

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger
David C. Boyd
J. Dennis O'Brien
Phyllis A. Reha
Betsy Wergin

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Application of Pleasant Valley Wind LLC for a Certificate of Need for up to 301 MW at the Pleasant Valley Wind Project in Dodge and Mower Counties

ISSUE DATE: February 19, 2013

DOCKET NO. IP-6828/CN-09-937

ORDER EXTENDING CERTIFICATE OF NEED IN-SERVICE DATE

PROCEDURAL HISTORY

On October 27, 2010, the Commission granted Pleasant Valley Wind LLC a certificate of need for the construction of a 301-megawatt wind farm in Dodge and Mower Counties. The project will be located in Hayfield and Vernon Townships in Dodge County and in Dexter, Pleasant Valley, Red Rock, Sergeant, and Waltham Townships in Mower County.

In its certificate-of-need application, Pleasant Valley indicated that it expected the project to be in service by the fall of 2012. However, in October 2012, Pleasant Valley filed a petition to extend the project's in-service date to October 27, 2014, without recertification. Pleasant Valley stated that delays in the Midwest Independent Transmission System Operator's (MISO's) processing of Pleasant Valley's interconnection request have made meeting the Project's planned in-service date impossible.

The Minnesota Department of Commerce, Division of Energy Resources, filed comments recommending that the Commission find the timing change acceptable without further hearings.

The matter came before the Commission on January 24, 2013.

FINDINGS AND CONCLUSIONS

Under Minnesota Rule 7849.0400, subpart 2, a delay of one year or less in the in-service date of a large generation facility previously certified by the Commission is not subject to review by the Commission. However, if an applicant seeks to delay a project's in-service date by more than a year, the Commission must evaluate the reasons for and against the proposed change and determine whether the change is acceptable without recertification. The Commission orders further hearings "if and only if it determines that the change, if known at the time of the need

decision on the facility, could reasonably have resulted in a different decision under the [certification criteria].”¹

Pleasant Valley seeks to extend the in-service date of the project from the fall of 2012 to October 27, 2014, a delay of more than a year. The Commission must therefore determine whether the change is acceptable without recertification.

The Commission concurs with the parties that the project’s in-service date should be extended to October 27, 2014, without recertification proceedings. The delay is the result of factors outside Pleasant Valley’s control. More importantly, an October 2014 in-service date could not reasonably have resulted in a different decision in the original certification proceedings. Given that the Minnesota Renewable Energy Standard requires utilities to procure an increasing percentage of energy from renewable resources through 2025,² there will be continued demand for the project’s energy well beyond 2014.

ORDER

1. The Commission hereby determines that the change in timing from fall of 2012 to October 27, 2014, is acceptable without recertification.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar
Executive Secretary



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¹ Minn. R. 7849.0400, subp. 2H.

² Minn. Stat. § 216B.1691, subd. 2a.