' Property; and (3) the Hagens shall release any and all past, present, and future claims against WPL. The Confidential Settlement Agreement is contingent upon the Commission issuing a written order that includes, at a minimum, terms that after WPL takes possession of the property the Commission shall order that the Commission will not require any further curtailment of Bent Tree Turbine Nos. 132 and 397 and shall not require any further sound monitoring at any location pertaining to Bent Tree on the basis of the DNV-GL Sound Reports.

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As explained more fully in the Notice of Confidential Settlement and Joint Recommendation and Request (the "Joint Request") filed herewith, the Hagens and WPL jointly agree, stipulate and respectfully recommend that the Commission issue a written order consistent the conditions identified in the Joint Request to allow the parties fully implement the terms of the Confidential Settlement Agreement.

Yours Truly,

/s/ Andrew C. Hanson
Andrew C. Hanson
Senior Attorney

ACH/ab
cc: Service List

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Wolf	Daniel P	dan.wolf@state.mn.us	Public Utilities Commission	Electronic Service	Yes

Paper Service Member(s)

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

**Nancy Lange
Dan Lipschulz
Matt Schuerger
Katie Sieben
John Tuma**

**Chair
Commissioner
Commissioner
Commissioner
Commissioner**

**IN THE MATTER OF WISCONSIN
POWER AND LIGHT COMPANY'S SITE
PERMIT APPLICATION FOR A LARGE
WIND ENERGY CONVERSION SYSTEM**

DOCKET NO. ET6657/WS-08-573

**NOTICE OF CONFIDENTIAL SETTLEMENT AGREEMENT
AND JOINT RECOMMENDATION AND REQUEST**

Wisconsin Power & Light Company ("WPL") and Bernie Hagen and Cheryl Hagen, husband and wife, (the "Hagens") (individually each a "Party" and collectively the "Parties") have entered into a Confidential Settlement Agreement dated April 18, 2018 ("Confidential Settlement Agreement") addressing all matters raised in the above docket by the Hagens regarding the operation of the Bent Tree Wind Project ("Bent Tree"), including complaints to WPL and complaints to the Minnesota Public Utilities Commission ("Commission") and the Minnesota Department of Commerce Energy Environmental Review and Analysis ("EERA"). The Confidential Settlement Agreement is contingent upon a finding by the Commission, among other findings more fully described below, that the Commission shall terminate the curtailment of Turbine Nos. 132 and 397 at Bent Tree and shall not require any further sound monitoring at any location at Bent Tree arising from the sound monitoring required by the Commission in its August 24, 2016 Order Requiring Noise Monitoring, Noise Study and Further Study.

Based on the foregoing, and as more fully described below, the Parties jointly recommend and request that the Commission issue a written order containing the findings described below, thus satisfying the relevant contingencies and allowing the Parties to give full force and effect to the Confidential Settlement Agreement between them.

Recitals

- A. The Hagens own the real property located at 70286 290th Street, Hartland, MN 56042 (the "Hagens' Property").
- B. The Hagens' Property is within the Project Area of the Bent Tree Wind Project constructed, owned, operated, and maintained by WPL ("Bent Tree").

C. The Hagens' Property includes a residential dwelling that is currently occupied and used as a residence.

D. The Hagens have made various complaints regarding the operation of Bent Tree, including complaints to WPL and complaints to the Commission and EERA beginning in 2011 and continuing through the present (collectively the "Prior and Current Complaints").

E. On August 24, 2016, the Commission issued its Order Requiring Noise Monitoring, Noise Study and Further Study pertaining, in part to the Hagens' Property ("August 24, 2016 Order").

F. Pursuant to the August 24, 2016 Order, the Bent Tree Wind Farm Post-Construction Noise Assessment report was prepared by DNV-GL and filed on September 28, 2017 and the Bent Tree Wind Farm Phase 2 Post-Construction Noise Assessment Report was prepared by DNV-GL and filed on February 8, 2018 (collectively the "DNV-GL Sound Reports").

G. WPL strongly disputes the protocols used and conclusions contained in the DNV-GL Sound Reports.

H. On February 8, 2018, WPL filed a letter and implemented certain curtailments of the operation of three turbines that are part of Bent Tree and identified in the DNV-GL Sound Reports, including the curtailment of two turbines in the vicinity of the Hagens' Property (known as Turbine Nos. T132 and T397) (collectively, the "Curtailments").

I. The Hagens filed a Motion for Order to Show Cause and Hearing dated February 19, 2018 (the "Motion").

J. On March 23, 2018, the Commission issued its Order to Show Cause, Requiring Further Review by the Department Of Commerce, and Continuing Curtailment (the "March 23 Order").

K. The Hagens and WPL have agreed to a Confidential Settlement Agreement addressing all matters raised in the Prior and Current Complaints, the DNV-GL Sound Reports, the Motion, and the March 23 Order and all other matters in dispute between the Parties in this proceeding.

Joint Recommendation and Request

The Hagens and WPL have entered into a Confidential Settlement Agreement under which, among other provisions: (1) WPL shall purchase the Hagens' Property; (2) the Hagens shall enter into a Neighbor Agreement and Easement that shall be binding on any future owners of the Hagens' Property; and (3) the Hagens shall release any and all past, present, and future claims against WPL.

The Confidential Settlement Agreement is contingent upon the Commission issuing a written order that includes, at a minimum, terms that after WPL takes possession of the properties the Commission shall order that the Commission will not require any further Curtailment of Turbine Nos. T132 and T397 and shall not require any further sound monitoring at any location pertaining to Bent Tree on the basis of the DNV-GL Sound Reports.

In light of the foregoing, the Hagens and WPL jointly agree, stipulate and recommend that the Commission issue a written order adopting the terms and conditions set forth in Sections 1, 2, 3, 4, and 5, below:

1. Dismissal of the Motion and all Prior and Current Complaints. The Commission hereby determines that the Prior and Current Complaints are resolved within the meaning of WPL's Large Wind Energy Conversion System Permit for the Bent Tree Wind Project Phase I, Attachment 2 (Complaint Handling Procedures for Large Wind Energy Conversion Systems). The Motion and all Prior and Current Complaints are dismissed with prejudice.
2. Termination of Curtailments. The Curtailment of Turbine Nos. T132 and T397 T362 shall terminate on the date on which the Hagens transfer possession of the Hagens' Property to WPL, which shall occur no later than one hundred twenty (120) calendar days after closing on the purchase of the Hagens' Property by WPL. After such time, WPL may operate Turbine Nos. T132 and T397, without any curtailment imposed by the Commission as a result of the DNV-GL Sound Reports.
3. No Further Sound Monitoring. The Commission shall not require any further sound monitoring at any location pertaining to Bent Tree on the basis of the DNV-GL Sound Reports.
4. No Precedent. The Confidential Settlement Agreement reflects the unique facts of this case and is the result of negotiations between the Hagens and WPL, and the Confidential Settlement Agreement does not represent the position of either Party as to the appropriate application of the law or any binding or legal precedent related to Bent Tree or otherwise.
5. No Admission. The execution of this Confidential Settlement Agreement shall not be construed as an admission by any Party as to the validity or invalidity of any other Party's position with reference to the issues in this proceeding.
6. Closing Date. The Closing Date for the Confidential Settlement Agreement shall occur within (seven) 7 days of the date in which the Commission issues a written order with respect to this Notice of Confidential Settlement Agreement and Joint Recommendation and Request containing each and every term and condition in Sections 1 through 5, above, as determined by WPL in its sole discretion.
7. No Conditions or Modification. The Parties agree that, in the event that the Commission takes any action to reject or modify all or any part of this Joint Recommendation and Request, either Party may, in its sole discretion determine that

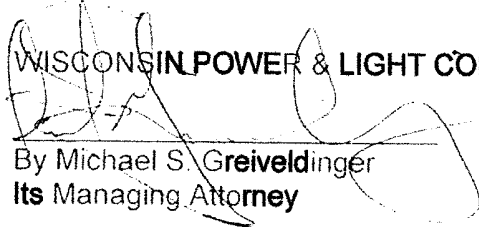
Confidential Settlement Agreement is null and void. In such event, the Joint Recommendation and Request: (1) shall not be any part of the record in relation to Bent Tree or be cited or have any precedential effect in relation to Bent Tree or any other proceeding; and (2) shall not limit either Party's rights to take different positions in relation to Bent Tree in this proceeding or any other proceeding.

Dated: April 19, 2018

Respectfully Submitted,



Carol A. Overland
Attorney for Bernie Hagen
and Cheryl Hagen



WISCONSIN POWER & LIGHT COMPANY
By Michael S. Greiveldinger
Its Managing Attorney