



CREATING GOOD JOBS, A CLEAN ENVIRONMENT, AND A FAIR AND THRIVING ECONOMY

January 24, 2019

Minnesota Public Utilities Commission  
121 Seventh Place East, #350  
Saint Paul, MN 55101-2147

MPUC Docket No. IP-6984/CN-17-676  
MPUC Docket No. IP-6984/WS-17-749  
OAH Docket No. 60-2500-35035

Commissioners Lange, Lipschultz, Schuerger, Sieben, and Tuma:

The BlueGreen Alliance is writing the members of the Minnesota Public Utilities Commission to object to the petition by Flying Cow Wind, LLC (FCW), a subsidiary of RES Americas, to withdraw the company's application for a Certificate of Need ("CN") for the Bitter Root wind energy project. We join with LIUNA Minnesota and others in objecting to the trade secret designation of documents submitted in the company's petition to withdraw the petition and request that the Commission make the documents available to the public.

The Blue Green Alliance has long supported the development of Minnesota's renewable energy resources as a means not only to reduce carbon emissions and other forms of pollution associated with consumption of fossil fuels, but also to build a clean energy economy that works for all Minnesotans. The Commission did the right thing by ordering a contested case hearing and we believe that it should reject attempts by RES Americas to get around the scrutiny ordered by the Commission. The proceedings should be held in public view, not behind closed doors. Allowing this withdrawal would tell both workers and other members of the public that are concerned about this project that their voice in the process does not matter. The contested case process already approved by the Commission will answer the questions of whether or not the company qualifies for an Independent Power Purchaser exemption.

The strong support that renewable energy enjoys in Minnesota is attributable in significant part to the promise that the industry will bring economic development to Minnesota communities and high-quality jobs to Minnesota workers. Those promises must be kept if we hope to continue to progress toward a healthy future for Minnesota and for our planet. Representatives of the Laborers District Council of Minnesota and North Dakota, which is a party to the case, along with Operating Engineers Local 49, Iron Workers Local 512, and the North Central States Regional Council of Carpenters have raised concerns about the project. The record contains uncontested evidence provided by the Laborers Union and other labor stakeholders to support the following conclusions, none of which is addressed in the ALJ report or comments submitted by the Department of Commerce:

- The Applicant relies heavily on the use of non-local construction labor for anywhere from two-thirds to 90 percent of the company's workforce according to evidence in the record.
- The Applicant's expected reliance on a largely non-local workforce will substantially reduce expected benefits and cost local communities millions of dollars in lost economic activity according to expert testimony provided by the Executive Director of North Star Policy Institute.

- Approval of Bitter Root could negatively affect prospects for nearby proposed wind projects that would deliver greater economic and societal benefits, such as quality jobs that pay fair wages and benefits, employing local workers who will help grow the local economy, and ensure that workers on the job have the best safety training available.
- Minnesota has a skilled construction workforce that has successfully built many wind energy facilities across the state where local hires accounted for a large majority of hours worked.

The Commission can and should prioritize approval of projects that best advance the state's statutory and policy goals, which include maximizing both environmental and socioeconomic benefits.

Minnesota needs to continue expanding wind and solar generation, but we need to ensure that renewable energy resources are developed in a manner that is sustainable and that maximizes the benefits of those resources to local residents and to the state as a whole. The fact that a proposed facility will generate renewable energy should not exempt a developer or the project from scrutiny.

We applaud the Commission for ordering the contested case hearing and urge them to move forward with the hearing and not allow the company's attempt to circumvent the process that will happen in the public's view and with the public's input.