

September 7, 2018

VIA ELECTRONIC FILING

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

**Re: Exceptions to ALJ Report
Up to 260 MW Nobles 2 Wind Project and Associated Facilities in Nobles County,
Minnesota
MPUC Docket Nos. IP-6964/WS-17-597/CN-16-289
OAH Docket No. 71-2500-35110**

Dear Mr. Wolf:

Nobles 2 Power Partners, LLC (“Nobles 2”) has reviewed the Findings of Fact, Conclusions of Law, and Recommendations (“ALJ Report”) issued by Administrative Law Judge Jessica Palmer-Denig (“ALJ”) for the Nobles 2 Wind Project. We appreciate the ALJ’s comprehensive and thoughtful analysis of the record developed for the Nobles 2 Wind Project. Nobles 2 agrees with the ALJ that the Nobles 2 Wind Project is consistent with “the policy of the state to site LWECS in an orderly manner compatible with environmental preservation, sustainable development, and the efficient use of resources.” Accordingly, Nobles 2 further agrees with the ALJ that the Commission should grant Nobles 2 a site permit to construct and operate the up to 260 MW Wind Project in Nobles County.

With respect to the ALJ Report and the Site Permit, as amended by Paragraph 7 of the Conclusions of Law in the ALJ Report, Nobles 2 has no exceptions. However, Nobles 2 would again like to reiterate that it has significant concerns about site permit Section 6.1 which requires Nobles 2 to install an Aircraft Detection Lighting System (“ADLS”) for the Project. Nobles 2 appreciates the ALJ’s conclusion that the permit condition should include an opportunity for Nobles 2 to be relieved of the ADLS requirement should the FAA decline or otherwise fail to approve use of the ADLS on the Nobles 2 Wind Project in a timely manner. As discussed by Nobles 2 in the record, the use of ADLS on wind projects in the U.S., such as the Nobles 2 Wind Project, is relatively new, with limited deployment to date, and the ability to secure FAA approval in a timely manner is uncertain. In addition, there are a small number of vendors

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providing ADLS solutions for wind farms, many of which only have conditional approval from the FAA for the use of their ADLS technology on a case-by-case basis. As a result, Nobles 2 continues to be concerned about finding a commercially viable ADLS solution for the Nobles 2 Wind Project that will receive FAA approval in a timely manner. Nonetheless, Nobles 2 will abide by the ADLS requirements of the site permit and will endeavor to secure an FAA approved ADLS solution for the project. However, Nobles 2 reserves the right to petition the Commission for removal, modification or circumvention should Nobles 2 encounter significant circumstances that would preclude use of ADLS on the Nobles 2 Wind Project.

We look forward to the Commission's approval of the site permit for the Nobles 2 Wind Project.

Sincerely,

/s/ Jeremy P. Duehr

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