

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Nancy Lange	Chair
Dan Lipschultz	Commissioner
Matthew Schuerger	Commissioner
Katie J. Sieben	Commissioner
John A. Tuma	Commissioner

Mike Weich  
Project Manager Renewable Development  
Dodge County Wind, LLC  
700 Universe Blvd  
Juno Beach, FL 33408

SERVICE DATE: October 4, 2018

DOCKET NO. IP-6981/CN-17-306;  
IP-6981/WS-17-307;  
IP-6981/TL-17-308

Brian J. Murphy  
Senior Attorney  
NextEra Energy Resources, LLC  
700 Universe Blvd  
Juno Beach, FL 33408

In the Matter of the Application of Dodge County Wind, LLC for a Certificate of Need for the Dodge County Wind Project and Associated Facilities in Dodge, Steele, and Olmsted Counties, Minnesota

In the Matter of the Application of Dodge County Wind, LLC for a Site Permit for the Dodge County Wind Project and Associated Facilities in Dodge and Steele Counties, Minnesota

In the Matter of the Application of Dodge County Wind, LLC for a Route Permit for the 345 kV High-Voltage Transmission Line Associated with the Dodge County Wind Project in Dodge and Olmsted Counties, Minnesota

The above-entitled matters were considered by the Commission on September 27, 2018, and the following dispositions made:

- 1. The Commission accepts the certificate of need application as substantially complete.**
- 2. The Commission accepts the LWECS site permit application as substantially complete.**
- 3. The Commission accepts the HVTL route permit application as substantially complete.**

The Commission agrees with and adopts the recommendations of the Department of Commerce, as modified above, which are attached and hereby incorporated into the order. This order shall become effective immediately.

The Commission will issue a separate order addressing other issues in front of the Commission on September 27, 2018, in these same dockets.

BY ORDER OF THE COMMISSION

Daniel P. Wolf  
Executive Secretary



This document can be made available in alternative formats (e.g., large print or audio) by calling 651.296.0406 (voice). Persons with hearing loss or speech disabilities may call us through their preferred Telecommunications Relay Service or email [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us) for assistance.

September 4, 2018

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, Minnesota 55101-2147

RE: **Comments of the Minnesota Department of Commerce, Division of Energy Resources**  
Docket No. IP6981/CN-17-306

Dear Mr. Wolf:

Attached are the Comments of the Minnesota Department of Commerce, Division of Energy Resources (Department) in the following matter:

*Application of Dodge County Wind, LLC for a Certificate of Need for the Dodge County Wind Project and Associated Facilities in Dodge County, Minnesota*

The Application was filed on June 29, 2018 by:

Mike Weich  
Project Manager Renewable Development  
Dodge County Wind, LLC  
700 Universe Blvd  
June Beach, FL 33408  
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(561) 694-3814

The Department recommends that the Minnesota Public Utilities Commission (Commission) determine that the Application is complete.

Sincerely,

/s/ MICHAEL LONG  
Rate Analyst

ML/jl  
Attachment



## Before the Minnesota Public Utilities Commission

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### Comments of the Minnesota Department of Commerce Division of Energy Resources

Docket No. IP6981/CN-17-306

#### I. BACKGROUND

On April 20, 2017 Dodge County Wind, LLC (DCW or the Company) filed the Company's *Petition for Exemption from Certain Certificate of Need Application Requirements* (Exemption Petition). On April 26, 2017 the Minnesota Public Utilities Commission (Commission) issued its *Notice of Comment Period on Certificate of Need Exemption Requests*.

On July 7, 2017 the Commission issued its Order (July 7 Order) adopting the Minnesota Department of Commerce, Division of Energy Resources' (Department) recommendations with respect to the Exemption Petition and granting the following exemptions:

1. The following data requirements are not applicable:
  - 7849.0260(A)(3) and (C)(6): Line Loss Data
  - 7849.0260(B)(1): Alternatives to the Transmission Line
  - 7849.0260(C)(5): Details Regarding Alternatives
  - 7849.0260(D): Map of Applicant's System
2. The following exemptions are approved conditioned upon DCW providing equivalent data from the purchaser:
  - 7849.0240, subp. 2(B): Promotional Activities
  - 7849.0250(B)(2), (3), and (5): Description of Certain Alternatives
  - 7849.0250(C)(7): Effect of Project on Rates System-wide
  - 7849.0300: Consequences of Delay – System
  - 7849.0340: The Alternative of No Facility
3. The following exemptions are approved as proposed:
  - 7849.0250(B)(1) and (4): Description of Certain Alternatives
  - 7849.0250(C)(1)–(6), (8), and (9): Availability of Alternatives to the Facility
  - 7849.0250(D): Map of the Applicant's System
  - 7849.0270: Peak Demand and Annual Consumption Forecast
  - 7849.0280: System Capacity

- 7849.0290: Conservation Programs
- 7849.0330: Alternatives Involving and LHVTL

On June 29, 2018 DCW filed its *Application for Certificate of Need* (Application) for the proposed DCW wind generating facility and associated grid-tie transmission line.

On August 9, 2018 the Department filed its Comments for the Application, recommending that DCW provide missing information in reply comments and that the Commission evaluate the Application using the Commission's comment process.

On August 17, 2018 DCW filed its Reply Comments, providing the missing information requested by the Department and responding to the comments of other parties.

## **II. DEPARTMENT ANALYSIS**

Minnesota Statutes, section 216B.2421, subd. 2 (1) defines a large energy facility as “any electric power generating plant or combination of plants at a single site with a combined capacity of 50,000 kilowatts or more and transmission lines directly associated with the plant that are necessary to interconnect the plant to the transmission system.” Further, Minnesota Statutes, section 216B.243, subd. 2 states that, “no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the commission.” The Application indicates that DCW plans to construct the Dodge County Wind Project, a wind energy generating facility of approximately 170 (MW) and an associated 23-mile 345-kilovolt (kV) generation-tie transmission line in Dodge County, Minnesota. Therefore, a Certificate of Need (CN) is required.

### **A. COMPLETENESS REVIEW**

The Department appreciates the information provided by DCW in its Reply Comments, and concludes that the Application is now complete. Below is an updated table listing, for each filing requirement, whether an exemption was granted and/or the location within the Application where the relevant information can be found.

**Table 1: Filing Requirements and Location**

<b>MN Rule</b>	<b>Subpart</b>	<b>Short Description</b>	<b>Full or Partial Exemption</b>	<b>Application Section(s) Number(s)</b>
7849.0240	1	Need Summary		4.1
7849.0240	2(A)	Additional Considerations: Socially Beneficial Uses		4.2.1
7849.0240	2(B)	Additional Considerations: Promotional Activities	X	4.2.2, 6.3.1.11
7849.0240	2(C)	Additional Considerations: Future Development		4.2.3
7849.0250	A(1-5)	Description of Project		6.1.1 – 6.1.5
7849.0250	B(1)	Description of Alternatives: Purchased Power	X	6.2.1
7849.0250	B(2)	Description of Alternatives: Existing Facility Efficiencies	X	6.2.2
7849.0250	B(3)	Description of Alternatives: New Transmission	X	6.2.3
7849.0250	B(4)	Description of Alternatives: New Generating Facilities	X	6.2.4.1 – 6.2.4.4, <i>Reply Comments</i>
7849.0250	B(5)	Description of Alternatives: Combinations	X	6.2.4.6
7849.0250	C(1-6)	Alternatives Details	X	6.3.1.1- 6.3.1.6
7849.0250	C(7)	Alternatives Details: Effect on Rates	X	6.3.1.7
7849.0250	C(8-9)	Alternatives Details	X	6.3.1.8
7849.0250	D	Map of Applicant's System	X	6.3.1.9
7849.0260	B(2-8)	Description of Alternatives		6.3.2.1 – 6.3.2.7
7849.0260	C	Alternatives Details		6.3.2.8 – 6.3.2.14
7849.0270		Peak Demand and Annual Consumption Forecast	X	7.0
7849.0280		System Capacity	X	8.0
7849.0290		Conservation Programs	X	9.0
7849.0300		Consequences of Delay	X	10.0
7849.0310		Environmental Information		11.0
7849.0320		Generating Facilities Information		12.0
7849.0330		Transmission Facilities Information	X	6.2.4.8
7849.0340		No-Facility Alternative	X	6.2.4.7

### III. SUMMARY AND RECOMMENDATIONS

The Department recommends that the Commission find the Application to be complete.

/jl

August 10, 2018

Daniel Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101-2147

**RE: In the Matter of Dodge County Wind, LLC's Certificate of Need, LWECS Site Permit, and HVTL Route Permit applications of for the Dodge County Wind Project and associated facilities in Steel, Dodge, and Olmstead counties in Minnesota**

Docket No. IP6981/CN-17-306, WS-17-307, TL-17-308

Dear Mr. Wolf,

Attached are comments and recommendations of Department of Commerce, Energy Environmental Review and Analysis (EERA) staff in the above matter.

These comments are in response to the Commission's Notice of Comment Period issued July 13, 2018, in the above matter, and address the completeness of the certificate of need, LWECS site permit, and route permit applications, the advisability of combining the proceedings, contested issues of fact, and the appointment of an advisory task force.

Correspondence should be addressed to:

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17-306, 17-307, 17-308 – EERA Comments Application Acceptance  
August 10, 2018

These comments are based on EERA staff's review of the afore-mentioned applications. Staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Steinhauer". The signature is written in black ink and is positioned above the typed name and contact information.

Suzanne Steinhauer, Environmental Review Manager  
Energy Environmental Review and Analysis  
(651) 539-1843 | [suzanne.steinhauer@state.mn.us](mailto:suzanne.steinhauer@state.mn.us)





## BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

### COMMENTS AND RECOMMENDATIONS OF MINNESOTA DEPARTMENT OF COMMERCE ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS

DOCKET No. IP6981/CN-17-306, WS-17-307, TL-17-308

**Date:** August 10, 2018

**EERA Staff:** Suzanne Steinhauer | 651-539-1843 | [Suzanne.steinhauer@state.mn.us](mailto:Suzanne.steinhauer@state.mn.us)

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**In the Matter of Dodge County Wind, LLC's Certificate of Need, LWECS Site Permit, and HVTL Route Permit applications of for the Dodge County Wind Project and associated facilities in Steel, Dodge, and Olmstead counties in Minnesota**

**Issues Addressed:** These comments and recommendations address the completeness of the certificate of need, LWECS site, and HVTL route permit applications, the advisability of combining the proceedings, contested issues of fact, and the appointment of an advisory task force.

**Documents Attached:**

(1) Project Overview Map

Additional documents and information can be found on eDockets:

<https://www.edockets.state.mn.us/EFiling/search.jsp> (17-306 (Certificate of Need), 17-307 (LWECS Permit), and 17-308 (HVTL Permit)) and on the Department of Commerce's website:

<http://mn.gov/commerce/energyfacilities>.

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-539-1530 (voice).

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## Introduction and Background

On June 29, 2018, Dodge County Wind, LLC (DCW or Applicant) filed three separate applications in support of its proposed 170 megawatt (MW) Dodge County Wind Farm to be located in Dodge and Steele counties and an associated 23-mile 345 kilovolt (kV) transmission line in Dodge and Olmstead counties (collectively, the Project):

- a certificate of need application for the wind farm and the associated 345 kV transmission line,<sup>1</sup>
- a large wind energy conversion system (LWECS) site permit application,<sup>2</sup> and
- a high-voltage transmission line (HVTL) route permit for the proposed 345 kV transmission line<sup>3</sup>

On July 13, 2018, the Commission issued a notice soliciting comments on the completeness of the applications.<sup>4</sup> In addition to completeness, the notice also requested comments on:

- whether either or both the certificate of need and site permit applications should be referred to the Office of Administrative Hearings (OAH) for contested case proceedings,
- the advisability of combining the proceedings,
- the presence of contested issues of fact, and
- the need for an advisory task force for the HVTL route permit application.

## Project Purpose

The Project will generate up to 170 MW of electric energy at the Dodge County Wind Farm and deliver to the electrical grid at Southern Minnesota Municipal Power Agency's (SMMPA) existing Byron Substation via a newly constructed 345 kV HVTL. DCW has negotiated a 30-year power purchase agreement with the Minnesota Municipal Power Agency (MMPA). The Project's output will meet, and exceed, MMPA's Renewable Energy Standard.<sup>5</sup>

## Project Description

The Project consists of two major components, a LWECS of up to 170 MW, and the associated 345 kV HVTL of approximately 23 miles.

### 170 MW LWECS

DCW proposes to construct up to 70 wind turbines and associated facilities including underground electric collector lines, a new collector substation, and operations and maintenance facility, permanent meteorological towers, and gravel access roads. The proposed site is approximately 81 square miles (52,000 acres) located in western Dodge County (Ashland, Claremont, Hayfield, Ridgely, and Westfield townships) and eastern Steele County (Aurora, Havana, and Owatonna townships).<sup>6</sup> DCW proposes to install 62 General Electric (GE) 2.5 MW wind turbines and 8 GE 1.715 MW wind turbines. The proposed GE 2.5 wind turbines have 116-meter (381-foot) blades on 89-meter (291-foot) towers, for a total height

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<sup>1</sup> Dodge County Wind, LLC, *Application for a Certificate of Need*, June 29, 2018. eDocket ID: [20186-144410-01](#), [-02](#), [-03](#), [-04](#), [-05](#), [-06](#), [-07](#) [hereinafter Certificate of Need Application].

<sup>2</sup> Dodge County Wind, LLC, *Application for a Large Wind Energy Conversion System Site Permit, Dodge County Wind, LLC Project*. June 29, 2018. eDocket ID: [20186-144401-01](#), [-02](#), [-03](#), [-04](#), [-05](#), [-06](#), [-07](#), [08](#), [-09](#), [-10](#), [20186-144403-01](#), [-02](#), [-03](#), [-04](#), [-05](#), [-06](#), [-07](#), [-08](#), [-09](#), [-10](#), [20186-144405-01](#), [-02](#), [-03](#), [-04](#), [-05](#), [-06](#), [-07](#), [-08](#), [-09](#), [20186-144406-01](#), [-02](#), [-03](#), [-04](#), [-05](#), [-06](#), [-07](#), [-08](#). [hereinafter Site Permit Application]

<sup>3</sup> Dodge County Wind, LLC, *Application to the Minnesota Public Utilities Commission for a Route Permit for a 345 kV High Voltage Transmission Line in Dodge County*, June 29, 2018, eDocket ID: [20186-144407-01](#), [-02](#), [-03](#), [-04](#), [-05](#), [-06](#), [-07](#), [08](#), [-09](#), [-10](#), [20186-144408-0](#), [02](#), [-04](#), [-05](#), [-06](#), [-07](#), [08](#), [-09](#), [-10](#), [20186-144409-01](#), [02](#), [-03](#), [-04](#), [-05](#), [-06](#), [-07](#), [20187-144643-01](#) [hereinafter Route Permit Application].

<sup>4</sup> Public Utilities Commission, *Notice of Comment Period on Application Completeness*, July 13, 2018, eDockets Number [20187-144854-02](#).

<sup>5</sup> Certificate of Need Application, at p. 2

<sup>6</sup> Site Permit Application, at p. 5

of 148.3 meters (486.5 feet) from ground to tip. The proposed GE 1.715 wind turbines have 103-meter (338-foot) blades on 80-meter (262-foot) towers, for a total height of 131.5 meters (431.3 feet).<sup>7</sup>

At the time of the filing, DCW stated it had acquired 78% of the land required for successful construction and operation of the Project.<sup>8</sup> Easement negotiations are ongoing. DCW anticipates commencing construction of the LWECS in mid-2019, with an anticipated commercial operation date (COD) of December 31, 2019.<sup>9</sup>

### **345 kV HVTL**

DCW proposes to construct a new collector substation (Dodge County Wind Substation) in the eastern portion of the LWECS (Ripley Township, Dodge County). DCW proposes to connect the LWECS to the electrical grid through approximately 23 miles of new 345 kV transmission line (Applicant's proposed Route A is 21 miles, proposed Route B is 26 miles) between the collector substation and SMMPA's existing Byron substation, located immediately west of Byron in Olmstead County. In addition to the construction of the Dodge County Wind Substation and the 345 kV transmission line, the Project will require equipment additions and reconfigurations within the Byron substation to connect the new 345 kV line. DCW proposes to use monopole structures ranging from 80 to 140 feet in height, with spans of 400 to 1200 feet between structures.<sup>10</sup>

DCW indicates that the proposed HVTL will require a right-of-way (easement width) of 150 feet for the majority of each proposed route, but has identified areas where it believes it would require a lesser easement (66 to 100 feet) if it shares existing roadway easements. The applicant states they have acquired voluntary easements for approximately 97 percent of the length of Route Alternative A, and 95 percent of the length of Route Alternative B.<sup>11</sup> DCW requests a 1,500 foot route width for the majority of each proposed route, with a wider route width of 3,000 to 4,000 feet along certain segments of both proposed routes. The applicant's two proposed routes for the HVTL are shown on the attached map.

DCW anticipates that project construction will begin in mid-2019 and that the new line will be in service by the end of 2019.<sup>12</sup>

## **Regulatory Process and Procedures**

The Project requires review and approval through three separate processes. For purposes of brevity, the following section summarizes what Department of Commerce, Energy Environmental Review and Analysis (EERA ) staff consider particularly important milestones in the review of the applications.

### **LWECS Site Permit**

A site permit from the Commission is required to construct an LWECS, which is any combination of wind turbines and associated facilities with the capacity to generate five megawatts or more of electricity.

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<sup>7</sup> Site Permit Application, at Table 3

<sup>8</sup> *Ibid.*, at p. 7

<sup>9</sup> *Ibid.*, at p. 135

<sup>10</sup> Route Permit Application, at Table 5

<sup>11</sup> *Ibid.*, at p. 32

<sup>12</sup> *Ibid.*, at able 2

This requirement became law in 1995. The Minnesota Wind Siting Act is found at Minnesota Statutes Chapter 216F. The rules to implement the permitting requirements for LWECS are in Minn. Rule 7854.

Pursuant to Minnesota Rule 7854.0600, the Commission may elect to accept, conditionally accept, or reject the application. If the Commission conditionally accepts or rejects an application, the Commission must advise the Applicant of the deficiencies in the application and the manner in which the deficiencies can be addressed.

#### ***Preliminary Determination on Draft Site Permit***

Minnesota Rule 7854.0800 states, “Within 45 days after acceptance of the application by the Commission, the Commission shall make a preliminary determination whether a permit may be issued or should be denied. If the preliminary determination is to issue a permit, the Commission shall prepare a draft site permit for the project. The draft site permit must identify the permittee, the proposed LWECS, and proposed permit conditions.”

Issuing a draft site permit does not confer an authority to construct an LWECS. The Commission may change, amend or modify the draft site permit in any respect before final issuance, or may deny the site permit at a later date.

#### ***Public Information Meeting***

Minnesota Rule 7854.0800, subpart 4 requires the Commission to hold at least one public information meeting in a location convenient to the vicinity of the proposed LWECS during the public comment period on the draft site permit.

#### ***Contested Case Hearing***

Minnesota Rule 7854.0800, subpart 5 provides the opportunity for any person to request a contested case hearing on an LWECS site permit application.

### **High Voltage Transmission Line Route Permit**

Under Minnesota Statute 216E, no person may construct a high voltage transmission line in Minnesota without a route permit from the Commission. A high voltage transmission line is defined as a conductor of electric energy designed for and capable of operation at a voltage of 100 kV or more and greater than 1,500 feet in length. As proposed, the Project will consist of approximately 23 miles of new 345 kV transmission line and therefore requires a route permit from the Commission. Because of the length and voltage of the proposed HVTL, the route permit application must be considered using the full permitting process prescribed by Minnesota Statute 216E.03 and Minnesota Rules 7850.<sup>13</sup> Under the full permitting process, applicants must propose at least two routes for the project.<sup>14</sup>

Route permit applications for HVTLs must provide specific information about a project including applicant information, route descriptions, and potential environmental impacts and mitigation measures. The Commission may accept an application as complete, reject an application and require additional information to be submitted, or accept an application as complete upon filing of supplemental information. The environmental review and permitting process begins on the date the

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<sup>13</sup> Minnesota Statute 216E.04, Subd. 2 (noting those projects that are eligible to proceed under an alternative permitting process).

<sup>14</sup> Minnesota Rule 7850.1900.

Commission determines that a route permit application is complete.<sup>15</sup> The Commission has 12 months (or 15 months, with just cause) from the date of this determination to reach a route permit decision.<sup>16</sup>

### ***Environmental Review***

Route permit applications are subject to environmental review conducted by EERA staff. Projects proceeding under the full permitting process require the preparation of an environmental impact statement (EIS). An EIS is a document that describes the potential human and environmental impacts of a proposed project and possible mitigation measures. A comment period, including at least one public meeting in the Project area, will be used to solicit comments on the scope of the EIS. Following a determination of the scope of the EIS (Scoping Decision), EERA staff will prepare and issue a draft EIS. Public meetings will be held to gather comments on the draft EIS. Based on these comments, EERA staff will issue a final EIS.<sup>17</sup>

### ***Advisory Task Force***

The Commission may appoint an advisory task force to aid the environmental review process. An advisory task force must include representatives of local governmental units in the project area.<sup>18</sup> A task force assists EERA staff with identifying impacts and mitigation measures (including route alternatives) to be evaluated in the EIS. A task force expires upon issuance of the EIS scoping decision.<sup>19</sup>

The Commission is not required to appoint an advisory task force for every project. If the Commission does not appoint a task force, citizens may request that one be appointed.<sup>20</sup> If such a request is made, the Commission would then need to determine at a subsequent meeting if a task force should be appointed or not.

The decision whether to appoint an advisory task force does not need to be made at the time of application acceptance; however, it should be made as soon as practicable to ensure its charge can be completed prior to issuance of the EIS scoping decision.

### ***Public Hearing***

Route permit applications under the full permitting process require a contested case hearing be held after the draft EIS for the project has been prepared.<sup>21</sup> If the route permitting process and a certificate of need determination are proceeding concurrently, the Commission may order that a joint hearing be held to consider both permitting and need.<sup>22</sup>

### ***Certificate of Need***

Minnesota Statute 216B.243 precludes construction of any large energy facility without a Certificate of Need issued by the Commission. The proposed project includes both an electric power generating plant with a combined capacity of 50,000 kilowatts or more and a transmission line necessary to interconnect the plant to the transmission system; accordingly the proposed project meets the statutory definition of

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<sup>15</sup> Minnesota Rule 7850.2000

<sup>16</sup> Minnesota Rule 7850.2700.

<sup>17</sup> Ibid.

<sup>18</sup> Minnesota Statute 216E.08, Minnesota Rule 7850.2500.

<sup>19</sup> Minnesota Rule 7850.2400.

<sup>20</sup> Ibid.

<sup>21</sup> Minnesota Rule 7850.2600.

<sup>22</sup> Minnesota Statute 218B.243, Subd. 4; Minnesota Rule 7850.2600, Subp. 3.

a large energy facility in Minnesota Statutes 216B.2421, Subdivision 2(1) and requires a certificate of need from the Commission.<sup>23</sup> The certificate of need application must be considered using the process prescribed by Minnesota Statute 216B.243 and Minnesota Rules 7849.

### ***Environmental Review***

Certificate of need applications are subject to environmental review conducted by EERA staff – staff must prepare an environmental report (ER) for the proposed project.<sup>24</sup>

If an applicant for a certificate of need applies for a route permit (for the same project) prior to completion of the ER, EERA staff may elect to prepare an EIS in lieu of an environmental report.<sup>25</sup> If an EIS is prepared in lieu of an environmental report, the EIS must include an analysis of alternatives to the project required by Minnesota Rule 7849.1500.<sup>26</sup>

## **EERA Staff Analysis and Comments**

EERA staff has reviewed the applications, and provides the following analysis and comments in response to the Commission’s notice requesting comments on completeness and other issues related to the procedures to review and process the applications.

### **Completeness of Applications**

EERA staff has conferred with DCW about the Project and reviewed drafts of both the LW ECS site and HVTL route permit applications. EERA staff believes that its comments on the draft applications have been substantially addressed in both the site and route permit applications submitted to the Commission.

Staff has evaluated the route permit application against the application completeness requirements of Minnesota Rule 7850.1900 (see Table 1). EERA staff finds that the application contains appropriate and substantially complete information with respect to these requirements, including descriptions of the proposed project and potential environmental impacts and mitigation measures.

The one additional piece of information that that EERA staff requests from DCW is a clarification on how easements were obtained. Staff has received a few phone calls from property owners concerned that their easements with other companies for different projects that were not ultimately developed had been transferred to DCW for the Project. EERA staff believes that it would be helpful for DCW to clarify whether all easements have been negotiated directly with landowners for the Project, or whether any have been transferred to DCW from other projects.

With the addition of the above-mentioned material, staff believes that the HVTL route permit application meets the content requirements of Minnesota Rule 7850.1900 and is substantially complete. EERA staff will continue to verify and build on the information provided in the application through the EIS development.

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<sup>23</sup> Minnesota Statute 216B.2421; Minnesota Statute 216B.243.

<sup>24</sup> Minnesota Rule 7849.1200.

<sup>25</sup> Minnesota Rule 7849.1900.

<sup>26</sup> Ibid.

EERA staff has reviewed the site permit application pursuant the requirements of Minnesota Rule 7854 (Wind Siting Rules) (see Table2) and believes that the application provides the information required by Minnesota Rule 7854.0500 in a format that members of the public can access.

EERA staff has reviewed the certificate of need application pursuant to the requirements of Minnesota Rule 7849.0310 (Environmental Information Required). While staff finds the information in the application to be rather superficial, staff believes that, when combined with the more detailed information contained in the LWECS and HVTL applications, the sum of the information provided is sufficient to begin review of the Project. EERA staff notes it will request additional and more detailed information from DCW on the Project and alternatives to the Project following the EIS/ER scoping period.

The Commission's acceptance of the applications will allow EERA staff to commence the environmental review process.

### **Joint Processing of the Applications**

EERA staff recommends that the site permit application, route permit application and a certificate of need application for the proposed project be processed jointly. The three applications were submitted simultaneously and the project components are clearly interrelated.

EERA staff believes that preparation of an EIS in lieu of an ER for the certificate of need will not lengthen the certificate of need or route permitting processes. Although it would lengthen the timeline for the site permit, the site permit cannot be issued before a certificate of need determination is made, rendering the difference is immaterial. EERA believes that joint public information meetings, environmental review, and hearings is feasible, provides for some efficiencies, and may further the public interest by reducing confusion about comment periods and acknowledging the interrelatedness of the projects components (see Table 3).

### **Contested Issues of Fact**

Based on its review of the applications and public comments to date, EERA staff notes two areas related to the proposed HVTL where the information in the applications is not well supported.

- **Size of HVTL Line:** Currently the proposed 345 kV gen-tie line is the largest transmission line proposed to connect a LWECS to the grid in Minnesota, although the Pleasant Valley 301 MW Wind Farm used a 345 kV intertie of less than 1500 feet. Of the 10 LWECS with a nameplate capacity of 150 MW or greater most of the proposed interconnects have been at the 115 kV level, while one each has been proposed at the 161 kV and 230 kV size.<sup>27</sup> Section 6.3.2.2 of the CN application contains a bulleted list dismissing the use of a 161 kV interconnect due to efficiency, less total ROW, and the cost of associated improvements. While the justification may be apt, the information provided justifying this dismissal is rather cursory and does not explain to the lay reader why three single circuit 161 kV lines would be required in lieu of the single 345 kV transmission line proposed for the Project. In the opinion of EERA staff, the

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<sup>27</sup> the Freeborn Wind Project currently under review has proposed a 161 kV line, and the Commission permitted a 230 kV transmission line associated with the never-built Noble Flat Hills Project

justification for the size of the line in the application is not well-developed and would benefit from a more robust examination of alternative sizes.

- **Use of eminent domain:** DCW states that they do not have the authority to exercise eminent domain. With this understanding, DCW has developed the route proposals by reaching voluntary agreements with landowners.<sup>28</sup> In a similar proceeding currently before the Commission, Freeborn Wind Energy, LLC states that it has the authority to exercise eminent domain to acquire easements to construct a 115 kV HVTL connecting its proposed LWECS to the electric grid.<sup>29</sup> During the EIS scoping process, members of the public and agencies are asked to propose route alternatives to be evaluated in the EIS. It is possible that, through the scoping process, route alternatives may be suggested that include areas where landowners have rejected easements from DCW, or have not been approached by DCW. In such cases, EERA staff would look to the Commission for guidance on how to evaluate any proposed alternatives.

With respect to potentially contested issues of fact related to the LWECS, EERA staff notes that public comments to date have questioned the size of the LWECS relative to MMPA's customer base and the suitability of prime agricultural land for a LWECS of this size.

### **Referral for Contested Case Proceedings**

Because the proposed HVTL is greater than 200 kV, the route permit process requires a contested case hearing. The Commission's notice requested comments on whether the Commission should order contested case proceedings for the certificate of need and/or the LWECS applications.

EERA staff has identified two issues related to the proposed HVTL under the Contested Issues of Fact. EERA staff believes the contested case proceeding required for the HVTL permit provides adequate opportunity to address issues related to the use of eminent domain.

The size of the HVTL is a central issue in the Commission's certificate of need determination. EERA staff believes that an ALJ report with recommendation and findings of fact on the size of the proposed HVTL would assist the Commission in its decision. EERA staff is agnostic on the procedural framework, contested case hearing or informal process, for arriving at the desired work product. uncertain exactly how the Commission's informal certificate of need process could be adapted to ensure an ALJ recommendation, but notes that the Commission's Order establishing a procedural framework for the Bitter Root LWECS Site Permit Application directed the ALJ to prepare a report with recommendations, conclusions of law, and findings of fact.<sup>30</sup>

At this time, EERA staff does not know of any controversial issues or unaccounted for sensitive resource impacts associated with the LWECS site permit application that require a contested case proceeding. Development of the draft site permit will provide insight into the potential Project impacts, and clarity as to the appropriate site permit conditions to be included. The Commission may wish to refer the LWECS site permit application for contested case proceedings at this time, or may wish to delay the

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<sup>28</sup> Route Permit Application, at p. 32

<sup>29</sup> Freeborn Wind Energy, LLC, *Freeborn Wind Farm to Glenworth Substation Transmission Line Route Permit Application*, September 20, 2017, at p. 1, eDocket ID: [20179-135684-02](#)

<sup>30</sup> Commission, *Order Accepting Application, Establishing Procedural Framework, and Varying Rules*, January 30, 2018, eDocket ID: [20181-139534-01](#)



decision on whether to refer the project to the OAH for a contested case hearing until the draft site permit stage.

Given that the HVTL route permit application will proceed under contested case proceedings, there does not appear to be much in the way of timesavings achieved through an informal review process.

### Advisory Task Force

EERA staff has analyzed the merits of establishing an advisory task force for the proposed HVTL and does not believe that a task force is warranted for this HVTL project.

In analyzing the need for an advisory task force for the project, EERA staff considered four characteristics: project size, project complexity, known or anticipated controversy, and sensitive resources.

- **Project Size.** The proposed HVTL project is a 345 kV line approximately 23 miles in length. Transmission line structures will range from 75 to 170 feet in height. The voltage, length, and size of the structures make this a relatively large transmission line project for Minnesota. These project-size factors weigh in favor of a task force.
- **Project Complexity.** With respect to land uses and development density in the project area, the HVTL project is relatively straightforward. Both route alternatives are located on primarily agricultural land, with some residences. The proposed routes do follow field and division lines, transmission, and road features for the majority of their length.

The major factor complicating the routing is the ability of DCW to acquire voluntary easements. The applicant states they have acquired voluntary easements for approximately 97 percent of the length of Route Alternative A, and 95 percent of the length of Route Alternative B.<sup>31</sup>

- **Known or Anticipated Controversy.** EERA staff is aware that there is some organized public opposition to the project. To date, most of the calls and queries that EERA staff has received have been requests for more detailed information about the location of the project. EERA staff has heard concerns from citizens about potential impacts to agriculture, property values, and potential health effects, all concerns that typically come up in HVTL proceedings. Based on comments to date, and because of the length of the line and the size of the proposed transmission line structures, EERA staff anticipates that there will be some controversy concerning the project. Controversy, by itself, does not necessitate an advisory task force be appointed.
- **Sensitive Natural Resources.** Several public commenters have cited the siting of the Project on Prime Farmland. Both proposed routes include identified sites of Biodiversity Significance. The proposed routes appear to avoid major water crossings and other sensitive features that often complicate routing. On whole, potential impacts to sensitive natural resources do not weigh for or against a task force.

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<sup>31</sup> Route Permit Application, at p. 32

Although the HVTL is large and there is some controversy surrounding the entirety of the Project, the issues identified thus far appear to be more related to the size of the HVTL and the potential conflicts of siting the LWECs and associated facilities (including the HVTL) in an agricultural area. As noted in comments on the use of eminent domain above, DCW has stated its commitment to routing the HVTL through areas where it has voluntary easements.

EERA staff believes that the existing EIS scoping and development process contains adequate opportunity for the public and agencies to propose alternative routes and identify issues and potential mitigation measures that may reduce the potential for impacts. Based on the above analysis, EERA staff believes that an advisory task force is not warranted for the Project.

### **EERA Staff Recommendation**

EERA staff recommends that the Commission accept the site permit and route permit applications for the proposed Dodge County Wind Project as substantially complete, following additional information from DCW on whether all easements were acquired directly for the proposed project.

Additionally, EERA staff recommends the applications be processed jointly (with an EIS in lieu of an ER, and with joint public meetings and hearings to the extent possible). EERA staff recommends that the Commission direct the OAH to prepare findings and a recommendation on the required size of the HVTL. EERA staff does not recommend the Commission authorize appointment of an advisory task force for the HVTL.

**Table 1 - HVTL Application Completeness**

Minnesota Rule 7850.1900, Subpart 2	Location in Route Permit Application	EERA Staff Comments
A. a statement of proposed ownership of the facility at the time of filing the application and after commercial operation;	1.1	Information is provided to satisfy this requirement. DCW, a wholly-owned indirect subsidiary of NextEra Energy Resources, LLC(NEER) will own the Project.
B. the precise name of any person or organization to be initially named as permittee or permittees and the name of any other person to whom the permit may be transferred if transfer of the permit is contemplated;	1.2	Information is provided to satisfy this requirement.
C. at least two proposed routes for the proposed high voltage transmission line and identification of the applicant's preferred route and the reasons for the preference;	2.1, 2.2, 2.3, 3.8, and 3.9	Information is provided to satisfy this requirement. Minnesota Statute 216E.03 requires that none of the routes proposed in a permit application be designated as a preferred route.
D. a description of the proposed high voltage transmission line and all associated facilities, including the size and type of the high voltage transmission line;	Chapters 2, 3, 4, and Appendix D	Information is provided to satisfy this requirement.
E. the environmental information required under subpart 3;	See Minnesota Rule 7850.1900, Subpart 3 below.	
F. identification of land uses and environmental conditions along the proposed routes;	5.1, 5.2, 6.1, 6.2	Information is provided to satisfy this requirement.
G. the names of each owner whose property is within any of the proposed routes for the high voltage transmission line;	Appendix L	Information is provided to satisfy this requirement.
H. United States Geological Survey topographical maps or other maps acceptable to the Commission showing the entire length of the high voltage transmission line on all proposed routes;	Appendix C	Information is provided to satisfy this requirement.
I. Identification of existing utility and public rights-of-way along or parallel to the proposed routes that have the potential to share the right-of-way with the proposed line;	3.8, 4.2, 5.4, 6.4, Appendix E	Information is provided to satisfy this requirement.
J. the engineering and operational design concepts for the proposed high voltage transmission line, including information on the electric and magnetic fields of the transmission line;	Chapter 4	Information is provided to satisfy this requirement.
K. cost analysis each route, including the costs of constructing, operation and maintaining the high voltage transmission line that are dependent on design and route;	2.6	Information is provided to satisfy this requirement.
L. a description of possible design options to accommodate expansion of the high voltage transmission line in the future;	4.1.2	Information is provided to satisfy this requirement. DCW has not designed the line to accommodate expansion.

Minnesota Rule 7850.1900, Subpart 2	Location in Route Permit Application	EERA Staff Comments
M. the procedures and practices proposed for the acquisition and restoration of the right-of-way, construction, and maintenance of the high voltage transmission line;	Chapter 4	Information provided is generally sufficient to satisfy this requirement. However, EERA recommends that DCW explain whether ROW was acquired directly from landowners for the proposed project or was purchased from another entity or project.
N. a listing and brief description of federal, state, and local permits that may be required for the proposed high voltage transmission line; and	Chapter 8	Information is provided to satisfy this requirement.
O. a copy of the Certificate of Need or the certified HVTL list containing the proposed high voltage transmission line or documentation that an application for a Certificate of Need has been submitted or is not required.	1.3	Information is provided to satisfy this requirement. Certificate of Need application submitted on June 29, 2018
Minnesota Rule 7850.1900, Subpart 3	Location in Route Permit Application	EERA Staff Comments
A. a description of the environmental setting for each site or route;	5.1, 6.1, 7.1.1	Information is provided to satisfy this requirement.
B. a description of the effects of construction and operation of the facility on human settlement, including, but not limited to, public health and safety, displacement, noise, aesthetics, socioeconomic impacts, cultural values, recreation, and public services;	5.5, 6.5, 7.1.3	Information is provided to satisfy this requirement.
C. a description of the effects of the facility on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;	5.6, 6.6, 7.1.4	Information is provided to satisfy this requirement.
D. a description of the effects of the facility on archaeological and historic resources;	5.7, 6.7, 7.1.5	Information is provided to satisfy this requirement.
E. a description of the effects of the facility on the natural environment, including effects on air and water quality resources and flora and fauna;	5.8, 6.8, 7.1.6	Information is provided to satisfy this requirement.
F. a description of the effects of the facility on rare and unique natural resources;	5.8.10, 6.8.10, 7.1.7	Information is provided to satisfy this requirement.
G. identification of human and natural environmental effects that cannot be avoided if the facility is approved at a specific site or route; and	3.9, 5.5, 5.8, 6.5, 6.8, 7.1.4, 7.1.6	Information is provided to satisfy this requirement.
H. a description of measures that might be implemented to mitigate the potential human and environmental impacts identified in items A to G and the estimated costs of such mitigative measures.	Chapters 5, 6, 7	Information is provided to satisfy this requirement.

**Table 2 - LWECS Site Permit Application Completeness**

<b>SITE PERMIT APPLICATION CONTENTS</b>	<b>Location in Site Permit Application</b>	<b>EERA Staff Comments</b>
<b>Subpart 1. Applicant</b>		
(A) A letter of transmittal signed by an authorized representative or agent of the applicant	Submitted Separately	Information is provided to satisfy this requirement.
(B) The complete name, address, and telephone number of the applicant and any authorized representative	1.0	Information is provided to satisfy this requirement.
(C) The signature of the preparer of the application if prepared by an agent or consultant of the applicant	Submitted Separately	Information appears to be missing
(D) The role of the permit applicant in the construction and operation of the LWECS	1.0	Information is provided to satisfy this requirement.
(E) Other applicant-affiliated LWECS located in Minnesota	1.0, 4.7	Information is provided to satisfy this requirement.
(F) The operator of the LWECS if different from the applicant	1.0	Information is provided to satisfy this requirement.
(G) The name of the person or persons to be the permittees if a site permit is issued	1.0	Information is provided to satisfy this requirement.
<b>Subpart 2. Certificate of Need or Other Commitment</b>		
(A) Statement of certificate of need requirements and anticipated schedule.	2.0; 10.8	Information is provided to satisfy this requirement.
(B) The commission may determine if a certificate of need is required for a particular LWECS for which the commission has received a site permit application	2.0	Information is provided to satisfy this requirement.
(C) Statement of intended power use, status of power purchase agreement or other enforceable mechanism.	2.0	Information is provided to satisfy this requirement.
<b>Subpart 3. State Policy</b>		
How the proposed LWECS project furthers state policy to site such project in an orderly manner compatible with environmental preservation, sustainable development, and the efficient use of resources.	3.0	Information is provided to satisfy this requirement.
<b>Subpart 4. Proposed Site</b>		
(A) The boundaries of the site proposed for the LWECS	4.1, Maps 1 and 2	Information is provided to satisfy this requirement.
(B)(1) Wind Characteristics: interannual variation	9.1.1	Information is provided to satisfy this requirement.
(B)(2) Wind Characteristics: seasonal variation	9.1.2	Information is provided to satisfy this requirement.
(B)(3) Wind Characteristics: diurnal conditions	9.1.3	Information is provided to satisfy this requirement.
(B)(4) Wind Characteristics: atmospheric stability	9.1.4	Information is provided to satisfy this requirement.

SITE PERMIT APPLICATION CONTENTS	Location in Site Permit Application	EERA Staff Comments
(B)(5) Wind Characteristics: turbulence	9.1.5	Information is provided to satisfy this requirement.
(B)(6) Wind Characteristics: extreme conditions	9.1.6	Information is provided to satisfy this requirement.
(B)(7) Wind Characteristics: speed frequency distribution	9.1.7	Information is provided to satisfy this requirement.
(B)(8) Wind Characteristics: variation with height	9.1.8	Information is provided to satisfy this requirement.
(B)(9) Wind Characteristics: spatial variation	9.1.9	Information is provided to satisfy this requirement.
(B)(10) Wind Characteristics: wind rose	9.1.10	Information is provided to satisfy this requirement.
(C) Other meteorological information about the site.	9.1.12	Information is provided to satisfy this requirement.
(D) The location of other wind turbines in the general area of the proposed LWECS	9.2, Map 11	Information is provided to satisfy this requirement.
Subpart 5. Description of applicant's wind rights	7.0, Map 4	Information is provided to satisfy this requirement.
<b>Subpart 6. Project Design</b>		
(A) A project layout, including a map showing a proposed array spacing of the turbines	5.1, Map 3	Information is provided to satisfy this requirement.
(B) Description of the turbines, towers and other equipment to be used in the project	5.2	Information is provided to satisfy this requirement.
(C) Description of the LWECS electrical system, including transformers at both low voltage and medium voltage	5.3, 5.3.1-5.3.5	Information is provided to satisfy this requirement.
(D) Description and location of associated facilities	6.0	Information is provided to satisfy this requirement.
<b>Subpart 7. Environmental Impacts</b>		
(A) Demographics, including people, homes, and businesses	8.1, 8.12	Information is provided to satisfy this requirement.
(B) Noise	8.3	Information is provided to satisfy this requirement.
(C) Visual impacts	8.4	Information is provided to satisfy this requirement.
(D) Public services and infrastructure	8.5	Information is provided to satisfy this requirement.
(E) Cultural and archaeological impacts	8.6	Information is provided to satisfy this requirement.
(F) Recreational resources	8.7	Information is provided to satisfy this requirement.
(G) Public health and safety, including air traffic, electromagnetic fields, and security and traffic	8.8	Information is provided to satisfy this requirement.

SITE PERMIT APPLICATION CONTENTS	Location in Site Permit Application	EERA Staff Comments
(H) Hazardous materials	8.9	Information is provided to satisfy this requirement.
(I) Land-based economics, including agriculture, forestry, and mining	8.10	Information is provided to satisfy this requirement.
(J) Tourism and community benefits	8.11	Information is provided to satisfy this requirement.
(K) Topography	8.13	Information is provided to satisfy this requirement.
(L) Soils	8.14	Information is provided to satisfy this requirement.
(M) Geologic and groundwater resources	8.15	Information is provided to satisfy this requirement.
(N) Surface water and floodplain resources	8.16	Information is provided to satisfy this requirement.
(O) Wetlands	8.17	Information is provided to satisfy this requirement.
(P) Vegetation	8.18	Information is provided to satisfy this requirement.
(Q) Wildlife	8.19	Information is provided to satisfy this requirement.
(R) Rare and unique natural resources	8.20	Information is provided to satisfy this requirement.
<b>Subpart 8. Construction of the Project</b>		
The applicant shall describe the manner in which the project, including associated facilities, will be constructed	10.0-10.5	Information is provided to satisfy this requirement.
<b>Subpart 9. Operation of the Project</b>		
Description of how the project will be operated and maintained after construction, including a maintenance schedule	10.6	Information is provided to satisfy this requirement.
<b>Subpart 10. Costs</b>		
Description of the estimated costs of design and construction of the project and the expected operating costs.	10.7	Information is provided to satisfy this requirement.
<b>Subpart 11. Schedule</b>		
Anticipated schedule for completion of the project, including major milestones, and expected date of commercial operation (COD).	10.8	Information is provided to satisfy this requirement.
<b>Subpart 12. Energy Projections</b>		
Energy expected to be generated by the Project	10.9	Information is provided to satisfy this requirement.
<b>Subpart 13. Decommissioning</b>		

<b>SITE PERMIT APPLICATION CONTENTS</b>	<b>Location in Site Permit Application</b>	<b>EERA Staff Comments</b>
(A) The anticipated life of the project	10.10.1	Information is provided to satisfy this requirement.
(B) The estimated decommissioning costs in current dollars	10.10.2	Information is provided to satisfy this requirement.
(C) The method and schedule for updating the costs of decommissioning and restoration	10.10.3	Information is provided to satisfy this requirement.
(D) The method of ensuring that funds will be available for decommissioning and restoration	10.10.4	Information is provided to satisfy this requirement.
(E) The anticipated manner in which the project will be decommissioned and the site restored	10.10.5	Information is provided to satisfy this requirement.
<b>Subpart 14. Identification of Other Permits</b>		
A list of all known federal, state, and local agencies or authorities, and titles of the permits they issue that are required for the proposed LWECs.	11.0	Information is provided to satisfy this requirement.

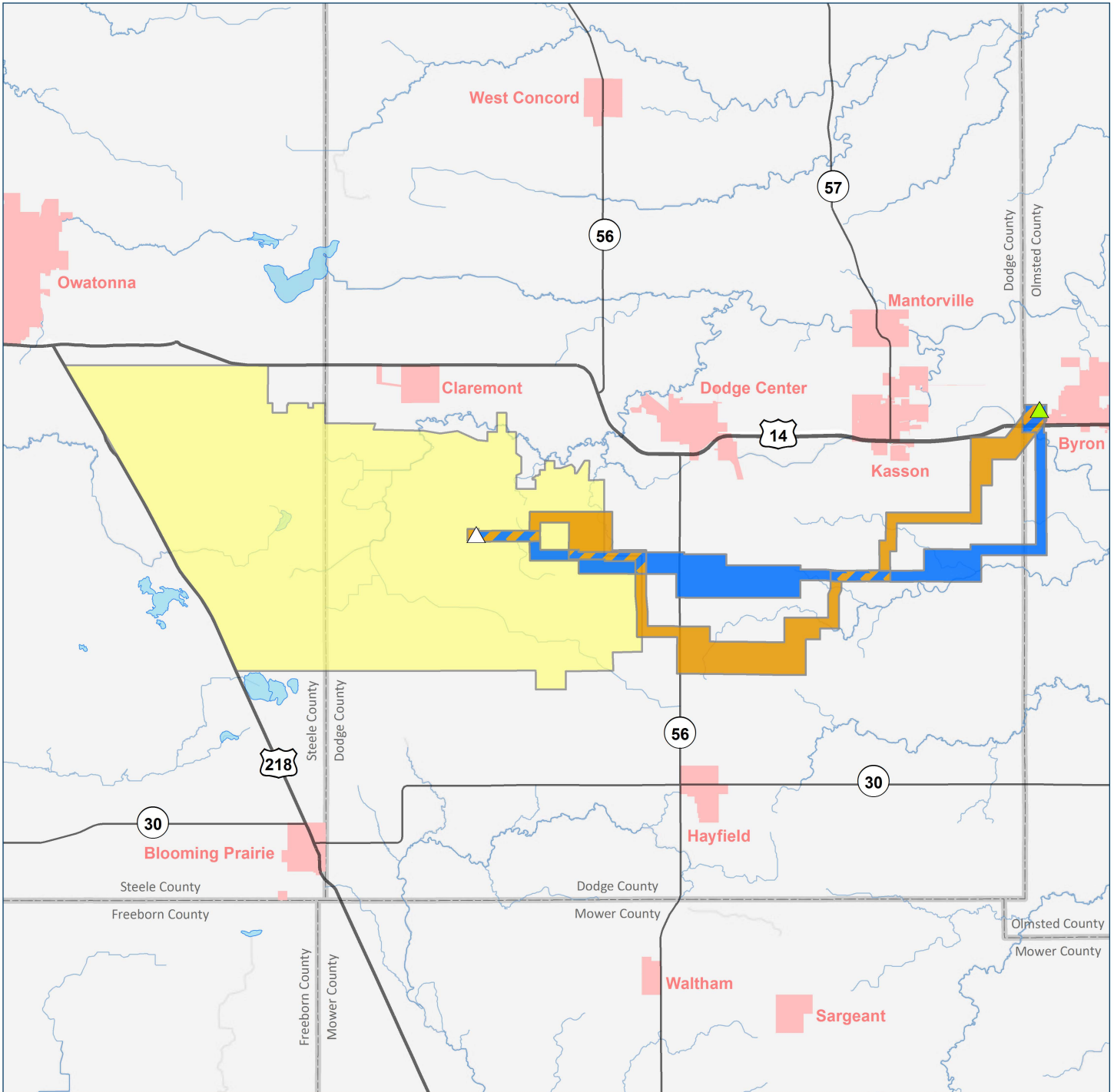








**Table 3 - EERA Concept Schedule**

Number	Certificate of Need Application (CN)	Site Permit Application (LWECS)	HVTL Route Permit Application (HVTL)	Date or <u>ESTIMATED</u> Date	Notes
1	Application Filed	Application Filed	Application Filed	6/29/2018	
2	Notice of Comment Period on Completeness	Notice of Comment Period on Completeness	Notice of Comment Period on Completeness	7/13/2018	
	Completeness Comments Due	Completeness Comments Due	Completeness Comments Due	8/10/2018	
	Commission Considers Completeness	Commission Considers Completeness	Commission Considers Completeness	<u>September 2018</u>	
3	Order Accepting Application	Order Accepting Application	Order Accepting Application	<u>September/ October 2018</u>	Review start dates: CN: 6/29/2018 (filing date) LWECS & HVTL: Order accepting Application
4	Notice of Application Acceptance and ER Scoping Meeting	Notice of Application Acceptance and Public Information Meeting	Notice of Application Acceptance and EIS Scoping Meeting	<u>September/ October 2018</u>	Notice requirements differ: <ul style="list-style-type: none"> <li>• CN: Notice at least 15 days prior to meeting. Meeting required to be held 40 days from filing date (<u>this will require a variance from the rule</u>).</li> <li>• LWECS: Notice of Application Acceptance required 15 days after acceptance of application.</li> <li>• HVTL: Notice required at least 10 day prior to meeting. Meeting must be held within 60 days of application acceptance.</li> </ul>
5	ER Scoping Meeting	Public Information Meeting on	EIS Scoping Meeting	<u>October 2018</u>	This meeting is an additional public meeting in the LWECS siting process, as the

Number	Certificate of Need Application (CN)	Site Permit Application (LWECS)	HVTL Route Permit Application (HVTL)	Date or <u>ESTIMATED</u> Date	Notes
		Draft Site Permit Template			required meeting is typically held later in the siting process. The required or second public meeting is generally combined with the public hearing later in the process.
6	ER Scoping Comment Period Closes	Draft Site Permit Template Comment Period Closes	EIS Scoping Comment Period Closes	<u>October/November 2018</u>	<p>For all processes, the comment period opens with the notice.:</p> <ul style="list-style-type: none"> <li>• CN: Minimum 20 day comment period from meeting date.</li> <li>• LWECS: No comment period prescribed.</li> <li>• HVTL: Minimum 7 day comment period from the meeting date.</li> </ul>
7	ER Scope Issued	N/A	EIS Scope Issued	<u>November 2018</u>	<ul style="list-style-type: none"> <li>• CN/ER: Within 10 days of close of comment period</li> <li>• HVTL/EIS: As soon after holding the public meeting a possible.</li> </ul>
8	N/A	Preliminary Draft Site Permit	N/A	<u>November 2018</u>	EERA submits Preliminary Draft Site Permit.
	N/A	Order Issuing Draft Site Permit	N/A	<u>December 2018/January 2019</u>	Within 45 days of application acceptance ( <u>this will require a variance from the rule</u> ).
9	Comment and Reply on Merits of CN Application Starts	Comments on Draft Site Permit Starts	Comment and Reply on Merits of RPA Starts		<ul style="list-style-type: none"> <li>• CN &amp; HVTL: No limit.</li> <li>• LWECS: Minimum 30 days after publication.</li> </ul>
10	ER Issued	N/A	EIS Issued	<u>April 2019</u>	CN/ER: To be completed within 4 months from


Number	Certificate of Need Application (CN)	Site Permit Application (LWECS)	HVTL Route Permit Application (HVTL)	Date or <u>ESTIMATED</u> Date	Notes
					application filing ( <u>this will require a variance from the Minnesota Rule 7849.1400, subpart 10</u> ).
11	Notice of ER Availability	Notice of Public Information Meeting/Public Hearing (DSP)	Notice of DEIS Public Meeting	<u>April 2019</u>	
12	N/A	Public Meeting on DSP	Public Meeting on ER/EIS	<u>May 2019</u>	Covers LWECS, and HVTL Applications.
13	N/A	Comment Period on Draft Site Permit Closes	Comment Period ER/DEIS Closes	<u>June 2019</u>	Corresponds w/ close of Public Hearing comment period.
14	Contested Case Hearing	Contested Case Hearing	Contested Case Hearing	<u>July 2019</u>	
15		N/A	Final ER/EIS issued	<u>August 2019</u>	2 months from close of DEIS Comment Period
16	Post Hearing Briefing	Post Hearing Briefing	Post Hearing Briefing	<u>August 2019</u>	As determined by ALJ, if ordered by the Commission. 10 days after close of public hearing comment period.
17	ALJ Report	ALJ Report	ALJ Report	<u>September/ October 2019</u>	Findings of fact, conclusions of law, and recommendation.
18	Exceptions to ALJ Report	Exceptions to ALJ Report	Exceptions to ALJ Report	<u>October/ November 2019</u>	15 days of filing of the ALJ Report.
19	Commission Decision	Commission Decision	Commission Decision	<u>December 2019</u>	



 Route Width A	 Existing Byron Substation
 Route Width B	 Proposed Collector Substation
 Overlapping Route Width	 Proposed LWECs Project Boundary

1 inch = 20,417 feet

MILES



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## **CERTIFICATE OF SERVICE**

I, Robin Benson, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

### **Minnesota Public Utilities Commission ORDER**

Docket Numbers: **IP-6981/CN-17-306; IP-6981/WS-17-307; IP-6981/TL-17-308**

Dated this **4th** day of **October, 2018**

/s/ Robin Benson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1800  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_17-306_CN-17-306
Ian	Dobson	residential.utilities@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_17-306_CN-17-306
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280  Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_17-306_CN-17-306
Andrew	Gibbons	andrew.gibbons@stinson.com	Stinson Leonard Street	50 S 6th St Ste 2600  Minneapolis, MN 54002	Electronic Service	No	OFF_SL_17-306_CN-17-306
Brian	Meloy	brian.meloy@stinson.com	Stinson, Leonard, Street LLP	50 S 6th St Ste 2600  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_17-306_CN-17-306
Brian J	Murphy	Brian.J.Murphy@nee.com	Nextera Energy Resources, LLC	700 Universe Blvd LAW-JB Juno Beach, FL 33408	Electronic Service	No	OFF_SL_17-306_CN-17-306
Mike	Weich	Mike.Weich@nexteraenergy.com	Dodge County Wind, LLC	700 Universe Blvd  Juno Beach, FL 33408	Electronic Service	No	OFF_SL_17-306_CN-17-306
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_17-306_CN-17-306

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1800  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_17-307_WS-17-307
Ian	Dobson	residential.utilities@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_17-307_WS-17-307
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280  Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_17-307_WS-17-307
Andrew	Gibbons	andrew.gibbons@stinson.com	Stinson Leonard Street	50 S 6th St Ste 2600  Minneapolis, MN 54002	Electronic Service	No	OFF_SL_17-307_WS-17-307
Brian	Meloy	brian.meloy@stinson.com	Stinson, Leonard, Street LLP	50 S 6th St Ste 2600  Minneapolis, MN 55402	Electronic Service	No	OFF_SL_17-307_WS-17-307
Brian J	Murphy	Brian.J.Murphy@nee.com	Nextera Energy Resources, LLC	700 Universe Blvd LAW-JB Juno Beach, FL 33408	Electronic Service	No	OFF_SL_17-307_WS-17-307
Mike	Weich	Mike.Weich@nexteraenergy.com	Dodge County Wind, LLC	700 Universe Blvd  Juno Beach, FL 33408	Electronic Service	No	OFF_SL_17-307_WS-17-307
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_17-307_WS-17-307

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1800  St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_17-308_TL-17-308
Jason	Czeczok	office@byronfuneralhome.com	Bryon Funeral Home	1620 Voll Drive NW  Bryon, MN 55920	Electronic Service	No	OFF_SL_17-308_TL-17-308
Brenda	Davis	Bdavis.asset@gmail.com		69650 230th Ave  Kasson, MN 55944	Electronic Service	No	OFF_SL_17-308_TL-17-308
Melissa	DeVetter	melissa.devetter@co.dodge.mn.us	Dodge County	721 N Main St Dept 123  Mantorville, MN 55955	Electronic Service	No	OFF_SL_17-308_TL-17-308
Ian	Dobson	residential.utilities@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_17-308_TL-17-308
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280  Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_17-308_TL-17-308
Andrew	Gibbons	andrew.gibbons@stinson.com	Stinson Leonard Street	50 S 6th St Ste 2600  Minneapolis, MN 54002	Electronic Service	No	OFF_SL_17-308_TL-17-308
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Brian J	Murphy	Brian.J.Murphy@nee.com	Nextera Energy Resources, LLC	700 Universe Blvd LAW-JB Juno Beach, FL 33408	Electronic Service	No	OFF_SL_17-308_TL-17-308
Gene	Peters	gpete1951@aol.com		1320 Wickelow Lane SW  Rochester, MN 55902	Electronic Service	No	OFF_SL_17-308_TL-17-308



First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Tom	Rother	tomr@netmanco.com	Rother Farms, Inc.	6970 151st St W Apple Valley, MN 55124	Electronic Service	No	OFF_SL_17-308_TL-17-308
Mike	Weich	Mike.Weich@nexteraenergy.com	Dodge County Wind, LLC	700 Universe Blvd Juno Beach, FL 33408	Electronic Service	No	OFF_SL_17-308_TL-17-308
Edward	Westin	eawestin@hotmail.com		2813 86th Street Lubbock, TX 79423-3131	Electronic Service	No	OFF_SL_17-308_TL-17-308
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_17-308_TL-17-308