

**NOTICE OF COMMENT PERIOD
ON AVANGRID RENEWABLES, LLC'S REQUEST TO WITHDRAW THE CERTIFICATE OF
NEED AND SITE PERMIT DOCKETS REGARDING THE BITTER ROOT WIND PROJECT**

Issued: April 16, 2019

In the Matter of the Application of Flying Cow Wind, LLC for a Certificate of Need and Site Permit for the up to 152 MW Bitter Root Wind Project and Associated Facilities in Yellow Medicine County, Minnesota

Public Utilities Commission Docket Numbers: IP-6984/CN-17-676; IP-6984/WS-17-749

Office of Administrative Hearings (OAH) Docket Number: 8-2500-35843

Comment Period: Initial comment period closes **April 26, 2019** at 4:30pm
Reply comment period closes **May 3, 2019** at 4:30pm

Comments received after the close of the comment period may or may not be considered by the Commission.

Topic(s) Open for Comment:

- Should the Commission approve Avangrid's request to withdraw the Certificate of Need and Site Permit dockets for the Bitter Root Wind Project?
- Should the Commission place any conditions on the withdrawal of the dockets?

Background: On April 4, 2019 Avangrid Renewables, LLC (Avangrid) submitted a letter informing the Minnesota Public Utilities Commission (Commission) that on March 25, 2019 Avangrid entered into an agreement whereby it obtained the outstanding membership interests in Flying Cow Wind, LLC's Bitter Root Wind Project (Project).

Given the change of ownership of the Project, Avangrid requested that the Office of Administrative Hearings (OAH) and the Commission close their respective dockets related to the project.¹ Avangrid stated its intention to submit new certificate of need and site permit applications for this Project at a future date, reflecting the change in ownership and any other necessary modifications.

Since the Commission will establish a comment period, it may be reasonable for ALJ Lipman to cancel any pre-hearing conferences until the Commission has resolved Avangrid's request to withdraw the Certificate of Need and Siting dockets for this Project given the change in ownership.

¹ OAH Docket No. 8-2500-35843; MPUC Docket Nos. IP-6984/CN-17-676 and IP-6984/WS-17-749.

Minn. Rule 7829.0430 provides for the delegation of authority to the Executive Secretary to approve uncontested petitions for the withdrawal of a filing, providing that:

- A. The party that petitioned for the withdrawal of the filing and has served notice on the official service list;
- B. No person has expressed opposition to withdrawal of the filing within 14 days of service of the notice; and
- C. No Commissioner or Commission staff person has identified a reason that the matter should not be withdrawn.

Furthermore, if a person opposes a withdrawal request within 14 days of service of the notice, the Commission will still allow a filing to be withdrawn if it determines that the proposed withdrawal:

- A. does not contravene the public interest;
- B. does not prejudice any party; and
- C. does not concern a filing that raises issues requiring Commission action.

Finally, if the Commission determines that the withdrawal of a filing would contravene the public interest or would prejudice a party, the Commission may still allow the withdrawal subject to conditions that mitigate the harm identified.

Filing Requirements: Utilities, telecommunications carriers, official parties, and state agencies are **required** to file documents using the Commission's electronic filing system (eFiling).

Submit Public Comments: Visit mn.gov/puc, select *Speak Up!* to find this docket, and add your comments to the discussion or email your comments to publicadvisor.puc@state.mn.us.

U.S. Mail: Charley Bruce, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul MN 55101.

Full Case Record: See all documents filed in this docket via the Commission's website at mn.gov/puc, select *Search eDockets*, enter the year (17) and docket number (676) for the Need docket, or enter the year (17) and docket number (749) for the Site docket, select *Search*.

Questions about this docket or Commission process and procedure? Contact Commission staff, Cezar Panait, at Cezar.Panait@state.mn.us or 651-201-2207.

To request this document in another format such as large print or audio, call 651.296.0406 (voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.