

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

DOCKET NOS. IP-6903/WS-18-179

Date: January 29, 2020**EERA Staff:** Larry B. Hartman | 651-539-1839 | larry.hartman@state.mn.us

In the Matter of Xcel Energy's Request to Transfer the Large Wind Energy Conversion System (LWECS) Site Permit Issued for 100.2 MW Lake Benton II Repowering Project in Pipestone County

Issues Addressed: These comments and recommendations address the proposed transfer of the site permit for the 100.2 MW Lake Benton II Repowering Project in Pipestone County to Northern States Power Company Minnesota (NSPM).

Additional documents and information can be found on eDockets:
<https://www.edockets.state.mn.us/EFiling/search.jsp> (19-179)

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Introduction and Background

On May 30, 2019 and March 14, 2019, the Minnesota Public Utilities Commission (Commission) issued Lake Benton Power Partners II a Large Wind Energy Conversion System (LWECS) an amended site permit for the 100.2 MW Lake Benton Power Partners II Wind Energy Project in Pipestone County.¹ The permit authorizes construction and operation of an up to 100.2 megawatt wind farm in Pipestone County, MN.

¹ Minnesota Public Utilities Commission, May 30, 2019, Amended Site Permit, eDockets Number [20195-153243-01](#), March 14, 2019, Amended Site Permit, see eDockets Number [20193-151107-01](#)

On November 15, 2019, Northern States Power Company of Minnesota (NSPM, referred to hereinafter as the Company) purchased the Lake Benton Power Partners II Wind Energy Project, which included the LWECs Site Permit. On December 3, 2019, the Company notified the Commission of their acquisition and filed a request with the Commission to transfer the Lake Benton Power Partners II Wind Energy Project LWECs Site Permit.²

On January 15, 2020 the Commission issued a Notice of Comment Period requesting comments on the permit transfer.³

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.”⁴ 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.”⁵

The Commission must approve the permit transfer “if the Commission determines that the new permittee will comply with the conditions of the permit.”⁶ The Commission may impose reasonable conditions on the permit transfer.⁷

EERA Staff Analysis and Comments

In their December 3, 2019, filing, the Company provided 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.⁸ Therefore, EERA believes the basic informational requirements of the permit transfer request have been met.

The Lake Benton Power Partners II Wind Energy Project LWECs site permit contains construction related obligations for the permittee. In addition, the LWECs site permit contains on-going operational obligations for the permittee. The Company provided an affirmative statement that they will comply with all conditions in the Lake Benton Power Partners II Wind Energy Project LWECs site permit and have indicated that the Company has appropriately skilled and experienced staff to deliver on this

² Northern States Power Company of Minnesota, December 3, 2019. Notice of acquisition and request for transfer of site permit. See eDockets Number [201912-157989-01](#)

³ Minnesota Public Utilities Commission, January 15, 2020. Notice of comment period on request for site permit transfer. eDocket Number [20201-159135-01](#)

⁴ Minnesota Rule 7854.1400 Subpart 1; Lake Benton Power Partners II Wind Energy Project LWECs Site Permit, Section 14.0.

⁵ Id.

⁶ Minnesota Rule 7854.1400 Subpart 2.

⁷ Id.

⁸ Northern States Power Company of Minnesota, December 3, 2019. Notice of acquisition and request for transfer of site permit. See eDockets Number [201912-157989-01](#)

commitment.⁹ Based on the record to date and EERA staff's experience with permits for other NSPM and Xcel Energy projects, EERA staff has no reason to believe that the Company will not comply with the conditions in the Lake Benton Power Partners II Wind Energy Project LWECS site permit.

EERA Staff Recommendation

If the Commission determines that the Company will comply with the conditions of the Lake Benton Power Partners II Wind Energy Project site permit, EERA staff recommends that the Commission approve transfer of the Lake Benton Power Partners II Wind Energy Project LWECS site permit to Northern States Power Company Minnesota.

⁹ Northern States Power Company of Minnesota, December 3, 2019. Notice of Acquisition Affecting Ownership of the Large Wind energy Conversion Site Permit for the 100.2 MW Lake Benton Power Partners II Wind Energy Project in Pipestone County and Request for Transfer of Site Permit. See eDockets Numbers [201912-157989-01](#)