
July 22, 2019

Hon. James Mortenson
Administrative Law Judge
P.O. Box 64620
Saint Paul, MN 55164-0620
james.mortenson@state.mn.us

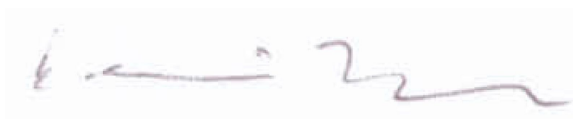
Re: Motion to Compel Discovery from Dodge County Wind, LLC and Extend Deadlines for Submission of Pre-Filed Testimony

Dear Judge Mortenson:

The Laborers District Council of Minnesota and North Dakota ("LIUNA Minnesota & North Dakota") respectfully submits the attached Motion to Compel Discovery and Extend Deadlines for Submission of Pre-Filed Testimony along with related attachments, in accordance with the procedures set out in the First Pre-Hearing Order for the Dodge Wind contested case proceedings.

We apologize for any formatting or other errors contained in our motion that arise due to our participation as a citizen intervenor, not represented by counsel, and we thank you for your attention to this matter.

Sincerely,



Kevin Pranis
Marketing Manager
(612) 224-6464
kpranis@liunagro.com

OFFICE OF ADMINISTRATIVE HEARINGS / MN PUBLIC UTILITIES COMMISSION

<p>In the Matter Dodge County Wind, LLC's Certificate of Need, LWECS Site Permit, and HVTL Route Permit applications of for the Dodge County Wind Project and associated facilities in Steel, Dodge, and Olmstead counties in Minnesota</p> <p>MPUC DOCKETS IP-6981/CN-17-306 IP-6981/WS-17-307 IP-6981/TL-17-308</p> <p>OAH DOCKET 5-2500-35668</p>	<p>Motion of LIUNA Minnesota & North Dakota to Compel Discovery and Extend Deadlines for Submission of Pre-Filed Testimony</p>
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The Laborers District Council of Minnesota and North Dakota (“LIUNA Minnesota & North Dakota”) respectfully requests that the Administrative Law Judge (“ALJ”), pursuant to Minnesota Rules 1400.6700, subpart 2, issue an order compelling Dodge County Wind, LLC (“Applicant”) to fully and completely respond to LIUNA Minnesota & North Dakota’s first information request (attached), and to cooperate with subsequent information requests. LIUNA Minnesota & North Dakota further asks that the ALJ extend deadlines for submission of pre-filed written testimony, including rebuttal and surrebuttal testimony, in order to ensure that our opportunity to use information as planned in the development of testimony is not prejudiced by Applicant’s refusal to meet discovery obligations. Applicant’s reply to the information request is almost entirely non-responsive, consists of unsubstantiated objections, and withholds responsive information that had already been provided to the Department of Commerce while falsely asserting that such information did not exist.

BACKGROUND

On December 7, 2018, Administrative Law Judge (“ALJ”) James Mortenson issued the first pre-hearing Order in the contested case proceedings covering a Certificate of Need, Site Permit, and HVTL Route Permit for Dodge County Wind. The order established a schedule and established hearing procedures, including procedures for service, responses, and disputes resolution for discovery requests.

On December 27, 2018, LIUNA Minnesota & North Dakota filed a Petition to Intervene in the abovementioned proceedings. No objections to the petition were filed, and on January 10, 2019, the organization was admitted as a full party to the case by order of the ALJ to “protect the rights and welfare of its members, their families, and their communities... [and to] ensure that this project benefits the skilled construction workers it represents.”

On July 1, 2019, the ALJ issued an Order establishing the Second Amended Schedule for Dodge County Wind contested case proceedings, which requires that non-applicant direct testimony be pre-filed by August 6, 2019 rebuttal testimony by August 30, 2019; and surrebuttal testimony by September 13, 2019.

On July 5, 2019, LIUNA Minnesota & North Dakota submitted a discovery request to Applicant seeking additional information on three subjects directly related to our organization's interest in the construction jobs expected to be created by the project: first, Applicant's anticipated construction labor and subcontracting requirements; second, Applicant's efforts, both completed and planned, to recruit local construction workforce; and third, the past use of local and non-local construction labor on several recent Upper Midwest wind energy projects developed and built by Applicant's parent company NextEra (see attached LIUNA Minnesota & North Dakota Information Request for Dodge County Wind).

On July 17, 2019, at 4:24 PM, LIUNA Minnesota & North Dakota received Applicant's response consisting almost entirely of refusals to provide the requested information on grounds that our requests were "overly broad, unduly burdensome, calling for speculation, assuming facts not in the record... [and] not reasonably calculated to lead to the discovery of evidence that is relevant to the above-referenced dockets". Applicant's response also asserted in multiple instances that the requested information "does not exist" (see attached Response of Dodge County Wind, LLC (NextEra) to LIUNA Minnesota & North Dakota's First Information Request).

On July 17, at 4:27 PM, Kevin Pranis, LIUNA Minnesota & North Dakota's Marketing Manager and principal representative in the Dodge County Wind proceedings, spoke to Andrew Gibbons, Applicant counsel, to attempt an informal resolution of the dispute. The conversation concluded with Mr. Gibbons reiterating that, notwithstanding LIUNA Minnesota & North Dakota's contention that Applicant's position is inconsistent with Commission precedent of which both parties are well aware, Applicant's position remained unchanged.

On July 18, Mr. Pranis spoke to John Wachtler, Director of Energy Environmental Review and Analysis for the Minnesota Department of Commerce, and in the course of a conversation about the forthcoming Draft Environmental Impact Statement for the project, learned that a portion of the information requested by LIUNA Minnesota & North Dakota breaking down construction labor requirements for the project, which Applicant had refused to provide and claimed "does not exist", had in fact already been provided to the Department of Corrections (see Dodge County Wind Data Request Email Correspondence with John Wachtler and Dodge County Wind Response to Data Request, attached).

ARGUMENT

Under Minnesota Rules 1400.6700, subpart 2, the party seeking to compel discovery must show that discovery is needed for the proper presentation of the party's case, is not for purposes of delay, and

that the issues or amounts in controversy are significant enough to warrant the discovery. Applicant objects in its response that the requested information is “not reasonably calculated to lead to the discovery of evidence that is relevant to the above-referenced dockets.” Yet our pursuit of more detailed information on Applicant’s construction employment plans and past practice is necessary to our case and is founded on recent Minnesota Public Utilities Commission (“Commission”) precedent of which Applicant’s counsel should be well aware given counsel’s participation in the very cases where the precedent was established.

LIUNA Minnesota & North Dakota’s request is calculated to lead to discovery of information that is directly relevant to both our case and to disputed claims made by the Applicant in these proceedings.

In this case, Applicant asserts in the pre-filed direct testimony of NextEra Project Director Mike Weich, that the project will deliver “substantial benefits to the state and local communities” including “200 temporary construction jobs” (see Weich Direct at Lines 11-14). Mr. Weich further stated, in response to questions about local jobs at an October 25, 2018 public information meeting that Applicant and Applicant’s intended Engineering Procurement & Construction (“EPC”) contractor were engaged in a process of assessing “whether or not we can work together and find employment for local workers.” (See attached Dodge County Wind Public Meeting Transcript at P. 79.)

LIUNA Minnesota & North Dakota intends to show in these proceedings that the local socioeconomic impacts of the proposed project could vary substantially based on Applicant’s use of local or non-local labor to fill anticipated construction jobs. We further intend to show that the failure to maximize potential local construction employment benefits could negatively impact local workers, local communities, and public support for the policies and infrastructure investments needed for Minnesota to successfully manage the shift from reliance on fossil fuels to clean energy resources. Finally, we intend to show that it would be both feasible and desirable to Dodge County Wind to be built by a largely local construction workforce.

It will be difficult for LIUNA Minnesota & North Dakota to demonstrate the feasibility of reliance on local labor, however, if we cannot marry our expert knowledge of the availability of skilled labor and qualified subcontractors to information on labor and subcontracting requirements that Applicant, as the project owner is uniquely able to provide. It will be similarly difficult for us to evaluate and suggest improvements to Applicant’s plans to recruit local workforce if Applicant refuses to provide details on plans and activities that Applicant has announced in these proceedings. Finally, it will be difficult to assess the likely local socioeconomic impacts of the project absent *either* a clear commitment on the part of the Applicant to local hiring *or* baseline data on the employment of local workers on similar wind energy projects built by NextEra in our area.

The Commission has determined both the subject matter of LIUNA Minnesota & North Dakota’s case, and the type of information sought, to be relevant to permitting Large Wind Energy Conversion Systems (LWECS).

Recent Commission Orders in LWECS permitting cases show clearly that the local socioeconomic impacts of wind energy developers' use of local and non-local construction labor are an appropriate subject for record development and a potentially relevant consideration in permitting decisions. As evidence of the priority the Commission has placed on the issue, we urge Your Honor to consider actions the Commission has taken in the past year.

First, the Commission has made quarterly reporting on local and non-local construction employment a standard condition for LWECS site permits, including the current site permit for Applicant parent company NextEra's Lake Benton II Repowering Project, which is currently under construction (see attached Commission Order in the Matter of NextEra's Lake Benton II Repowering Project). The Commission's adoption of a labor statistics reporting requirement in response to numerous comments submitted in LWECS dockets by local workers and labor organizations, provides evidence of the Commission's interest in the actual local employment impacts and data on said impacts.

Second, the Commission recently ordered a contested case hearing covering both Certificate of Need and Site Permit dockets for RES Americas' proposed Bitter Root Wind project for the *sole purpose* of examining local socioeconomic impacts, specifically focusing on the impacts of local and non-local construction hiring (see attached MN PUC Bitter Root Contested Case Order). The Bitter Root contested case proceedings were ordered after the conclusion of an informal hearing process that the Commission determined had failed to adequately address construction hiring and related socioeconomic issues.

The Commission's decision to order a contested case hearing to develop the record on the local socioeconomic impacts of an LWECS with a specific focus on anticipated use of local and non-local labor should demonstrate conclusively that the type of information LIUNA Minnesota & North Dakota seeks is relevant to this proceeding. Indeed, what could have been the Commission's purpose in ordering such hearings if not to obtain more detailed information on that applicant's construction employment plans and anticipated outcomes? And could have been the purpose of the discovery procedures ordered by Administrative Law Judge Eric Lipman in the resulting proceedings if not to elicit exactly the type of information LIUNA Minnesota & North Dakota now seeks for Dodge County Wind?

LIUNA Minnesota & North Dakota's information request does not unreasonably call for speculation or rely on facts not in evidence

Applicant characterizes LIUNA Minnesota & North Dakota's requests as "overly broad, unduly burdensome, calling for speculation [and] assuming facts not in the record," and we will take each argument in turn. Applicant makes no effort to explain why the request is "unduly broad," and the rationale is difficult to understand inasmuch as much of the request pertains directly to Applicant's plans and activities undertaken to prepare for construction of the project at issue in these proceedings. Where the scope extends beyond plans for Dodge County Wind, it is only to establish whether NextEra has a practice of prioritizing recruitment of local construction workforce in other jurisdictions, and to obtain baseline information on actual results of several comparable NextEra wind energy projects.

Applicant's objection the information request calls for speculation and assumes facts not in evidence is similarly unfounded. In the Applicant's over-broad usage, "calls for speculation" could apply to nearly every aspect of any project not yet built, while "assumes facts not in the record" ignores the purpose of LIUNA Minnesota & North Dakota's discovery request, which is precisely develop the record with respect to construction plans and anticipated outcomes.

To the limited degree that Applicant provides any basis for objections over speculation and facts in evidence in its response, they appear to hinge on the assertion that Applicant has yet signed an agreement with an Engineering, Procurement and Construction ("EPC") contractor, which somehow leads Applicant to conclude that it cannot provide additional information on anticipated construction workforce and subcontracting requirements. Yet the Applicant fails to provide any support for this line of reasoning, which is both unreasonable and undercut by the rest of Applicant's case.

First, even in the absence of a signed contract with an EPC contractor, Applicant has already provided in pre-filed direct testimony information on construction plans including an overview of the construction timing and process and descriptions of measures Applicant will use to manage public and worker safety risks, mitigate environmental impacts, etc. Presumably these topics would not be off limits for discovery despite the fact that responsibility for implementation will fall largely, if not entirely, on the EPC contractor.

If Applicant's answer is that it intends to require its EPC contractor to share detailed plans and execute a contract that specifies all of the above-mentioned details while requesting no information about -- and giving the EPC contractor complete discretion over -- workforce and subcontracting plans, we would consider such an answer to be responsive, if not particularly satisfying. But that is not the answer provided in Applicant's response, nor would it be consistent with what the public heard from Mr. Weich in October.

Second, it is ludicrous for Applicant to suggest that a company that owns and operates nearly 21 Gigawatts of electric generation and is among the leading wind developers in the United States cannot answer basic questions about the labor and subcontracting requirements of a project such as Dodge County Wind until it has signed an agreement with a particular EPC contractor. NextEra is a highly-sophisticated national leader in the development and construction of wind farms, not a renewable investment blind trust, and it would be no more than a slight exaggeration to suggest that NextEra employs personnel who could recite such labor and subcontracting requirements in their sleep.

Even if Applicant intended to give its EPC contractor free reign in such matters, any competent developer should be able to describe typical labor and subcontracting arrangements for such a project. And any question of Applicant's ability to provide more detailed information prior to executing a contract with an EPC contractor should have been by the fact that *Applicant had already provided responsive information to the Department of Commerce prior to asserting falsely to us that such information could not reasonably be provided and "does not exist."*

Third, evidence in the record indicates that Applicant has not merely identified the EPC contractor it intends to build Dodge County Wind, but has been working with said contractor since at least October 25 of 2018, when Mr. Weich stated at the project's initial public information meeting:

So we will be using a Minnesota contractor on this project from the state of Minnesota, and we have a process, really, for the rest of the year, over the next year, working with that contractor to have things like hiring fairs and reach out and connect points with local contractors and subcontractors to communicate exactly that, whether or not we can work together and find employment for local workers. (See attached Dodge County Wind Public Meeting Transcript at P. 79, emphasis added.)

As should be clear In light of this statement, Applicant's objections that providing further information on a process that Applicant's own witness promoted to the public as evidence of the company's good intentions would be unreasonable, overly burdensome, and call for speculation are as disingenuous as they are baseless. If the answer to the question is that the Applicant has made no efforts pursuant to promises made more than half a year ago, we would also consider such an answer responsive, but Applicant should not be permitted to hide behind the specious claim that the question is speculative.

Further, there is no great mystery surrounding the identity of the unnamed Minnesota contractor. LIUNA Minnesota North Dakota is aware that NextEra intends to employ Avon, Minnesota-based Blattner Energy to build Dodge County Wind, just as NextEra has tapped Blattner to build nearly all of its recent, ongoing, and planned wind energy projects in Minnesota and surrounding states, including four of five completed projects for which LIUNA Minnesota & North Dakota requested workforce data; at least two ongoing projects in Minnesota and North Dakota; and the Buffalo Ridge Wind project, which is in the initial stages of permitting in Minnesota. The identity of Applicant's intended contractor is not yet in evidence in the record, but could be as soon as Applicant acknowledges what is already known to us and to others that follow the wind industry in Minnesota.

It strains credulity to suggest that NextEra does not know what is entailed in building a wind energy project with Blattner, or, for that matter, with any of the small number of EPC contractors NextEra has employed to do so in the Upper Midwest. It also strains credulity to suggest that Applicant has not actively discussed workforce and subcontracting plans for Dodge County Wind with Blattner, especially given Mr. Weich's claim that *such discussions were already ongoing more than half a year ago*. Applicant may not be able to share details of a contract that does not exist, but Applicant can certainly share information based on NextEra's experience on past projects and Applicant's objectives, expectations, and plans for Dodge County Wind.

LIUNA Minnesota & North Dakota's request for information on construction employment outcomes of recent area wind energy projects developed and built by NextEra is reasonable, not unduly burdensome, and consistent with recent Commission precedent.

LIUNA Minnesota & North Dakota has requested data on the employment of local and non-local construction workforce on a handful of recent projects developed and built by NextEra in the Upper Midwest, including two projects in North Dakota, one in Iowa, and two in Michigan. Applicant has

made clear in its response to that NextEra has no interest in obtaining or sharing the requested information, and makes blanket assertions regarding the infeasibility of doing so. What Applicant fails to do, however, is give any indication that Applicant has made any effort either to obtain the requested information or to genuinely assess the feasibility of doing so.

We already know that NextEra is willing and able to generate such reports going forward because the company has committed to providing similar reports to the Commission for the Lake Benton II Repowering project, which is currently under construction. Further, we can infer that the EPC contractors responsible for overseeing construction of the five completed wind energy projects named in LIUNA Minnesota & North Dakota's information request, Blattner and Mortenson Construction, are also willing and able to provide data on the employment of local and non-local construction workforce.

We can infer this because each of the two companies has been hired to build a wind energy project covered by a Commission-ordered construction employment reporting requirement (Lake Benton II in the case of Blattner and Nobles II in the case of Mortenson). The questions that remain are: do Blattner and Mortenson possess the means to provide similar data for past projects not covered by comparable reporting requirements? And can NextEra persuade Blattner and Mortenson to do so?

While we cannot conclusively answer either questions, we can provide relevant information. First, as noted in the Commission's order requiring quarterly reporting for the Lake Benton II Repower project, the available evidence in the record indicated that wind energy EPCs are large and sophisticated companies that routinely collect data and produce reports for other purposes. If it is alleged that providing all or any portion of the requested information is infeasible for the EPC contractor, the burden should be on Applicant to explain how a company that can provide such data going forward, and that can routinely generates pay stubs, W-2 forms, and construction progress reports, cannot reasonably determine which employees worked on a given wind energy construction project and what their home addresses is. LIUNA Minnesota & North Dakota would certainly be willing to work with Applicant and/or the EPC contractors in question to identify means to produce relevant information without unduly inconveniencing either party.

Second, while it is conceivable that Blattner or Mortenson might categorically refuse to provide such information, it falls to Applicant, at a minimum, to make a good-faith effort and to certify that any inability to provide the information is based on the contractor's refusal. It strikes us as quite unlikely, given NextEra's place in the top ranks of purchasers of renewable EPC services, that either contractor would refuse a genuine request by the company for information, *especially concerning projects that NextEra hired them to build*. It is well understood in the construction industry that the customer calls the tune, especially when the customer is an industry giant like NextEra. But we can only speculate until Applicant fulfils its obligation by making a good-faith effort to secure the requested data.

Applicant also objects to providing information covering the projects in question on the grounds that the work took place in "other jurisdictions which are not the subject of, or relevant to, the instant proceedings." This is not a question, however, of the Commission's jurisdiction over projects built in other states, but of obtaining information on NextEra's track record when it comes to the employment

of local and non-local workers on similar projects in order to better assess what we might expect from Dodge County Wind. The objection over jurisdiction is no more relevant than it would be for an applicant for a pipeline permit to assert that the Commission may not consider evidence of spills that occurred in other states because they fell outside the Commission's so-called "jurisdiction."

Further, data on actual employment of local and non-local construction workforce is *precisely* the type of information that the Commission has deemed relevant, both in its decisions to require quarterly reporting for projects permitted by the Commission, and in the Bitter Root case. RES Americas' refusal to provide requested data covering other wind energy projects developed or constructed was *specifically cited* by Commissioner Dan Lipschultz during oral argument and questioning, and clearly informed the Commission's conclusion that the record had not been sufficiently developed with respect to the local socioeconomic impacts of RES Americas' construction hiring practices (See video recording of Commission's December 6, 2018, 9:30 AM agenda meeting at approximately hour 3 minute 33 for discussion of applicant's failure to provide requested information: http://minnesotapuc.granicus.com/MediaPlayer.php?view_id=2&clip_id=807 .)

Finally, Applicant makes a specious objection that providing the argument "would require the development of information from confidential personal information". Applicant should know full well, however, that the requested information can easily be produced without the sharing of confidential information by any party, simply by requesting that EPC contractors provide aggregated hours data or employment numbers in the format suggested by LIUNA Minnesota & North Dakota. If NextEra is unable to generate labor statistics without publishing the names, addresses or social security information of construction workers, our request will be the least of our problems, since the company is required to submit just such information for the Lake Benton II Repowering project to the Commission in a matter of weeks.

Applicant has not evinced any good-faith effort to fulfill its discovery obligations, and has undermined its credibility in the matter by failing to provide responsive information in its possession, and by falsely asserting that such information "does not exist".

Applicant's refusal to provide requested information goes beyond a mere difference of opinion over the proper scope of discovery, but rather demonstrates notable bad faith by failing to provide information on the types of construction employment created by the project, despite that fact that *portions of the requested information had already been provided to the Minnesota Department of Commerce* . On one hand, Applicant maintained that a requested breakdown of workforce requirements labor demand was "overly broad, unduly burdensome, calling for speculation... [and] does not exist," while on the other hand, specific information on the number of workers required in each craft had already been produced and shared with the Department of Commerce, unbeknownst to LIUNA Minnesota & North Dakota.

While the information provided to the Department of Commerce does not fully meet our request for information on the jobs that would be created by the project, *it is directly responsive to our specific*

request for “a list of job classification” with “projected numbers of workers”. Applicant was not only clearly able to develop detailed estimate of the number and type of craft employees required to build the project, *but had already done so* -- all the while asserting that such an exercise would be unduly burdensome, speculative, and refer to information that did not exist. It is reasonable to infer that if Applicant can, in fact, provide a breakdown of anticipated employment by craft, Applicant can very likely answers other questions we have posed about the project’s labor and subcontracting requirements and plans.

Applicant’s failure to include responsive information already provided to the Department of Commerce in its response suggests either that Applicant deliberately withheld information and lied about its availability; or that Applicant spent its energies (and the full eight working days) crafting legal arguments to justify refusing the request, while investing little or no effort in meeting the request or even considering the feasibility of doing so. We are strongly inclined not to believe that Applicant deliberately withheld and lied about the data in question, but rather that the failure to provide responsive information that was figuratively under Applicant’s nose speaks to a refusal to take our request or its obligations seriously.

Given Applicant’s blatant disregard for its obligations under the discovery process established for these proceedings, LIUNA Minnesota & North Dakota believes that we have no choice but to request that the ALJ order Applicant to comply with this request and subsequent requests for information submitted by our organization. We further request that the ALJ extend deadlines for submission of LIUNA Minnesota & North Dakota’s direct, rebuttal and surrebuttal testimony in order to provide adequate time for us to use the resulting information to prepare our case.

LIUNA Minnesota & North Dakota has no interest in delaying these proceedings, as we believe we have shown through our willingness to accommodate the scheduling preferences of Applicant and other parties, even when doing so meant giving up our preference for later dates. For example, we accepted a logistically challenging August 6 date for submission of direct testimony rather than a later date in order to accommodate the preferences of the Department of Commerce Division of Energy Review. However, our plans for production of direct testimony have always relied on timely production of information from the Applicant, and responsibility for any resulting delays falls squarely on Applicant’s shoulders.

Dated: 7/22/19

Respectfully Submitted,



By: Kevin Pranis, Marketing Manger
LIUNA Minnesota
81 East Little Canada Road

St. Paul, MN 55117

In the Matter Dodge County Wind, LLC's
Certificate of Need, LWECS Site Permit, and
HVTL Route Permit applications of for the
Dodge County Wind Project and associated
facilities in Steel, Dodge, and Olmstead
counties in Minnesota

MPUC DOCKETS IP-6981/CN-17-306
WS-17-307/TL-17-308

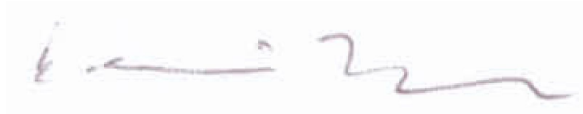
OAH DOCKET 5-2500-35668

CERTIFICATE OF SERVICE

I, Kevin Pranis, hereby certify that I have this day served copies of the foregoing Motion to Compel Discovery and Extend Deadlines for Submission of Pre-Filed Testimony and related attachments on the attached list of persons in the method and manner indicated on the attached service list and as set forth below:

Via electronic service; or by depositing a true and correct copy in a proper envelope with postage paid, addressed to the person, in the United States Mail at St. Paul, Minnesota, according to the preference each person has indicated on the attached service list.

Dated this 22nd day of July, 2019



Kevin Pranis

Electronic Service Member(s)

Last Name	First Name	Email	Company Name	Delivery Method	View Trade Secret
Commerce Attorneys	Generic Notice	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service	Yes
Czeczok	Jason	office@byronfuneralhome.com	Bryon Funeral Home	Electronic Service	No
Davis	Brenda	Bdavis.asset@gmail.com	N/A	Electronic Service	No
DeVetter	Melissa	melissa.devetter@co.dodge.mn.us	Dodge County	Electronic Service	No
Dobson	Ian	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	Electronic Service	Yes
Ferguson	Sharon	sharon.ferguson@state.mn.us	Department of Commerce	Electronic Service	No
Gibbons	Andrew	andrew.gibbons@stinson.com	STINSON LLP	Electronic Service	No
Hinderlie	Katherine	katherine.hinderlie@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service	No
Jensen	Linda	linda.s.jensen@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service	No
Madsen	Peter	peter.madsen@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service	No
Meloy	Brian	brian.meloy@stinson.com	STINSON LLP	Electronic Service	No
Mortenson	James	james.mortenson@state.mn.us	Office of Administrative Hearings	Electronic Service	No
Murphy	Brian J	Brian.J.Murphy@nee.com	Nextera Energy	Electronic	No

			Resources, LLC	Service	
Overland	Carol A.	overland@legalectric.org	Legaelectric - Overland Law Office	Electronic Service	No
Peters	Gene	gpete1951@aol.com	N/A	Electronic Service	No
Rother	Tom	tomr@netmanco.com	Rother Farms, Inc.	Electronic Service	No
Shaddix Elling	Janet	jshaddix@janetshaddix.com	Shaddix And Associates	Electronic Service	Yes
Weich	Mike	Mike.Weich@nexteraenergy.com	Dodge County Wind, LLC	Electronic Service	No
Westin	Edward	eawestin@hotmail.com	N/A	Electronic Service	No
Wolf	Daniel P	dan.wolf@state.mn.us	Public Utilities Commission	Electronic Service	Yes

Paper Service Member(s)

Last Name	First Name	Company Name	Address	Delivery Method	View Trade Secret
Edgar	Dennis	N/A	66441 240th Ave, Kasson, MN-55944	Paper Service	No

In the Matter Dodge County Wind, LLC's Certificate of Need, LWECs Site Permit, and HVTL Route Permit applications of for the Dodge County Wind Project and associated facilities in Steel, Dodge, and Olmstead counties in Minnesota

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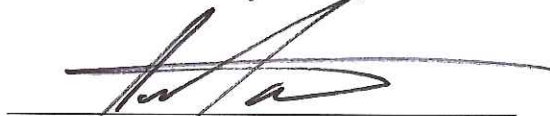
AFFIDAVIT

I, Lucas Franco, certify that the attached documents are true and correct copies of the documents listed hereto:

- Dodge County Wind Data Request Email Correspondence with John Wachtler – July 18, 2019
- LIUNA Minnesota & North Dakota Email Reply to Dodge County Wind Information Request – July 19, 2019
- Dodge County Wind Response to Data Request – May 21, 2019
- Minnesota Public Utilities Commission Order in the Matter of Next Era's Lake Benton II Repowering Project – March 14, 2019
- Response of Dodge County Wind, LLC (NextEra) to LIUNA Minnesota & North Dakota's First Information Request – July 17, 2019
- LIUNA Minnesota & North Dakota Information Request for Dodge County Wind – July 5, 2019
- MN PUC Bitter Root Wind Contested Case Order – January 3, 2019
- Transcripts of Prehearing Conference – December 4, 2018
- MN PUC NextEra Dodge Wind Weich Direct Testimony – March 1, 2019

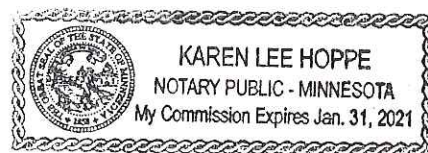
Via electronic service; or by depositing a true and correct copy in a proper envelope with postage paid, addressed to the person, in the United States Mail at St. Paul, Minnesota.

Dated this 22nd day of July, 2019



Lucas Franco

Karen L. Hoppe
22nd of July, 2019



Dodge County Wind Information Request

Kevin Pranis <kpranis@liunagroc.com>

Fri, Jul 19, 2019 at 11:50 AM

To: "Gibbons, Andrew" <andrew.gibbons@stinson.com>

Cc: "Murphy, Brian J." <Brian.J.Murphy@nexteraenergy.com>, "Meloy, Brian" <brian.meloy@stinson.com>

Andrew,

Thanks you for responding to our request. Unfortunately, per our phone conversation of late Wednesday afternoon, LIUNA Minnesota & North Dakota does not believe the attached document is an adequate or reasonable response to an information request that was designed to elicit information essential to the development of LIUNA Minnesota & North Dakota's direct testimony in the Dodge County Wind dockets.

I called as soon as I received your response in the hope that Dodge County Wind would reconsider its position in light of recent Minnesota Public Utilities Commission decisions affirming the relevance of the type of information our organization seeks to the Commission's consideration of Large Wind Energy Conversion System (LWECS) Certificates of Need and Site Permits.

I observed that I feared the company's legal posture risked derailing the process and delaying the Dodge County Wind proceedings, much as your then-client Bitter Root Wind, LLC's refusal to fulfill similar and reasonable information requests contributed to delays and disruptions that ultimately precipitated the exit of the Bitter Root Wind's developer and the withdrawal of the Certificate of Need and Site Permit applications for the project.

Nevertheless, based on our discussion, it is my understanding that Dodge County Wind does not intend to change its position nor to provide any additional information in response to our first information request, which leaves us at an impasse.

We cannot accept the company's response inasmuch as the reasons the refusal to provide information are vague and, in some instances, not credible on their face and/or inconsistent with evidence in the record; and inasmuch as the response does not evince any good-faith effort on the company's part to fulfill the request or to ascertain the feasibility of doing so.

Further, it has come to our attention since our conversation that Dodge County Wind failed to provide in its response relevant information on the number and type of anticipated construction jobs that had already been produced and delivered in response to a request by the Department of Commerce -- information that the company falsely claimed in its response "does not exist."

While we are willing to make the more charitable of two possible interpretations of these circumstances, and assume that the failure to include information already provided to the Department of Commerce in Dodge County Wind's response is indicative of how little effort the company put into considering or meeting our request, rather than the result of a deliberate decision to withhold information and mislead us regarding its availability, it strongly supports our contention that the company is not acting in good faith and severely undermines the credibility of the company's objections.

Having attempted to resolve this matter informally, we feel we have no choice but to follow the procedure laid out in Judge Mortenson's First Pre-Hearing Order for resolving such disputes. Pending a decision by Judge Mortenson, we remain available to discuss this matter.

Regards,

Kevin

On Wed, Jul 17, 2019 at 4:24 PM Gibbons, Andrew <andrew.gibbons@stinson.com> wrote:

Mr. Pranis:

On behalf of Dodge County Wind, LLC (“Dodge County Wind”), please find attached the response of Dodge County Wind to the First Information Request of the Laborer’s District Council of Minnesota and North Dakota.

Thanks,

Andrew

Andrew J. Gibbons

Partner

STINSON LLP

50 South Sixth Street, Suite 2600

Minneapolis, MN 55402

Direct: 612.335.1438 \ Mobile: 612.432.7252 \ [Bio](#)

Assistant: MPL.LAATeam2@stinson.com \ 612.335.1966

STINSON.COM

This communication (including any attachments) is from a law firm and may contain confidential and/or privileged information. If it has been sent to you in error, please contact the sender for instructions concerning return or destruction, and do not use or disclose the contents to others.

From: Kevin Pranis <kpranis@liunagroc.com>
Sent: Friday, July 5, 2019 8:48 AM
To: Gibbons, Andrew <andrew.gibbons@stinson.com>
Subject: Dodge County Wind Information Request

External Email – Use Caution

Mr. Gibbons,

Attached, please find MS Word and PDF versions of the Laborers District Council of Minnesota and North Dakota's first information request regarding the Dodge County Wind project. Please feel free to contact me if you have any questions.

Regards,

Kevin Pranis

--

Kevin Pranis, Marketing Manager

LIUNA MN & ND

612.224.6464 (cell) kpranis@liunagroc.com

LIUNAMinnesota.org LIUNANorthDakota.org

--

Kevin Pranis, Marketing Manager

LIUNA MN & ND

612.224.6464 (cell) kpranis@liunagroc.com

LIUNAMinnesota.org LIUNANorthDakota.org

Emailing: DCW-Response_5-21-19_Data Requests_6-9.pdf


1 message

Wachtler, John (COMM) <john.wachtler@state.mn.us>
To: Kevin Pranis <kpranis@liunagroc.com>

Thu, Jul 18, 2019 at 4:52 PM

Kevin, here are the responses from Dodge County Wind we received on some data we requested for the EIS.

Request #7 is on labor breakdown, and #8 is on construction cost updates.

 **DCW-Response_5-21-19_Data Requests_6-9.pdf**
164K

6) O&M Well

Please provide more information on the well anticipated for the O&M building at the LWECS.

- a. What size of well is anticipated? Water usage of over 10,000 gallons of water per day or 1 million gallons per year requires permitting from MNDNR. Would the well exceed this amount or be used to furnish typical sanitary requirements for employees and contractors?
- b. Please describe potential groundwater impacts from the project, including the well.

Response:

- a. The water table in the location of the O&M building is 10 feet (ft), and, therefore, a well will be drilled to approximately 100 ft to achieve a minimum pumping capacity of 30 gallons per minute. The well at the O&M building will only be used for typical sanitary requirements (i.e., for sinks and toilets) for employees. Typical water is estimated to be 500 gallons per day (100 gallons per person per day). Thus, Dodge County Wind does not foresee a situation where output would exceed the 10,000 gallons per day or 1 million gallons per year that would require additional permitting through MNDNR.
- b. It is not expected that the well will have an impact to the groundwater levels in the area, because of 1. the limited water use from employees at the O&M building and 2. the sufficient groundwater in the area will not result in drawdown in the nearby wells.

7) Labor Use

For both the LWECS and HVTL portions of the project, please provide an estimate of the types and number of construction laborers. The Bureau of Labor Statistics uses the following types: general laborers, operating engineers and equipment operators, crane and tower operators, electricians. Are there other types/categories of construction laborers not listed? How many of each type is projected for the project?

Response:

LWECS peak numbers:

Laborers: 65

Equipment Operators: 41

Crane Operators: 12

Electricians: 52

Management: 30

HVTL peak numbers:

Electricians: 25

Equipment Operators: 4

Crane Operators: 1

Management: 5

8) Capital Cost - LWECS

Section 10.7 of the Site Permit Application identifies an estimated capital cost of \$300 million for development, design, and construction of the LWECS.

- a. Are there any updates to the anticipated project construction or operation and maintenance costs? If so, please identify the new costs and reasons for change.
- b. Of the estimated construction cost, please provide an approximate cost breakdown by category. Major categories would include permitting and design, land acquisitions, materials, and labor.

2. Section 2.6 of the Route Permit Application identifies a project cost of approximately \$40.5 to \$46.5 million for the HVTL.

- a. Are there any updates to the anticipated project construction or operations and maintenance costs for Applicant's proposed routes A and B? If so, please identify the new costs and reasons for change.
- b. Please provide an estimate of capital and operations and maintenance costs for the northern routes (Routes C & D, as identified in the Scoping Decision). Other than proposed length.

Response:

1.
 - a. DCW has updated its capital cost (i.e., construction costs) projection for the LWECS to \$250 million (2020 dollars). There is no change to operations and maintenance costs anticipated at this time.
 - b. Of the capital costs forecast for the LWECS, DCW estimates that 25% of the cost represents labor, 55% of the cost represents material, and 20% of the cost represents permitting and land.
2.
 - a. There is no anticipated change to construction or operations and maintenance costs for the HVTL at this time.
 - b. DCW estimates the operations and maintenance costs for the C and D routes would be approximately 20% higher than the approximately \$900 per mile annually operation and maintenance estimated for the A and B routes.

9. Capital Cost - HVTL

Section 2.6 of the Route Permit Application identifies a project cost of approximately \$40.5 to \$46.5 million for the HVTL.

- a. Are there any updates to the anticipated project construction or operations and maintenance costs for Applicant's proposed routes A and B? If so, please identify the new costs and reasons for change.
- b. Of the estimated construction cost, please provide an approximate cost breakdown by category. Major categories would include permitting and design, land acquisitions, materials, and labor.
- c. Please provide an estimate of capital costs for the northern routes (Routes C & D, as identified in the Scoping Decision). Other than difference in length between the routes proposed by DCW in the Route Permit Application, are there any differences that would change capital costs?
- d. Please provide an estimate of operations and maintenance costs for the northern routes (Routes C & D, as identified in the Scoping Decision). Other than difference in length between the routes proposed by DCW in the Route Permit Application, are there any differences that would change the operations and maintenance costs?

Response:

- a. DCW does not have an update at this time regarding the project construction or operations and maintenance costs for Routes A & B that were provided in the Route Permit Application.
- b. Of the capital costs forecast for the HVTL, DCW estimates that 25% of the cost represents labor, 55% of the cost represents material, and 20% of the cost represents permitting and land.
- c. DCW estimates that the capital costs for Routes C & D would be approximately \$90-100 million for each route. Other than the differentiation in route length, Routes C & D would incur increased construction costs due to the installation of double-circuit capable poles and routing within narrower right-of-way. Utilizing two high-voltage circuits per pole (six phases) instead of a single circuit (three phases) would be more costly and increase the construction costs associated with the HVTL project. Additionally, with Route C & D's narrower right-of-way, poles would need to be located closer together, thereby requiring more poles per route and increasing construction costs.
- d. The additional insulators, connections, and wire involved for the second circuit would add to operation and maintenance costs.

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Dan Lipschultz
Matthew Schuerger
Katie J. Sieben
John A. Tuma

Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of Lake Benton Power Partners II, LLC for a Site Permit Amendment for the 100.2 MW Lake Benton Wind II Repowering Project and Associated Facilities in Pipestone County

ISSUE DATE: March 14, 2019

DOCKET NO. IP-6903/WS-18-179

ORDER ADOPTING FINDINGS OF
FACT AND ISSUING AMENDED SITE
PERMIT

PROCEDURAL HISTORY

On May 3, 2018, Lake Benton Power Partners II, LLC (Lake Benton or Applicant) filed a site permit amendment application for the Lake Benton Wind II Repowering Project (Project), a 100.2 megawatt (MW) Large Wind Energy Conversion System (LWECS) in Pipestone County at the site of the existing Lake Benton II wind facility. The proposed Project is a full repowering of the existing facility.

On June 25, 2018, the Department of Commerce, Energy and Environmental Review and Analysis Unit (EERA) filed comments on the application.

On July 26, 2018, Lake Benton II filed a proposed decommissioning plan for the existing project.

On August 1, 2018, the EERA filed a draft site permit.

On August 22, 2018, the Commission issued an Order Accepting Site Permit Amendment Application, Issuing a Draft Site Permit, and Taking Other Action. In its Order, the Commission requested the Applicant to submit a detailed decommissioning plan for the existing wind facility and directed the site permit application to be processed as a repowering permit amendment and approved other administrative matters.

On September 27, 2018, the Commission held a public information meeting in the city of Pipestone. Staff from the Department and the Commission, and a representative of Lake Benton II were available to answer questions. Forty to fifty people attended. EERA answered questions regarding local labor and construction jobs, impacts of hiring local versus non-local workers, and labor reporting requirements.

On October 22, 2018, the following parties filed written comments:

- Mankato Building and Construction Trades Council (Mankato Building Trades)
- Lake Benton II

- Minnesota Department of Agriculture (MDOA)
- Minnesota Department of Transportation (MnDOT)
- Minnesota Department of Natural Resources (MDNR)

On October 25, 2018, the State Historic Preservation Office (SHPO) submitted comments.

On November 5, 2018, Lake Benton II provided reply comments.

On November 5, 2018, Mankato Business Trades submitted reply comments.

On November 6, 2018, EERA submitted reply comments, including a revised Draft Site Permit.

On February 7, 2019, the Commission met to consider the matter.

FINDINGS AND CONCLUSIONS

I. The Repowering Project

The Lake Benton II Wind Repowering Project anticipates a full repowering of the existing wind facility, originally permitted in 1998. The existing project will be decommissioned just prior to the start of construction on the proposed repowering project. The repowering project will include 44 turbines of two types: 39 GE 2.3 MW and 5 GE 2.1 MW wind turbines for a total project capacity of 100.2 MW. The proposed repowering will not increase project nameplate capacity, and energy production is expected to be similar to the original design, but with greater efficiency than the current operations.

The applicant (Lake Benton) is an indirect wholly owned subsidiary of NextEra Energy Resources, LLC. Lake Benton plans to develop and construct the proposed repowered Lake Benton II Project, which is a build-and-transfer project. The Project will be transferred to Northern States Power Company on its commercial operation date.

For this site permit, the record contains only two specific areas where there are proposed changes from the Draft Site Permit language, both in the site permit conditions. The first is Section 6.1 (Labor Statistics Reporting), and the second proposed revised permit condition is Section 6.2 (Obstruction Marking and Lighting - FAA lighting).

II. Repowering Review Process

A. Regulatory Process for Full Repowering

Before building an LWECS—a wind-energy system with a combined nameplate capacity of 5 MW or more—a developer must acquire a site permit from the Commission. Because the Lake Benton repowering Project would have a generating capacity exceeding 5 MW, the repowering amendment to the LWECS site permit must include the same information that would be required for a new wind site permit application to comply with Minn. R. Ch. 7854.

LWECS permitting is governed by Minn. Stat. Ch. 216F and Minn. R. Ch. 7854, which mandate that each LWECS be sited in an orderly manner compatible with environmental preservation,

sustainable development, and the efficient use of resources.”¹ Under Minn. R. 7854.1300, subp. 2, the Commission may amend a site permit for an LWECs at any time if the Commission has good cause to do so.

B. Permit Amendment and Repowering

Repowering is a means by which to 1) rebuild or retrofit on a previously impacted site, 2) preserve existing compatible land uses of agriculture and energy production, and 3) use and improve upon facilities that the Commission has determined make efficient use of resources. Repowering may either be partial² or full. With this full repowering project, the existing turbines will be decommissioned and replaced with fewer, but larger, turbines within the existing project footprint.³

The Commission has authority to amend a site permit at any time if there is good cause. Minn. R. 7854.1300, subp. 2. Commission and EERA staffs agreed that this repowering project qualifies as a site permit amendment, and the following review process steps were used:

1. Amendment application filed
2. EERA recommendations on completeness and process⁴
3. Commission notice for public information meeting and comment period
4. Public information meeting
5. Public and agency comments
6. EERA recommendations on permit amendment
7. Commission agenda meeting for decision

III. Comments of the Parties on Repowering

A. Minnesota Department of Transportation

MnDOT stated that Lake Benton has contacted the agency to coordinate the Project’s impact on state public roads. MnDOT has adopted a formal policy and procedures to accommodate utilities on highway rights-of-way.

In its reply comments, Lake Benton agreed that coordination is required with the agency during construction, and noted that the Draft Site Permit already requires it to comply with applicable requirements of MnDOT as well as other state agencies.

¹ Minn. Stat. § 216F.03; Minn. R. 7854.0200.

² See, e.g., Docket Nos. 13-294 and 13-258.

³ The Lake Benton II LWECs Project is the first full repowering request to come before the Commission.

⁴ In this proceeding, the application was not complete until the decommissioning plan was filed.

B. State Historic Preservation Office

SHPO requested that Lake Benton provide photographs of existing conditions and a photo simulation of the proposed Project to understand possible visual impacts to the Pipestone National Monument.

Lake Benton stated that it has been in contact with the agency regarding the Project since October 2017, and that this request had not previously been articulated. Lake Benton explained that SHPO's concerns are unfounded for a variety of reasons:

- Under existing conditions, there are already turbines in the area from other wind projects that are closer to Pipestone National Monument;
- The proposed Project is a repowering project that, while using taller turbines, will benefit by the reduction in the number of turbines from 137 to 44; and
- Lake Benton's mapping of the Pipestone National Monument shows that potential visual impacts of any wind turbines is limited to the far eastern and far western boundaries of the Monument property.

C. EERA

EERA responded to the parties' comments on repowering. As to the MDNR's comments on Site Permit condition 4.7 (Native Prairie), EERA stated that there is no need to modify the language of the permit because EERA is in the process of developing a guidance document that should provide additional clarity.

EERA also supported Lake Benton's comments regarding SHPO's concerns about potential negative visual impacts to the Pipestone National Monument. EERA clarified that the repowering should in fact have a net positive impact on aesthetics despite the larger rotor diameters, due to the reduced number of turbines used.

As to the Draft Site Permit special condition on labor statistics reporting (Section 6.1), EERA, as it has in several recent amended site permit matters, provided two examples for the Commission's consideration (Example A requiring quarterly reporting, and Example B requiring a single post-construction report).

Finally, the EERA stated that it believes that the Lake Benton II Repowering Project is in the best interests of the state, as per legislative and Commission policy, and recommended that the Commission issue the amended site permit.

IV. Commission Action on Repowering

After considering the entire record, including the comments submitted, the Commission will issue the amended site permit attached to this order, and take the actions detailed below to facilitate implementation of the amended site permit. The purpose of the LWECS site permitting process is to ensure that each LWECS is sited in an orderly manner compatible with environmental preservation, sustainable development, and the efficient use of resources,⁵ and the repowering proposal for the Lake Benton II Power Project achieves these goals.

⁵ Minn. Stat. § 216F.03; Minn. R. 7854.0200.

In this order, the only change the Commission will make is to the Draft Site Permit Section 6.1 as discussed below.

Labor Statistics Reporting

Section 6.1 of the Draft Site Permit requires Lake Benton to report labor statistics, and includes examples of quarterly reporting (Example A) and post-construction reporting (Example B). Given the relatively short anticipated construction period for the repowering, Lake Benton argued that the post-construction reporting used in Example B is preferable. Lake Benton argued that the value of the report would be far higher at the end of the Project.

Lake Benton asserted that its contractor is a Minnesota-based company that will use a workforce including both local and non-local workers, depending on the specialization needed to complete the work. Lake Benton also opposed a site permit condition mandating specific workforce commitments because such a condition could adversely increase Project costs. Finally, Lake Benton asserted that quarterly reporting would be a departure from past administrative practice.

Mankato Building Trades argued that a construction workforce quarterly reporting requirement (such as Example A) is necessary, and should not be an undue burden for Lake Benton or its contractor, Blattner Energy, to provide. Mankato Building Trades argued that construction companies generally produce detailed weekly status reports, and that a contractor of Blattner's size likely already collects much if not all of the requested information.

The Commission finds that the language used in Example A has been used most often in recent wind site permits, including recent amended repowering permits.⁶ Further, with the anticipated short construction period for this Project, there may be little difference between the two examples. The Commission will therefore require the permit to include the language from Example A in Section 6.1, as set forth below:

The Permittee shall file quarterly reports with the Commission within 45 days of the end of the quarter regarding construction workers that participated in the construction of the project. The Reports shall (a) detail the Permittee's efforts and the site contractor's efforts to hire Minnesota workers, and (b) provide an account of 1) the gross number of hours worked by or full-time equivalent workers who are Minnesota residents, as defined in Minn. Stat. 290.01, subd. 7; 2) the gross number of hours worked by or full-time equivalent workers who are residents of other states, but maintain a permanent residence within 150 miles of the project; and 3) the total gross hours worked or total full-time equivalent workers. Permittee shall work with its contractor to determine the suitable reporting metric. The Report may not include personally identifiable data.

⁶ See Docket No. IP-6907/WS-13-258 (Trimont Wind Project) and Docket No. IP-6499/WS-05-1707 (Fenton Power Partners).

V. The Decommissioning Plan

The existing Lake Benton project will need to be decommissioned and removed completely from the site prior to the start of construction of the proposed project.

Lake Benton filed its decommissioning plan for the existing wind farm on July 26, 2018, in this docket. Several parties made comments and/or recommendations regarding the decommissioning plan, including the Minnesota Department of Natural Resources, the Minnesota Department of Agriculture, and Lake Benton.

A. Party Comments

1. MDNR

The MDNR requested that the decommissioning plan include the following:

- The plan should include map(s) of disturbance areas including staging locations;
- The contours of restored areas should be designed to mimic the original drainage patterns prior to installation;
- Collector lines should be removed from under public water courses and drainage ditches if they can be removed without an open cut, and collector lines allowed to remain in place in environmentally sensitive areas (e.g., native prairie, wetlands and Sites of Biodiversity Significance);
- The plan should address how issues associated with decommissioning will be resolved over the long term and include a discussion on wind company liability for issues that arise in the future and how they can be reported and resolved; and
- Disturbed soil should be stabilized with cover crops, if requested by the landowner(s).

2. MDOA

The MDOA also made specific comments and recommendations about decommissioning, including a change to Section 1.2 (Objectives and Goals, Goal 5) to add the words “including agricultural soils” to the end of the statement so that the goal reads: “Mitigation for potential impacts on sensitive environmental features including agricultural soils.”

MDOA also recommended adding an additional goal (Goal 6) that states “Mitigation for potential impacts to agricultural facilities, in particular, agricultural drainage tiles and public drainage ditches.”

MDOA also recommended that the word “identified” be removed from the second sentence in the second bullet in Section 2.5:

- Lake Benton Wind will coordinate with landowners to identify property features, such as drain tiles, that need to be avoided during decommissioning activities and will avoid these features where practicable. Where ~~identified~~ features, such as drain tiles cannot be avoided, the drain tile or other features will be repaired following decommissioning and landowners will be compensated for crop damages or losses related to the damage.

3. Lake Benton

In reply comments, Lake Benton responded to the MDNR and MDOA comments on decommissioning, as summarized in the following table:

DNR Recommendations	Lake Benton (LBII) Responses
<p>1 The Decommissioning Plan should include a map of disturbance areas including staging locations.</p>	<p>LBII has discussed including a map of disturbance areas with DNR and has recently completed final surveys around areas potentially affected by the decommissioning. LBII will include a map of disturbance areas with the final Decommissioning Plan.</p>
<p>2 The plan states that topographic conditions would be reclaimed to be similar to pre-disturbance conditions. The DNR recommends that the contours of restored areas be designed to mimic the original drainage patterns prior to installation</p>	<p>Land use conditions have changed since the Project was originally constructed making restoration to pre-disturbance conditions less appropriate for a repowering project. Therefore, LBII proposes to restore topography to maintain current functional drainage patterns (i.e., existing conditions immediately prior to the construction of the Project), as long as doing so is compatible with other environmental considerations and requirements</p>
<p>3 With regard to collector lines: a. Recommends that the collector lines be removed from under public watercourses if they can be removed without an open cut. b. Recommends that collector lines be removed from under public drainage ditches. c. Collector lines could remain in environmentally sensitive areas (e.g., native prairie, wetlands, and Sites of Biodiversity Significance) that are not farmed.</p>	<p>a. LBII agrees and notes there are no collector lines under public watercourses. b. LBII agrees and notes there are no collector lines under public drainage ditches. c. LBII agrees that collector lines should remain in environmentally sensitive areas.</p>

<p>4 The plan should address how issues associated with decommissioning will be resolved over the long-term. For example, it is unclear what happens if infrastructure, such as a foundation, becomes exposed over time and it interferes with normal farming operations or damages equipment. The decommissioning plan could benefit from a discussion on wind company liability for issues that arise in the future and how they can be reported and resolved.</p>	<p>LBII will add a section in the final LBII Decommissioning Plan addressing the resolution of longer-term conditions resulting from the decommissioning of the project.</p>
<p>5 Cover crops should be used to stabilize disturbed soil prior to the next planting season if requested by the landowner.</p>	<p>The language from pages 6 and 8 of the LBII Decommissioning Plan noted above is sufficient to address DNR’s concerns.</p>

MDOA Recommendations	Lake Benton (LBII) Responses
<p>1 The decommissioning plan states that the decommissioning process will return the topography to pre-disturbance conditions. In light of potential recent upgrades to the surface and subsurface drainage patterns MDOA would recommend that the restored topography be designed to maintain current functional drainage patterns.</p>	<p>Land use conditions have changed since the Project was originally constructed, which makes restoration to pre-disturbance conditions less appropriate for a repowering project. Therefore, LBII proposes to restore topography to maintain current functional drainage patterns (i.e., existing conditions immediately prior to the construction of the Project), as long as doing so is compatible with other environmental considerations and requirements.</p>
<p>2 Any abandoned LBII facilities should be removed from under public drainage ditches to facilitate any future repairs or improvements to this public infrastructure.</p>	<p>LBII agrees and notes that there are no collector lines under public drainage ditches.</p>

<p>3 MDOA asks that the LBII Decommissioning Plan include provisions for the resolution of issues resulting from decommissioning over the long-term, such as, damaged drainage tiles, soil erosion, noxious weed control, vegetation establishment, and resurfacing of abandoned facilities left in place, among others.</p>	<p>MDOA’s concerns are already addressed within the LBII Decommissioning Plan. On page 6 of the LBII Decommissioning Plan includes the following language:</p> <p>“Lake Benton Wind will coordinate with landowners to identify property features, such as drain tiles, that need to be avoided during decommissioning activities and will avoid these features where practicable.</p> <p>Where identified features, such as drain tiles cannot be avoided, the drain tile or other features will be repaired following decommissioning and landowners will be compensated for crop damages or losses related to the damage.”</p> <p>Separately, on page 8, the LBII Decommissioning Plan states that: “Lake Benton Wind will implement construction BMPs in accordance with the MPCA’s Stormwater Best Management Practices Manual and will develop a Stormwater Pollution Prevention Plan to ensure erosion and sedimentation are minimized. A National Pollutant Discharge Elimination System permit will be obtained prior to decommissioning. BMPs will be employed to ensure that excavated material is contained, exposed soil is protected, restored material is stabilized and disturbed areas are revegetated with noninvasive species.”</p>
<p>4 Recommends the establishment and maintenance of temporary cover crops to prevent soil erosion in coordination with land owner requests.</p>	<p>The language from pages 6 and 8 of the LBII Decommissioning Plan noted above, in No. 3, already addresses MDOA’s concerns.</p>

Finally, Lake Benton committed to making the changes outlined above to its filed Decommissioning Plan and recognizes that further refinement may be needed. Lake Benton proposed that any revisions to the Decommissioning Plan be included as a post-Site Permit issuance compliance filing, explaining that filing the final Decommissioning Plan as a compliance obligation will allow the Project to move forward without delay, and allow Lake Benton to continue to work with the Commission and other state agencies to refine the Plan (as necessary or directed) prior to the actual decommissioning of the existing Project.

The EERA concurred with the parties' decommissioning comments, and recommended that Lake Benton incorporate the recommendations and refile the plan 45 days prior to the start of decommissioning. The EERA noted the MDNR's concern about an existing turbine located within 198 feet of a potential calcareous fen, and the need to coordinate its removal. EERA stated that this is already being addressed and that Lake Benton and the MDNR are working in coordination on how best to decommission that particular turbine. Thus, there is no need for the Commission to take action.

Accordingly, the Commission agrees that Lake Benton should continue to revise the Decommissioning Plan to incorporate necessary changes as outlined above. The Commission asks Lake Benton to file the revised Decommissioning Plan 45 days prior to the start of actual decommissioning of the existing wind facilities.

ORDER

1. The Commission hereby adopts the Lake Benton II Proposed Findings of Fact, Conclusions of Law, and Decision, as modified, and with the changes necessary to make the report consistent with the final decisions the Commission makes with regard to the Site Permit, the Decommissioning Plan, and any other determinations.
2. The Commission hereby adopts the following permit condition language for section 6.1:

The Permittee shall file quarterly reports with the Commission within 45 days of the end of the quarter regarding construction workers that participated in the construction of the project. The Reports shall (a) detail the Permittee's efforts and the site contractor's efforts to hire Minnesota workers, and (b) provide an account of 1) the gross number of hours worked by or full-time equivalent workers who are Minnesota residents, as defined in Minn. Stat. 290.01, subd. 7; 2) the gross number of hours worked by or full-time equivalent workers who are residents of other states, but maintain a permanent residence within 150 miles of the project; and 3) the total gross hours worked or total full-time equivalent workers. Permittee shall work with its contractor to determine the suitable reporting metric. The Report may not include personally identifiable data..

3. The Commission hereby issues the attached amended Site Permit.
4. The Commission authorizes Commission staff to make further administrative modifications to the permit as necessary to ensure consistency with the record in this case and recently issued permits.
5. This order shall become effective immediately.

BY ORDER OF THE COMMISSION



Daniel P. Wolf
Executive Secretary



This document can be made available in alternative formats (e.g., large print or audio) by calling 651.296.0406 (voice). Persons with hearing loss or speech disabilities may call us through their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

July 17, 2019

Kevin Pranis
Marketing Manager – MN/ND
LIUNA Great Lakes Region
81 E Little Canada Road
St. Paul, MN 55117

Re: LIUNA Information Request #1
MPUC Dockets IP-6981/CN-17-306, WS-17-307, TL-308
OAH Docket 5-2500-35669

Dear Mr. Pranis:

Enclosed please find the response of Dodge County Wind, LLC to LIUNA Minnesota & North Dakota's First Information Request in the above-referenced docket numbers. As requested, the response is provided in searchable PDF format.

Please feel free to contact me with any questions.

Sincerely,

Stinson LLP



Andrew Gibbons

AJG:

Dodge County Wind, LLC (IP-6981/CN-17-306/307/308; OAH 5-2500-35668)

Re: Use of local labor on wind energy construction projects developed by NextEra

Request: Dodge County Wind, LLC (“Applicant”) has applied for a Certificate of Need and Site Permit to build and operate the proposed Dodge County Wind project (“the Project”). LIUNA Minnesota & North Dakota respectfully requests that Applicant address the enclosed information request concerning past practices of Applicant’s parent company NextEra and affiliated entities (“the Company”) on the construction of area wind energy projects, as well as Company’s assessment of the feasibility of employing a majority-local workforce and efforts to recruit qualified labor to build the Project.

Request LIUNA 1-1

- During the Oct. 25, 2018 public information meeting for the Project, Company representative Mike Weich indicated that the employment of local construction labor would depend, in part, on finding workforce and subcontracting resource that fit the requirements of the Project:

Please provide a detailed breakdown of the anticipated labor requirements for the Project, including a list of job classifications with a brief description of each job, projected number of workers or work hours required, and any minimum qualifications established by the Company or the Company’s Engineering, Procurement and Construction (“EPC”) contractor (hereafter “Construction Team”) for individuals performing each job (e.g. license, certification, past experience).

Response to 1-1: Dodge County Wind objects to Request LIUNA 1-1 as overly broad, unduly burdensome, calling for speculation, assuming facts not in the record, and not reasonably calculated to lead to the discovery of evidence that is relevant to the above-referenced dockets. The request calls for speculation in that it requests Dodge County Wind to provide details of construction jobs that Dodge County Wind anticipates for the Project. The request also calls for anticipated job details such as job classifications, job descriptions and minimum qualifications that are overly broad and not relevant to the above-referenced dockets, and which would require Dodge County Wind to undertake significant effort to generate. Further, the request is based on the assumption that the EPC contractor has already been selected, which has not yet occurred. Subject to and without waiving these objections, Dodge County Wind provides the following response:

The information requested in LIUNA 1-1 does not exist, and, therefore, is not provided.

Request LIUNA 1-2

Please provide a detailed breakdown of the anticipated subcontracting requirements for the Project, including a list of work scopes, an estimate of expected work hours and/or contract amounts for each (range are acceptable to avoid disclosure of commercially sensitive information), and any minimum qualifications that would apply to all subcontractors or subcontractors performing certain scopes of work (e.g. licenses, bonding, past experience).

Response to 1-2: Dodge County Wind objects to Request LIUNA 1-2 as overly broad, unduly burdensome, calling for speculation, and not reasonably calculated to lead to the discovery of evidence that is relevant to the above-referenced dockets. The request calls for speculation in that it requires

Dodge County Wind to provide the details of subcontractor work that are anticipated for the Project. The request also calls for anticipated subcontractor details such as work scopes and minimum qualifications that are overly broad and not relevant to the above-referenced dockets, and which would require Dodge County Wind to undertake significant effort to generate. Subject to and without waiving these objections, Dodge County Wind provides the following response:

The information requested in LIUNA 1-2 does not exist, and, therefore, is not provided.

Request LIUNA 1-3

During the Oct. 25, 2018 public information meeting for the Project, Company representative Mike Weich provided briefly summarized the efforts that the Construction Team planned to undertake to assess the availability of qualified local workforce, and to recruit local workers for construction jobs on the proposed project, including hiring fairs and outreach to contractors. Please provide a detailed description of efforts already undertaken and planned, identifying where possible when activities not already initiated are expected to occur.

- A. What are the steps that the Construction Team has taken or plans to take to assess the availability of skilled local labor, specifically addressing communication with local experts and stakeholders including, but not limited to, local elected and community leaders, contractors, labor unions, and public and non-profit workforce agencies? Please include a list of individuals and organizations with whom the Construction Team has consulted or plans to consult.
- B. What assessments has the Construction Team made to date regarding the availability of qualified local labor for construction of the Project?
- C. Please detail the steps taken, planned, or under consideration by the Construction Team to recruit qualified local construction labor for the Project, including information on the Construction Team's activities and plans regarding each of the following:
 - Recruitment events (job fairs, etc.)
 - Local advertising (broadcast, print, online, job boards, etc.)
 - Working with local construction unions
 - Working with public agencies and non-profit workforce organizations

Response to 1-3(A-C): Dodge County Wind objects to Request LIUNA 1-3 (A-C) as overly broad, unduly burdensome, calling for speculation, and not reasonably calculated to lead to the discovery of evidence that is relevant to the above-referenced dockets. The requests calls for a list of individuals and organizations with whom the Construction Team has consulted or plans to consult as well as detailing the steps taken, planned, or under consideration, both of which would require Dodge County Wind to undertake significant effort to generate and calls for speculation. Subject to and without waiving these objections, Dodge County Wind provides the following response:

DCW will competitively source General Contractor services and is in negotiation with a Minnesota based General Contractor who is expected to use existing employees, existing labor affiliations, local subcontractors and suppliers. Any needs for additional labor resources will likely be sourced by the General Contractor through a combination of their existing labor affiliations or direct hire through local job fairs, advertising or walk-ins during construction.

D. What requirements, goals, or performance-based targets has the Company incorporated, or does the Company intend to incorporate, into its contract with the EPC contractor for the Project in order to maximize the employment of local construction labor on the project?

Response to 1-3(D): Dodge County Wind objects to Request LIUNA 1-3(D) as vague, overly broad, calling for speculation, assuming facts not in the record, and not reasonably calculated to lead to the discovery of evidence that is relevant to the above-referenced dockets. The request assumes there is an agreement with an EPC contractor, which there is not; and, therefore, calls for speculation in that it requests that Dodge County Wind specify the intended provisions of a future arms-length commercial agreement with an EPC contractor. Finally, the request is vague, overly broad, and not reasonably calculated to lead to the discovery of evidence relevant to the above-referenced dockets in that it requests information related to maximizing local labor. Subject to and without waiving these objections, Dodge County Wind provides the following response:

The information requested in LIUNA 1-3 (D) does not exist, and, therefore, is not provided.

E. Has the Company ever incorporated local construction hiring requirements, goals, or performance-based targets in past contracts with EPC contractors?

Response to 1-3(E): Dodge County Wind objects to Request LIUNA 1-3(E) as overly broad, unduly burdensome, requesting confidential information, and not reasonably calculated to lead to the discovery of evidence relevant to the above-referenced dockets, as it requests information about the confidential provisions of past agreements of NextEra and affiliated entities in all jurisdictions, across all types of projects, and without any time limit, which would require the review of a large number of agreements. The requested information will not be provided.

Request LIUNA 1-4

Please identify the Company's EPC contractor and provide the number of hours worked by the contractor's construction craft employees, along with the number of hours worked by employees of construction subcontractors and temporary employment agencies, for the following Company wind energy construction projects completed by the company in recent years in MISO North: Oliver III (ND), Brady I & II (ND), Pheasant Run (MI), Tuscola II (MI), and Heartland Divide (IA). Please provide separate figures for workers permanently residing in the same state as the project, workers permanently residing within 150 miles of the project in a different state, and workers permanently residing in a different state and more than 150 miles from the project (see sample form below).

Please assign resident state and location based on the primary address used by the employer on W-2 forms filed for the year when the work was performed where feasible. Where the Company cannot reasonably obtain hours-worked data for construction subcontractors, please provide what data can be obtained on the number of employees that fall into each category. Where no employment data can be obtained for a construction subcontractor, please list the contractor's name, principal address, and scope of work.

Response 1-4: Dodge County Wind objects to Request LIUNA 1-4 as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of evidence relevant to the above-referenced dockets. The request seeks information regarding the hiring practices of EPC contractors for projects in

other jurisdictions which are not the subject of, or relevant to, the instant proceedings. Providing the information requested would require the development of information from confidential personal information regarding individuals held by third parties not party to these proceedings. The requested information will not be provided.

SAMPLE FORM FOR 1-4

Oliver III Wind: Hours worked by construction craft workers (or # of employees if hours not available)			
Residence relative to project	EPC employees	Temporary employees	Subcontractor employees
North Dakota			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

Brady I & II Wind: Hours worked by construction craft workers (or # of employees if hours N/A)

Residence relative to project	EPC employees	Temp employees	Subcontractor employees
North Dakota			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

Heartland Divide Wind: Hours worked by construction craft workers (or # of employees if hours not available)

Residence relative to project	EPC employees	Temporary employees	Subcontractor employees
Iowa			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

Pheasant Run Wind: Hours worked by construction craft workers (or # of employees if hours not available)

Residence relative to project	EPC employees	Temporary employees	Subcontractor employees
Michigan			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

Tuscola II Wind: Hours worked by construction craft workers (or # of employees if hours not available)

Residence relative to project	EPC employees	Temporary employees	Subcontractor employees
Michigan			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

July 5, 2019

Andrew J. Gibbons
Stinson Leonard Street
150 South 5th Street, Suite 2300
Minneapolis, MN 55402

RE: MPUC Dockets IP-6981/CN-17-306; IP-6981/WS-17-307; IP-6981/TL-17-308
OAH Docket 5-2500-35668

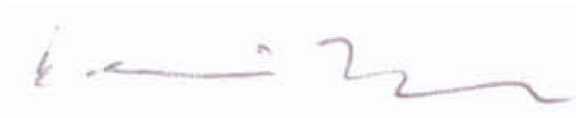
Dear Mr. Gibbons:

Enclosed please find LIUNA Minnesota & North Dakota's first information request in the above cited docket numbers. Please send all responses in a text searchable PDF format to kpranis@liunagroc.com.

If you have any questions, please feel free to contact me at:

Kevin Pranis
Marketing Manager – MN/ND
LIUNA Great Lakes Region
651.653.9776 (office)
612.224.6464 (cell)
kpranis@liunagroc.com

Sincerely,



Kevin Pranis
Marketing Manager

Dodge County Wind, LLC (IP-6981/CN-17-306/307/308; OAH 5-2500-35668)

Re: Use of local labor on wind energy construction projects developed by NextEra

Request: Dodge County Wind, LLC (“Applicant”) has applied for a Certificate of Need and Site Permit to build and operate the proposed Dodge County Wind project (“the Project”). LIUNA Minnesota & North Dakota respectfully requests that Applicant address the enclosed information request concerning past practices of Applicant’s parent company NextEra and affiliated entities (“the Company”) on the construction of area wind energy projects, as well as Company’s assessment of the feasibility of employing a majority-local workforce and efforts to recruit qualified labor to build the Project.

- During the Oct. 25, 2018 public information meeting for the Project, Company representative Mike Weich indicated that the employment of local construction labor would depend, in part, on finding workforce and subcontracting resource that fit the requirements of the Project:
 - Please provide a detailed breakdown of the anticipated labor requirements for the Project, including a list of job classifications with a brief description of each job, projected number of workers or work hours required, and any minimum qualifications established by the Company or the Company’s Engineering, Procurement and Construction (“EPC”) contractor (hereafter “Construction Team”) for individuals performing each job (e.g. license, certification, past experience).
 - Please provide a detailed breakdown of the anticipated subcontracting requirements for the Project, including a list of work scopes, an estimate of expected work hours and/or contract amounts for each (range are acceptable to avoid disclosure of commercially sensitive information), and any minimum qualifications that would apply to all subcontractors or subcontractors performing certain scopes of work (e.g. licenses, bonding, past experience).
- During the Oct. 25, 2018 public information meeting for the Project, Company representative Mike Weich provided briefly summarized the efforts that the Construction Team planned to undertake to assess the availability of qualified local workforce, and to recruit local workers for construction jobs on the proposed project, including hiring fairs and outreach to contractors. Please provide a detailed description of efforts already undertaken and planned, identifying where possible when activities not already initiated are expected to occur.
 - What are the steps that the Construction Team has taken or plans to take to assess the availability of skilled local labor, specifically addressing communication with local experts and stakeholders including, but not limited to, local elected and community leaders, contractors, labor unions, and public and non-profit workforce agencies? Please include a list of individuals and organizations with whom the Construction Team has consulted or plans to consult.
 - What assessments has the Construction Team made to date regarding the availability of qualified local labor for construction of the Project?

- Please detail the steps taken, planned, or under consideration by the Construction Team to recruit qualified local construction labor for the Project, including information on the Construction Team's activities and plans regarding each of the following:
 - Recruitment events (job fairs, etc.)
 - Local advertising (broadcast, print, online, job boards, etc.)
 - Working with local construction unions
 - Working with public agencies and non-profit workforce organizations
- What requirements, goals, or performance-based targets has the Company incorporated, or does the Company intend to incorporate, into its contract with the EPC contractor for the Project in order to maximize the employment of local construction labor on the project? Has the Company ever incorporated local construction hiring requirements, goals, or performance-based targets in past contracts with EPC contractors?
- Please identify the Company's EPC contractor and provide the number of hours worked by the contractor's construction craft employees, along with the number of hours worked by employees of construction subcontractors and temporary employment agencies, for the following Company wind energy construction projects completed by the company in recent years in MISO North: Oliver III (ND), Brady I & II (ND), Pheasant Run (MI), Tuscola II (MI), and Heartland Divide (IA). Please provide separate figures for workers permanently residing in the same state as the project, workers permanently residing within 150 miles of the project in a different state, and workers permanently residing in a different state and more than 150 miles from the project (see sample form below).

Please assign resident state and location based on the primary address used by the employer on W-2 forms filed for the year when the work was performed where feasible. Where the Company cannot reasonably obtain hours-worked data for construction subcontractors, please provide what data can be obtained on the number of employees that fall into each category. Where no employment data can be obtained for a construction subcontractor, please list list the contractor's name, principal address, and scope of work.

Oliver III Wind: Hours worked by construction craft workers (or # of employees if hours not available)

Residence relative to project	EPC employees	Temporary employees	Subcontractor employees
North Dakota			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

Brady I & II Wind: Hours worked by construction craft workers (or # of employees if hours N/A)

Residence relative to project	EPC employees	Temp employees	Subcontractor employees
North Dakota			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

Heartland Divide Wind: Hours worked by construction craft workers (or # of employees if hours not available)

Residence relative to project	EPC employees	Temporary employees	Subcontractor employees
Iowa			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

Pheasant Run Wind: Hours worked by construction craft workers (or # of employees if hours not available)

Residence relative to project	EPC employees	Temporary employees	Subcontractor employees
Michigan			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

Tuscola II Wind: Hours worked by construction craft workers (or # of employees if hours not available)

Residence relative to project	EPC employees	Temporary employees	Subcontractor employees
Michigan			
Different state but within 150 miles of project (or bordering state)			
Different state and over 150 miles (or non-bordering state)			

Please list steps taken to recruit local workforce, providing for each a brief description of the activity, the number of local applications received or candidates referred, and the number said applicants or referrals that were hired as a result:

- Recruitment events (job fairs, etc. within 150 miles of the project)
- Local advertising (broadcast, print, online, job boards, etc.)
- Working with local construction unions
- Working with public agencies and workforce organizations (other than unions)

**STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION**

In the Matter of the Application of
Dodge County Wind, LLC for a
Certificate of Need for the Dodge County
Wind Project and Associated Facilities in
Dodge, Steele, and Olmsted Counties,
Minnesota

MPUC Docket No. IP-6981/CN-17-306

In the Matter of the Application of
Dodge County Wind, LLC for a Site
Permit for the Dodge County Wind
Project and Associated Facilities in
Dodge and Steele Counties, Minnesota

MPUC Docket No. IP-6981/WS-17-307

In the Matter of the Application of
Dodge County Wind, LLC for a Route
Permit for the 345 kV High-Voltage
Transmission Line Associated with the
Dodge County Wind Project in Dodge
and Olmsted Counties, Minnesota

MPUC Docket No. IP-6981/TL-17-308

OAH Docket No. 5-2500-35668

DIRECT TESTIMONY OF

MIKE WEICH

On Behalf of

DODGE COUNTY WIND, LLC

March 1, 2019

Exhibit MW-1

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Exhibits

Schedule 1 Resume of Mike Weich

Schedule 2 Dodge County Wind Stakeholder Outreach

1 **I. INTRODUCTION**

2 **Q. Please state your name and business address.**

3 A. My name is Mike Weich. My business address is 700 Universe Blvd, Juno Beach, FL
4 33408.

5 **Q. By whom are you employed and in what capacity?**

6 A. I am employed by NextEra Energy Resources, LLC (“NEER”) in the capacity of Project
7 Director Renewable Development.

8 **Q. Please summarize your qualifications and experience.**

9 A. I received a B.S. degree in Business Management from the United States Military
10 Academy in 2011 and a Master’s in Business Administration from the Fuqua School of
11 Business at Duke University in 2018. I served over five years as an officer in the United
12 States Army. After being honorably discharged from the Army, I worked for one year at
13 Bank of America as a Project Manager in the leadership development program where I
14 worked in various finance, technology, cyber security, and commercial banking roles.
15 Since joining NEER in 2017, I have developed or overseen the development of wind
16 energy, solar energy, and battery storage projects in three states. My most recent wind
17 project, Heartland Divide, reached its commercial operation on December 23, 2018 in
18 Audubon, Iowa.

19 **Q. For whom are you testifying?**

20 A. I am testifying on behalf of the Applicant, Dodge County Wind, LLC (“DCW”). DCW is
21 a wholly-owned indirect subsidiary of NEER. NEER is a national renewable energy
22 marketing and development company that owns and operates over 20,950 megawatts

1 (“MW”) of electric generating capacity in 32 states and Canada. The DCW project
2 consists of 170 MW wind generating facility (“Wind Project”) and an approximately 25-
3 mile transmission line that connects the Wind Project to the transmission grid (“Gen-
4 Tie”) at the Byron Substation (collectively, “the Project”).

5 **Q. Was this testimony drafted by you or under your supervision?**

6 A. Yes.

7 **Q. What is the purpose of your testimony in this proceeding?**

8 A. The purpose of my testimony is to provide detail regarding: (1) the Project, its design,
9 and modifications to the Wind Project layout; (2) the benefits of the Project; (3) the need
10 for the Project; (4) stakeholder outreach efforts for the Project, including consultation
11 with local units of government; (5) compliance with the state and local government
12 requirements for a wind energy system; (6) agency comments; and (7) landowner
13 comments. I also introduce the witnesses who are providing testimony on behalf of
14 DCW.

15 **Q. What schedules are attached to your testimony?**

16 A. Attached to my testimony are the following schedules:

- 17 • Schedule 1 – Resume of Mike Weich
- 18 • Schedule 2 – Dodge County Wind Stakeholder Outreach

19 **Q. What sections of the DCW Applications are you sponsoring?**

20 A. As the Project Developer, I oversaw the preparation of the DCW Site Permit, Route
21 Permit, and Certificate of Need Applications (“Applications”), and, thus, I am sponsoring

1 the Applications with the understanding that the other DCW witnesses, who are subject
2 matter experts, address in detail specified sections of the Applications.

3
4 **II. DCW WITNESSES**

5 **Q. Please introduce the DCW witnesses who are presenting direct testimony in support**
6 **of the Project.**

7 A. In addition to my testimony, DCW is providing the testimony of five subject matter
8 experts. Their names, general qualifications, and a brief summary of their testimony are
9 provided below:

- 10 • Jennifer Field: Ms. Field is an environmental manager for NEER with over 25
11 years of experience in the environmental field. Her testimony: (1) provides an
12 overview of the environmental studies performed by DCW related to the Project;
13 (2) describes the siting and routing efforts undertaken by DCW prior to the filing
14 of the Applications; (3) describes how environmental considerations have shaped
15 the development of the Project; and (4) describes the further siting and routing
16 efforts undertaken by the Applicants since filing the Applications.
- 17 • Richard Lampeter: Mr. Lampeter is an environmental scientist who has assessed
18 potential impacts from sound and/or shadow flicker for approximately 90 wind
19 energy projects. His testimony provides: (1) a description of sound emissions
20 from utility-scale wind turbines in general, and the regulations in Minnesota that
21 these sound emissions must meet; (2) a summary of the Wind Project's Sound
22 Analysis; (3) information on low frequency noise and infrasound levels; (4) a

1 description of the shadow flicker effect that can be attributable to large wind
2 turbines; and (5) a summary of the results of the Shadow Flicker Analysis.

- 3 • Jack Middleton: Mr. Middleton is a Project manager at Burns & McDonnell with
4 years of environmental review expertise related to generating facilities,
5 substations, natural gas pipelines, and transmission lines. His testimony provides
6 details on the Gen-Tie route analysis, review, and selection process for the routes
7 and connector segments proposed in the Route Permit Application.
- 8 • Dr. Henry Chao: Dr. Chao works for Quanta Technology, LLC in the capacity of
9 Vice President of RTO/ISO Markets. He provides testimony on the
10 reasonableness of using 345 kilovolts (“kV”) for the Gen-Tie.
- 11 • Mark Thompson: Mr. Thompson is the Manager of Wind Engineering at NEER,
12 where he supports for the development of new wind sites that include
13 transmission lines and substations. His testimony provides the technical
14 specifications for the proposed Wind Project and Gen-Tie. He also addresses the
15 engineering, construction, operation and maintenance (“O&M”), and
16 decommissioning of the Project.

17
18 **III. PROJECT OVERVIEW AND OWNERSHIP**

19 **Q. Please provide an overview of the Wind Project.**

20 A. The Wind Project consists of an array of 68 wind turbines and other associated facilities
21 that generate and collect the Wind Project’s 170 MW output. The Wind Project’s
22 turbines will be located in the western part of Dodge County and the eastern part of

1 Steele County. The turbines are interconnected through a collection system. From each
2 of the turbines, 34.5 kV collector lines run underground from each turbine to the DCW
3 collector substation proposed for construction, which is approximately 7 miles southwest
4 of the city of Dodge Center, Minnesota. The collector substation will be stepped up the
5 34.5 kV collector lines to 345 kV.

6 **Q. Please explain the amendment to the Wind Project.**

7 A. On January 18, 2019, DCW submitted an Amended Site Permit Application that revised
8 the previous Wind Project layout. The proposed layout alterations took into account
9 changes in turbine technology that were made available due to a shift in the Project
10 schedule and incorporated feedback from landowners. While the initial Site Permit
11 Application proposed using 62 General Electric (“GE”) 2.5 MW wind turbines and eight
12 GE 1.715 MW turbines, the amended layout proposes to utilize 60 GE 2.5 MW wind
13 turbines and eight GE 2.3 MW wind turbines. The revised layout also includes four
14 alternative turbine locations for a total of 72 turbine locations.

15 **Q. Please provide an overview of the Gen-Tie.**

16 A. The Gen-Tie extends from the new DCW collector substation to the existing Southern
17 Minnesota Municipal Power Agency (“SMMPA”) Byron Substation in western Olmsted
18 County, near Byron, Minnesota. DCW has identified two routes for the Gen-Tie between
19 the Project endpoints: Route A and Route B. The length of the Gen-Tie will be
20 approximately 23 miles (Route A is approximately 21 miles in length and Route B is
21 approximately 26 miles). Route A would involve paralleling of approximately 3.2 miles
22 with the existing Byron to Pleasant Valley 345 kV transmission line, which extends from

1 the southeast of the Project Area to the Byron Substation. Route B would only involve a
2 short segment of paralleling with this existing transmission line near the Byron
3 Substation. As described in the testimony of DCW witness Jack Middleton, DCW has
4 continued to optimize the routes since filing the Route Permit Application.

5 **Q. What entity will construct, own and operate the Project?**

6 A. DCW is the entity that will develop, construct, own, and operate the Project.

7 **a. Characteristics of the Wind Project**

8 **Q. Please describe the facilities that will be constructed for the Wind Project.**

9 A. The facilities that comprise the Wind Project include the turbines I previously described,
10 a project collector substation, collection lines, an O&M building, permanent
11 meteorological tower(s), and gravel access roads. The locations of all these facilities are
12 depicted in Map 2 of DCW's Amended Site Permit Application.

13 **Q. How did DCW determine where to site the Wind Project?**

14 A. DCW determined the location of the Wind Project based on an analysis of the available
15 wind resource, the availability of interconnection points, the potential for environmental
16 impacts, and land availability. Specifically, DCW conducted a combination of desktop
17 and on-site survey work for the Project to determine that the Wind Project could be
18 constructed and operate in a manner that does not unduly compromise environmentally
19 sensitive areas, features, and wildlife. Also, through an assessment of transmission
20 facilities in the area, it was determined that the Byron 345 kV substation in Olmsted
21 County was the appropriate location for the injection of the Project's 170 MW of wind

1 energy. The reasonableness of the use of 345 kV and the selection of the Bryon
2 substation as the point of interconnection is discussed by witness Chao.

3 **Q. How was the wind turbine layout determined?**

4 A. The Wind Project layout was determined based on numerous inputs evaluated by the
5 DCW team, including: (1) advanced meteorological wind analysis; (2) environmental
6 assessments; (3) landowner preferences; (4) administrative agency input; and (5) laws
7 and regulations pertaining to wind turbine siting. Careful consideration of each of these
8 elements contributed to the refined turbine layout that DCW is proposing.

9 **Q. What is the anticipated total cost of the Wind Project?**

10 A. DCW's estimated cost for the wind component of the Project is \$300 million.

11 **Q. What are the expected permanent impacts associated the Wind Project?**

12 A. The wind facilities are not expected to significantly impact agricultural land use, as only
13 an average of 0.7 acres of land per turbine will be taken out of agricultural production for
14 the life of the Project to accommodate the turbine pads, access roads, substation, O&M
15 facility, and ancillary facilities. DCW estimates the permanent impacts to farmland to be
16 51.21 acres.

17 **Q. What is the status of the acquisition of land and wind rights for the Wind Project?**

18 A. DCW has acquired 100% of land and wind rights required for the Wind Project.

19 **b. Characteristics of the Gen-Tie**

20 **Q. Please describe the Project facilities for the Gen-Tie that will be constructed.**

21 A. DCW proposes to use 345 kV single circuit monopole structures for the majority of the
22 Gen-Tie. The Gen-Tie's most common structure type is a steel monopole structure,

1 which utilizes braced post insulators in a delta configuration. The poles will range from
2 95 to 115 feet above ground, based on terrain. The Gen-Tie's poles will be embedded 20
3 feet on average. The typical span between structures will be 800 to 1000 feet, with a
4 maximum span of 1000 feet. The conductors will be 795 kcmil Aluminum Conductor
5 Steel Reinforced. Guyed wires and anchors will be used for select turning structures and
6 dead-ends. In any instance where guys must be used, efforts have been made to
7 minimize impact to farmed fields.

8 **Q. What is the expected area of permanent impacts for the Gen-Tie?**

9 A. The proposed Route A design includes 187 pole structures within the right of way
10 ("ROW"), while the Route B design includes 281 pole structures within the ROW. Each
11 structure is anticipated to result in an estimated 0.272 acre of total permanent impact
12 from pole installation along the Route A ROW and 0.408 acre of total permanent impact
13 from pole installation along the Route B ROW. For Route A, approximately 112 pole
14 structures are planned in land used as cultivated crops (approximately 0.163 acre of total
15 impact) and three are planned in land designated as hay/pasture (approximately 0.004
16 acre of total impact). As for the Route B pole structures, approximately 187 are planned
17 in land used as cultivated crops (approximately 0.271 acre of total impact). DCW will
18 continue to optimize Routes A and B to minimize impacts and address landowner
19 preferences throughout the permitting process. DCW witness Jack Middleton provides
20 an overview of the current status of optimizing Routes A and B.

21 **Q. Did the January 18, 2019 Amendment propose any changes to the Gen-Tie?**

22 A. No, because no changes were needed.

1 **Q. What is the anticipated total cost of the Gen-Tie?**

2 A. The estimated total costs of the Gen-Tie range from approximately \$40 million to \$47
3 million depending on the route selected in the Route Permit proceeding.

4 **Q. What is the status of the acquisition of land rights for the Gen-Tie?**

5 A. At this time, DCW has obtained approximately 95% of the land rights required to
6 construct Route A, and approximately 85% of the land rights required to construct Route
7 B.

8

9 **IV. BENEFITS OF THE PROJECT**

10 **Q. Please summarize the benefits associated with the Wind Project.**

11 A. The Wind Project provides substantial benefits to the state and local communities, as well
12 as Project participants. Specifically, the Project enables the following 6 principal
13 benefits:

- 14 1. 200 temporary construction jobs and 7-12 full-time operations jobs;
- 15 2. Increased economic stimulus to local businesses;
- 16 3. Compensation for participating landowners of approximately \$40 million;
- 17 4. Additional property tax revenues of approximately \$15 million, which benefits
18 schools and local civic services;
- 19 5. Charitable contributions to local organizations and events; and
- 20 6. Preservation of land for agricultural use.

21 **Q. How will the Wind Project provide the economic development benefits you
22 describe?**

1 A. The Wind Project will provide approximately \$15 million in property taxes just by virtue
2 of being constructed. The Wind Project also requires a workforce in order to be built. In
3 that regard, the Wind Project will provide an estimated 200 temporary construction jobs.
4 Then, once operational, the Project will be maintained by 7 to 12 full time employees.
5 Thus, the Wind Project will be an economic stimulus to local businesses while providing
6 an efficient, reliable, and safe energy resource to the region.

7 **Q. What local tax revenue will the Wind Project provide?**

8 A. The Wind Project will pay a Wind Energy Production Tax to the local units of
9 government of \$0.0012 per kilowatt-hour of electricity produced. This would result in an
10 annual Wind Energy Production Tax ranging from approximately \$60,000 to \$700,000 in
11 the first year, and between \$570,000 and \$700,000 annually after the first year in Dodge
12 County, and approximately \$15,000 to \$160,000 in the first year, and between \$130,000
13 and \$160,000 annually after the first year in Steele County. During the first year, Energy
14 Production Taxes may not be maximized due to partial energy generation during the
15 startup months when the facility is not running at optimal capacity and may also only
16 include a partial calendar year of energy production.

17 **Q. Are there other environmental benefits associated with the Project?**

18 A. Yes. In addition to those benefits I described, the Wind Project provides key
19 environmental benefits to the State of Minnesota. Wind represents a clean, renewable
20 source of energy that creates no greenhouse gases or other air pollutants. No waste by-
21 products are generated and wind energy facilities do not result in hazardous waste clean-
22 up at the end of a project's productive life.

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Notably, when the Project is constructed and operational, it will produce enough clean, renewable energy to meet the full electrical needs of approximately 51,000 Minnesota households annually.

Q. Please summarize the benefits associated with the Gen-Tie.

A. The Gen-Tie provides benefits that complement those of the Wind Project. Specifically, the Gen-Tie provides: (1) approximately 30-40 temporary construction jobs; (2) compensation packages for participating landowners; and (3) a connection that allows for emissions-free renewable wind energy to be connected to the grid. Moreover, both Route A and B are designed to be compatible with the rural, agricultural character of the counties and the goals set forth in the respective county comprehensive plans.

V. NEED FOR THE PROJECT

Q. What need does the Project fulfill?

A. The output of the Project is needed by the Minnesota Municipal Power Agency (“MMPA”) to help meet the electricity needs of its members and assist MMPA in its efforts to exceed the Minnesota Renewable Energy Standard and other clean energy requirements.

The Project is also designed to reliably and efficiently deliver the energy produced by the Project to MMPA. Both the voltage of 345 kV and the point of interconnection at the Byron Substation were selected to ensure the reliable and efficient

1 delivery of the Project's wind energy output, and, accordingly, were included as
2 requirements under the Power Purchase Agreement ("PPA") between DCW and MMPA.
3 As DCW witness Chao explains, the 345 kV voltage level minimizes curtailments and
4 limits line losses, allowing more effective and efficient delivery of the wind generation to
5 the Byron substation.

6 **Q. Please describe purchaser of the wind generation.**

7 A. MMPA is a municipal power agency that is responsible for providing power to its
8 members. MMPA's membership is made up of the municipal electric utilities serving
9 twelve cities across Minnesota. These cities include suburbs of the Twin Cities metro
10 area as well as communities in Greater Minnesota. These member utilities have a
11 combined population of nearly 150,000 and provide power to 72,330 homes and
12 businesses across Minnesota.

13 **Q. What was the process by which DCW came to be the developer of the Project?**

14 A. In its 2013 Integrated Resource Plan, MMPA explained it was exploring adding
15 additional renewable resources through PPAs with wind developers. In light of MMPA's
16 need, NEER recognized that it had the ability, as an industry leader in the development of
17 renewable energy facilities, to assist MMPA in fulfilling this need. Discussions were
18 therefore held, which ultimately led to MMPA's execution of a PPA with DCW in which
19 MMPA agreed to purchase the full output of the Project for a 30-year term.

20 **Q. Please describe the terms of the PPA.**

21 A. Under the PPA, DCW and MMPA have agreed for MMPA to receive the Project's entire
22 electrical output over the course of a 30-year contract term. In exchange for the output,

1 MMPA will pay DCW over 30 years in accordance with the payment terms established
2 under the PPA.

3
4 **VI. PUBLIC & AGENCY OUTREACH**

5 **Q. What outreach efforts did DCW engage in prior to the submission of its**
6 **Applications in June of 2018?**

7 DCW's outreach efforts related to the Project have taken place over the last five years
8 and have involved numerous stakeholders, landowners, and community representatives.
9 When DCW began its initial engagement process in 2014, the Project was in a planning
10 stage. Many details of DCW's engagement with counties, agencies, organizations, and
11 the public are detailed in Section 8.0 of the DCW's Route Permit Application, filed June
12 29, 2018.

13 In the lead-up to the filing of the Applications, DCW held numerous meetings
14 with local government units ("LGUs") at various locations. The LGUs that met with
15 DCW are indicated in the table below:

LGU or Local Interest Group	Location
Canisteo Township	Kasson, MN
Dodge County Engineering	Dodge Center, MN
Township Cooperative Partnership Association	Rochester, MN
City of Byron	Byron, MN
City of Dodge Center/City Council	Dodge Center, MN
Ashland Township	Dodge Center, MN

LGU or Local Interest Group	Location
Dodge County Commission	Mantorville, MN
City of Kasson	Kasson, MN
Claremont Township	Claremont, MN
City of Claremont	Claremont, MN
Kalmar Township	Byron, MN
Ripley Township	Claremont, MN
Hayfield Township	Hayfield, MN

1

2

These meetings were productive for both DCW and the various governmental bodies, as outcomes from various discussions helped form the proposed turbine layout and the routes for the Gen-Tie.

3

4

5 **Q. What specific actions did DCW take to address stakeholder feedback received from**
6 **outreach activities?**

7 A. During meetings with local agencies and the public, DCW frequently received requests
8 for Project information, and timely and regularly scheduled updates with stakeholders to:
9 discuss Project timelines; address requests for updated maps showing turbine locations
10 and transmission line route pole locations; and address expressions of concern regarding
11 impacts to roads, bridges, and existing tile lines in fields and ditches.

12 **Q. What outreach effort has DCW engaged in since filing its Applications?**

13 A. Since filing the Applications, DCW has developed a Project-wide engagement plan for
14 the current post-application filing period. This plan includes: regular project status

1 stakeholder updates; road use agreement working group meetings; and general public
2 education and outreach efforts. To summarize the extensive outreach effort that has
3 occurred immediately before, and subsequent to, the filing of the Applications, I have
4 attached to my testimony Schedule 2.

5 **Q. What actions have DCW taken to address the post-filing input?**

6 A. During the post-filing timeframe, DCW has continuously engaged communities
7 participating in the Project, working to address questions and concerns regarding the
8 Project. DCW has used this engagement to review aspects of the Project to investigate
9 whether further adjustments can be made to address concerns held by landowners or
10 governmental agencies. Where possible, DCW has incorporated public feedback into
11 refined Project plans, such as those filed with the Amended Site Permit Application. In
12 situations where DCW has been unable to incorporate feedback into its Project plans,
13 DCW has communicated its rationale for not doing so to those who inquired in order to
14 ensure transparency in the development process.

15
16 **VII. COUNTY ORDINANCE REQUIREMENTS**

17 **Q. Are you familiar with the Minnesota statutory requirement that the Minnesota**
18 **Public Utilities Commission (“Commission”) apply County standards if those**
19 **standards are more stringent than the Commission’s rules or permit standards?**

20 A. While I am not a lawyer, I am familiar with Minnesota Statutes Section 216F.081. The
21 statute generally requires the Commission to apply local requirements. The statute states

1 that the Commission also has the authority not to apply those standards if it “finds good
2 cause not to apply the standards.”

3 **Q. Please describe the wind turbine setback requirements for Dodge and Steele**
4 **Counties.**

5 A. Dodge County mirrors the Commission’s standard, providing that Wind turbine towers
6 must not be placed less than five times the turbine rotor diameter (“RD”) on prevailing
7 wind directions and three RD on non-prevailing wind directions from the perimeter of the
8 lands where the permittee does not hold the wind rights. Steele County’s setback
9 requirement is more restrictive, providing that wind turbines must be sited 5 times the RD
10 or total height, whichever is greater, from neighboring property lines.

11 **Q. Did DCW design the Project layout such that it is consistent with the county setback**
12 **and other applicable requirements?**

13 A. Yes. The Project layout adheres to the wind energy conversion facility siting criteria
14 outlined in the Commission’s Order Establishing General Wind Permit Standards, Docket
15 No. E, G999/M-07-1102 (2008), applicable regulations and agency guidance, and
16 NEER’s internal setback standards and avoidance of sensitive features. Also, consistent
17 with the 3 RD by 5 RD setback and Dodge County Zoning Ordinance requirements,
18 Wind Project turbines in Dodge County will be set back from nonparticipating properties
19 by at least 1,147 feet, or 3 RD, in the non-prevailing wind direction and at least 1,911
20 feet, or 5 RD, in the prevailing wind direction for both turbine models. As for Steele
21 County, the 5 RD by 5 RD setback under Steele County’s Zoning Ordinance

1 requirements will be utilized, and Project turbines in Steele County will be set back from
2 non-participating properties by at least 1,911 feet, or 5 RD, for both turbine models.

3 **Q. Are there other setback requirements that the Project was designed to satisfy?**

4 A. Yes. DCW designed the Wind Project to satisfy the setback requirements noted in Tables
5 2 and 6 of DCW's Site Permit Application. These requirements require turbines to be set
6 back from areas such as public conservation lands, native prairie, and wetlands.

7
8 **VIII. AGENCY COMMENTS**

9 **Q. Several state agencies have submitted written comments regarding the DCW**
10 **Applications. Have you reviewed those comments?**

11 A. Yes, I have reviewed the comments provided by the Minnesota Department of Commerce
12 Energy Environmental Review and Analysis ("DOC-EERA"), the Minnesota Department
13 of Transportation ("MDOT"), and the Minnesota Department of Natural Resources
14 ("MNDNR").

15 **Q. What is your response to the comments of DOC-EERA?**

16 A. DOC-EERA filed comments on December 20, 2018 providing recommendations related
17 to the environmental impact statement ("EIS") scoping process and various route
18 alternatives proposed for inclusion in the scope of the EIS.

19
20 In DOC-EERA's comments, DOC-EERA recommended that three route
21 alternatives be included in the scope of the EIS: (1) the West 270th Avenue Alternative
22 Alignment; (2) the Salem Creek Alignment Alternative; and (3) the West 270th Avenue

1 Crossover Segment. With regard to these route segment alternatives, the Salem Creek
2 Alignment Alternative is the most workable, and DCW has incorporated it into its route
3 optimization analysis. The addition of this segment would reduce approximately 1 mile
4 of route length, and, additionally, DCW has secured the necessary voluntary easements to
5 support the segment. A fulsome analysis of these proposed route segments is provided in
6 the testimony of DCW witness Jack Middleton.

7 **Q. What is your response to the comments of MDOT?**

8 A. MDOT provided comments on November 15, 2018. In these comments MDOT stated
9 that the Project location map shows that no wind turbines or collection lines pose a
10 concern for MDOT. MDOT also stated that its approach for the proposed Gen-Tie is to
11 work to accommodate the line within or as near as feasible to the trunk highway ROW,
12 based on an evaluation of the specific locations. DCW has been and continues to be in
13 contact with MDOT as the Project develops, and will work with MDOT in the future in
14 addressing issues such as maintaining perpendicular crossings of trunk highways,
15 underbuilding for shared corridors, pole spans, and current ROW widths in effected
16 areas.

17 **Q. What is your response to the comments of MNDNR?**

18 A. On November 15, 2019 and February 6, 2019, DNR submitted comments regarding the
19 DCW Applications. Specifically, the DNR comments are with regard to: (1) the location
20 of Turbine T-11; (2) DCW's Avian and Bat Protection Plan; and (3) the avoidance of
21 certain threatened and endangered species. DCW has taken these comments into account
22 as the Project has developed and has sought to accommodate the recommendations of

1 DNR. DCW's work in addressing these comments is described in the testimony of DCW
2 witness Jennifer Field.

3
4 **IX. LANDOWNER COMMENTS**

5 **Q. Several comments from landowners and members of the local community have been**
6 **filed regarding the Applications. What issues have landowners raised related to the**
7 **Project?**

8 A. Landowners' comments to date have raised several issues and potential concerns
9 regarding the Project. These concerns can be categorized into the following topics: (1)
10 safety; (2) local character and property values; (3) wildlife and environmental effects; (4)
11 communications interference; and (5) local labor. DCW remains open to continuing
12 discussions on these topics; however, these topics were considered in the Applications
13 and have been addressed therein. Many of these same concerns were expressed at the
14 October 25, 2018 Public Meeting.

15 **Q. Regarding the first concern you mention, safety, how has DCW addressed this**
16 **concern?**

17 A. The Applications account for and address safety concerns such as aircraft operation and
18 potential wind turbine hazards, as well as transmission safety concerns such as
19 electromagnetic fields, and stray voltage. With regard to aerial crop spraying, DCW has
20 communicated to affected landowners that it will work with local crop sprayers to
21 facilitate safe and efficient crop spraying. DCW's project O&M facility will be capable
22 of receiving notification from crop sprayers prior to their spraying, and will have the

1 capability to turn turbines in order to allow for safe aerial passage and spraying. This
2 same approach is used by DCW affiliates at other wind generation projects, including at
3 the Minnesota Mower County Wind Project. Safety consideration related to construction
4 and operation of the Project are addressed in the testimony of DCW witness Mark
5 Thompson.

6 **Q. How has DCW addressed concerns related to local character and property values?**

7 A. Given the nature of the Project, involving wind turbines and transmission infrastructure,
8 there will be some visible changes to the landscape. However, DCW has worked closely
9 with landowners and the appropriate state agencies to site Project infrastructure in
10 locations that adhere to Commission and local-level siting standards. DCW has thus
11 developed a turbine array and routes that are legally compliant, and that take into account
12 agency and landowner feedback.

13 Separately, there is no dependable evidence to indicate that property values will
14 be diminished as a result of the Project. Wind projects are known to create jobs, tax
15 revenue, and landowner revenue that add value to a community. In 2009, Berkeley Lab
16 conducted research on the effect wind farms had on property values and determined that
17 wind facilities had no known impact on the value of home sale prices and had no
18 widespread or statistically identifiable impact on residential property values.

19 **Q. How has DCW addressed wildlife concerns?**

20 A. DCW has engaged in extensive review and analysis of the types of wildlife present in the
21 Project Area. DCW has dedicated large portions of the text of the Applications to
22 analyzing the environmental effects of the Project and potential mitigation strategies.

1 These aspects of the Project are also covered in the testimony of DCW witness Jennifer
2 Field.

3 **Q. How has DCW addressed communications interference that could be caused by the**
4 **Project?**

5 A. Prior to the initial filing of the Applications, DCW engaged WindLogics, LLC
6 (“WindLogics”) – a Minnesota-based affiliate company with decades of experience in
7 providing engineering, technical analysis, and consulting services in support of wind-
8 farm development – to conduct an Electromagnetic Interference Analysis for the Project.
9 The result of the analysis performed by WindLogics indicates that disruption to radio or
10 TV signals is unlikely, as turbines have been sited to avoid such interference.

11 **Q. How has DCW addressed requests and concerns regarding local labor?**

12 A. DCW has reviewed the labor reporting requirements included in recent Site Permits, such
13 as Lake Benton, and agrees that they are appropriate for inclusion in the DCW Site
14 Permit.

15 **Q. Does this conclude your Direct Testimony?**

16 A. Yes.

MIKE WEICH**Palm Beach Gardens, FL | 561-281-0373****mike.weich@NextEraEnergy.com****EXPERIENCE****Project Director, Development****August 2017 to Present**

Manages wind, solar, and energy storage project development cycle from deal acquisition to planning, budgeting, permitting, financial evaluation, management vetting, construction, and initial operations. Coordinates large cross-functional teams of internal subject matter experts and external consultants from multiple disciplines. Leads negotiations on agreements and manages permitting with local, provincial, federal government agencies, utilities, manages public and special interest consultation.

Assistant Vice President, GT&O, Bank of America**June 2016 to August 2017**

Selected into Bank of America's Junior Military Officer (JMO) Leadership Development Program in which candidates are developed for future executive leadership opportunities within the bank's technology and operational lines of business.

- Performed six Quality Assurance Assessments of the firm's Cyber Security Controls
- Conducted Analysis and developed presentation of four external regulatory exams
- Conducted ten Data Loss prevention Application Security assessments determining vulnerability risk

Project Manager, U.S Army**November 2015 to June 2016**

Managed a 12 person team supporting Chief Executive Officers meetings with other Chief Executive Officers.

- Planned and executed 30 Chief Executive Officer Visits to organizations facilities.
- Developed and executed 50 ceremonies and special events celebrating organizational accomplishments.
- Revamped policies and procedures regarding Chief Executive Officer meetings in organization.

Senior Logistics Advisor, U.S Army**April 2015 to November 2015**

Led a 5 person team as the senior advisor to the director of a 523-person organization on all matters regarding logistics, including the maintenance and service of equipment, transportation and supply of personnel, and food and water service.

- Developed strategic movement plans to support the transport of a 523-person organization over 794 miles for a 35 day training improvement exercise.
- Developed strategic movement plans to support the transport of a 523-person organization over 7,964 miles for a 9 month unilateral training exercise.
- Recommended for attendance to Senior Military Leadership School and accelerated promotion by director.

Assistant Managing Director, U.S Army**August 2014 to April 2015**

Chief operations officer and second in charge of a 100-person department; directed the administrative, logistics, maintenance and training support functions, to include managing the director's property book totaling over \$28 million.

- Revamped the supply management system contributing to the turn in of \$560,000 worth of excess property book items.
- Developed maintenance program that rated as highest equipment operational readiness in the department.
- Recommended for accelerated promotion by first line supervisor based on top 4 rating among assistant managers.

Organizational Public Affairs Advisor, U.S Army**February to August 2014**

Led a 3 person team advising senior managers on public affairs issues during organizations operations.

- Designed an innovative organizational Joint Family Readiness Program that raised \$6,000 for the organization.
- Published ten articles in *Frontline* newspaper covering organizations operational activities.
- Designed creative charity program raising \$2,000 for organizational charitable activities.

Operations Manager, Afghanistan, U.S Army**May 2011 to February 2014**

Managed a 42 person team on over 100 projects while operating in difficult conditions in Wardak Province, Afghanistan during a nine-month period.

- Cross-functionally managed 50 projects that included nine departments resulting in the security of the local population.
- Budgeted and maintained the accountability of organizations equipment worth \$6 million.
- Rated 1 or 3 peer managers in the department on annual performance review.

EDUCATION

United States Military Academy, West Point, NY, B.A., Environmental Engineering & Business Management, 2011

Fuqua School of Business, Duke University, Durham, NC, M.B.A, 2018

EXHIBIT MW-3
DODGE COUNTY WIND STAKEHOLDER OUTREACH

Regular Project Status Stakeholder Updates

Dodge County Wind, LLC (“DCW”) places tremendous emphasis on providing local officials in the vicinity of the Project with timely project updates. As DCW was finalizing its Site Permit, Route Permit, and Certificate of Need Applications in May and June of 2018, the DCW Community Development Team requested and scheduled five separate but consecutive weekly trips to Steele, Dodge, and Olmsted Counties to attend regularly scheduled County and Township meetings.

Five separate trips were necessary due to the number of county and township boards and commissions located within the Project Area; some of whom only meet once each month, and sometimes on the same day and time as other boards and commissions.

Throughout this effort, the DCW Community Development Team sought to inform the public of the official filing of its Application; subsequent Public Notice and Comment Periods; where to locate the Applications online; how to submit comments to the Minnesota Public Utilities Commission; how to stay engaged with DCW; and DCW’s plans to kick off its Road Use Agreement Working Group meeting in the Fall of 2018.

On the five trips the DCW Community Development Team met with the following boards and commissions:

Trip 1 (May 8, 2018):

Steele County Commission (Steele County)

Trip 2 (June 4-7, 2018):

Aurora Township (Steele County) Mantorville Township (Dodge County) Mantorville Chamber of Commerce (Dodge County) Cannisteeo Township (Dodge County) City of Owatonna (Steele County) Dodge County Highway Department (Dodge County) Steele County Highway Department (Steele County) Olmsted County Township Cooperative Partnership Association (Olmsted County) and Ripley Township (Dodge County)

Trip 3 (June 11-12, 2018):

City of Byron (Olmsted County) City of Dodge Center (Dodge County) Dodge Center City Council (Dodge County) City of Kasson (Dodge County) Steele County Commission (Steele County) Hayfield Township (Dodge County) and Claremont Township (Dodge County)

Trip 4 (June 18, 2018):

City of Claremont (Dodge County) Vernon Township (Dodge County) Kalmar Township
(Olmsted County)

Trip 5 (June 28, 2018):

Havana Township, Steele County, Minnesota

Road Use Agreement Working Group Meetings

On September 12, 2018, DCW hosted the first of several Road Use Agreement Working Group Meetings at Kasson Mantorville High School. DCW sent invitations to participate to all Project local agency stakeholders (within the proposed project footprint) with road jurisdiction duties and responsibilities.

To facilitate discussions during the kick-off meeting, stakeholders were provided, in advance, the results of an analysis and survey performed by Westwood (DCW's consulting engineering firm) of all roads and structures within the Project Area, as well as related information specific to the stakeholder's jurisdiction. The data provided included: High Definition Roadway Video; Boring Logs; Ground Penetrating Radar Data; Pavement Evaluation Reports; Pavement Ride Quality Reports; Structure (Culverts and Bridges) Reports and Existing Conditions Data. Stakeholders were also provided a draft copy of the Road Use Agreement.

With experience in multi-disciplined surveying and engineering, Westwood assisted DCW with facilitation of this charrette-style meeting. Participants (Township and County officials) were stationed within the room in front of tripods and exhibits pertaining to their township and/or county roads and structures. Using colored markers, officials were able to discuss, comment and 'mark-up' exhibits where they had areas of concern and/or recommendations.

Participants also reviewed the draft Roads Use Agreement, and the townships decided to accept one Road Use Agreement with DCW for each County.

Westwood and DCW have considered all concerns and recommendations expressed at, and resulting from, the working group meeting in the refinement of the Draft Road Use Agreement and Delivery Flow Route (aka Haul Route). Since September 12, DCW and Westwood have had continued conversations and meetings with Dodge and Steele County Highway Departments to continue to refine the Road Use Agreements. Another working group meeting with all stakeholders is planned for Spring 2019.

Education/Outreach

DCW prioritizes responding to requests to participate in, or provide educational opportunities, for public engagement. The following educational outreach efforts occurred since DCW's filing of its application to the Minnesota Public Utilities Commission:

- Power of Minnesota Film Screening and Conversation (Canby, MN) - Sept.18, 2018
- Mower Wind Farm Tour with Dodge County Wind Stakeholders - Nov.14, 2018
- City of Kasson Recreational Park – Ongoing discussions for financial support
- City of Kasson Merry Go Round – Event Sponsor
- Claremont American Legion Veterans Memorial- Event Sponsor
- Dodge County Free Fair - Event Sponsor
- Steele County Fair - Event Sponsor
- Dodge County Pheasants Forever Silent Auction donation

PUBLIC MEETING

October 25, 2018

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION
AND MINNESOTA DEPARTMENT OF COMMERCE

In the Matter of the Applications of Dodge County Wind, LLC
for a Certificate of Need, a Site Permit, and a Route Permit
for the 170 MW Dodge County Wind Project and Associated 345
kV High-Voltage Transmission Line in Dodge, Olmsted, and
Steele Counties

PUC DOCKET NO. IP-6981, IP-6981/WS-17-307
and IP-6981/TL-17-308

Holiday Inn & Suites
2365 43rd Street NW
Owatonna, Minnesota 55060

Met, pursuant to Notice, at 6:00 in the
evening on October 25, 2018.

REPORTER: Katriina Hendrickson, RPR

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1 MR. CHARLEY BRUCE: Well, welcome, everyone.
2 Thank you for taking time out of your busy schedules to
3 come and visit with us tonight.

4 As you probably know, we're here to talk
5 about the Dodge County Wind Project. My name is
6 Charley Bruce, and I work for the Minnesota Public
7 Utilities Commission. I am the Commission's public
8 advisor, so it's my job to make sure that members of
9 the public know when to comment, how to comment, and
10 what to comment about, and be engaged in the
11 Commission's process.

12 And back in the back of the room is Scott Ek.
13 He's the Energy Facility Planner for this project, so
14 he's another representative from the PUC.

15 So the purpose of tonight is to -- it's a
16 public information and environmental impact statement
17 scoping meeting for the project. So what that means is
18 we want to make sure that you're informed about the
19 proposed project and have your questions answered. We
20 also want to get input from you regarding the scope of
21 the environmental impact statement that the Department
22 of Commerce will be putting together.

23 So tonight you're going to hear from two
24 regulatory bodies from the State of Minnesota: the
25 Minnesota Public Utilities Commission and the

1 Department of Commerce, the Department of Commerce
2 Environmental Review and Analysis Division. And
3 lastly, you'll hear from the project developers, Dodge
4 County Wind, LLC. Each of us will explain our role in
5 the permitting process and with the project in general.

6 So a little about the Minnesota Public
7 Utilities Commission. We regulate investor-owned
8 utilities in the state of Minnesota to ensure that
9 Minnesotans are charged a reasonable rate for
10 electricity and gas. We also make sure there is enough
11 power produced to keep the lights on and keep our homes
12 warm in the winter and cool in the summer. And lastly,
13 since 2005, we've been the regulatory body with
14 statutory authority to permit certain energy-generating
15 facilities and transmission lines in the state.

16 So how do we go about permitting a facility?
17 Commission staff gathers evidence; we build a public
18 record of information; we analyze the information; and
19 then we make recommendations to the five Minnesota
20 Public Utilities commissioners, who have the final say
21 about whether a project is needed and whether it should
22 be permitted.

23 So like I said, we have five commissioners.
24 All the commissioners are appointed by the governor.
25 They serve staggered terms, and they come from both

1 political parties so there can't be more than three
2 from -- three Democrats and three Republicans at any
3 given time.

4 And so the Commission operates like a
5 quasi-judicial body. So it's very much like a
6 courtroom atmosphere if you appear before the
7 Commission. And the commissioners act kind of like
8 judges. And then when they make their final decision
9 about a project, their decision carries the weight of
10 law as well.

11 So this is a simplified version of the
12 permitting process that Dodge County Wind is going
13 through in order to get the necessary permits they need
14 to build this project. As you can see on the flow
15 chart, there are three green boxes. These are three
16 times where the public will have a chance to have input
17 on the documents that are being produced and the
18 project in general. And as you can see, at the top
19 right corner there is a check. So we've gone through
20 one box. We're at the very beginning of this
21 permitting process, and we have quite a ways to go.
22 We're expecting, hopefully, a decision in late 2019,
23 but we're going to get an administrative law judge
24 involved so that might change the schedule as well.

25 So with this project, the applicant needs to

1 get three permits. They need to get a certificate of
2 need, which will tell us if the state of Minnesota
3 needs the power that would be produced and if there is
4 going to be a need for a transmission line to move that
5 power.

6 The second permit is a site permit, and that
7 would be a permit that would say where the turbines are
8 located.

9 And then the third permit is a route permit.
10 That would be the permit that says where the
11 transmission line associated with this project would
12 go.

13 In the case of this project, the Commission
14 decided to combine the three processes into one because
15 it would be more efficient, and it would just be a more
16 easily understandable process. This does not reduce
17 the public's ability to have any input or comment on
18 the project. It's just a matter of efficiency.

19 So what information does the Commission take
20 into account when it's considering a certificate of
21 need decision? So when the Commission considers these
22 approvals, the Commission must grant a certificate of
23 need before it can issue a site or route permit. So
24 this is kind of the lynchpin of the project. The
25 factors that guide the Commission in their

1 decision-making process are based on a Minnesota
2 statute that the legislature passed.

3 So for a certificate of need, the factors
4 generally include knowing the relationship of the
5 proposed project to the regional energy needs. They
6 evaluate possible alternatives for fulfilling those
7 energy needs, and then they try to get an understanding
8 if there are enhanced benefits of enhanced reliability,
9 access or deliverability, and to the extent that these
10 factors increase the robustness of the transmission
11 system and lower costs for Minnesotans. And then for
12 more specific information, there is a statutory
13 references at the bottom.

14 So what does the Commission take into
15 consideration when making a site permit? First, worth
16 noting, that any wind farm in the state of Minnesota
17 over five megawatts needs to obtain a permit from the
18 State of Minnesota. So generally speaking, when the
19 Commission is looking to determine whether a project is
20 compatible with the environmental preservation, and
21 they want to make sure a project is using resources
22 efficiently. Again, there's a statutory reference at
23 the bottom.

24 And then lastly, what do they take into
25 account for a route permit? The commissioners are

1 guided, again, by factors listed in statute. They
2 determine -- the Commission's determination is guided
3 by the goal of conserving resources, minimizing
4 environmental impacts, minimizing impacts on human
5 settlements and other land use complexes. And they
6 want to ensure that the state's electricity grid is
7 secure through an efficient, cost-effective power
8 supply to Minnesotans.

9 So generally speaking, the statutory
10 considerations additionally are, they want to minimize
11 the effects on land, water, air resources, public
12 health, welfare, and then wildlife, and they want to
13 take into account a region's future aspirations for
14 expansion, economic -- they take into account economic
15 impacts, and any irretrievable commitment of resources.

16 So now that you know more about the process
17 and how you can have input on the process, this is kind
18 of a time line that I'll show you where we have been
19 and where we're going.

20 So as you can see, we're right here on the
21 third line. So we have quite a ways to go, like I
22 said, in the process. And again, we're hoping to have
23 a final decision by the fourth quarter of 2019. But,
24 again, it's not a hard deadline; we're just estimating
25 at this point.

1 So for additional information and to stay up
2 to date on the project, first, there is a Department of
3 Commerce website. And they have a great website that
4 has all the relevant documents. They have an
5 interactive map that shows the route lines and where
6 they could possibly go. And the second, if you want to
7 see a full case record, you can visit the Minnesota
8 Public Utilities Commission website and check out our
9 eDocket system. It's basically a big file cabinet full
10 of files related to the certificate of need. So you'll
11 need to know two -- some numbers: 17-306, certificate
12 of need; 17-307 is our site permit; and 17-308 is the
13 route permit. It's a lot to remember, but we do have
14 copies of the slide show and all this information is in
15 there. And lastly, you can sign up for the project
16 mailing list. There are pink/peachish cards out on the
17 front table. So if you're not already signed up, which
18 many of you probably are, but you can sign up as well
19 tonight.

20 And then lastly, you can sign up to our
21 eDocket system, and this will give you the high -- or,
22 this will give you notifications whenever a document is
23 filed in eDocket. This is a lot of emails. I get a
24 lot of emails every day from this system. So if you're
25 really interested, this would be a great way to make

1 sure you know everything that is happening at this
2 docket at every moment.

3 Lastly, thank you again for showing up
4 tonight. We really appreciate it. Again, I'm Charley
5 Bruce. I'm the public advisor for the Public Utilities
6 Commission, and Scott Ek is around here somewhere.
7 He's with the PUC too. We're open, you know, to email
8 questions, phone questions, however you want to get in
9 touch with us, we're here to provide information and
10 help you make sure your voice is heard throughout this
11 process.

12 Up next you're going to hear from Mike with
13 Dodge County Wind.

14 MR. MIKE WEICH: Thank you, Charley. First
15 just want to introduce ourselves, the team here tonight
16 from Dodge County Wind. I am Mike Weich. I am the
17 developer of the Dodge County Wind Project. I'm going
18 to pass the mike over to the rest of the team to
19 introduce themselves.

20 MR. JACK MIDDLETON: Good evening. My name
21 is Jack Middleton with Burns and McDonnell Engineering,
22 and I'm assisting NextEra -- excuse me, Dodge County
23 Wind in the routing and siting of the Dodge County Wind
24 Project.

25 MS. JENNIFER FIELD: Hi. My name is Jennifer

1 Field, and I'm the environmental manager for the Dodge
2 County Wind Project.

3 MS. TARA CORBETT: Hi. My name is Tara
4 Corbett, and I'm with Atwell. We've been helping
5 support Dodge County Wind with the environmental
6 analysis for the project.

7 MR. RICHARD LAMPETER: Good evening. My name
8 is Richard Lampeter. I'm with Epsilon Associates, and
9 we did the sound and shadow flicker analysis for the
10 project.

11 MR. JEFF DAMEN: Good evening. My name is
12 Jeff Damen. I'm a senior project manager with NextEra
13 Energy. I'll be responsible for the engineering and
14 construction of this project.

15 MR. MIKE WEICH: All right. Thank you, guys.

16 So this is what we're going to talk about
17 this evening with everyone. We're going to first go
18 over the application ourselves, Dodge County Wind.
19 We'll go over the project as a whole. We'll show you a
20 map of the site plan, and just as a reminder, we have
21 some maps up here on this side of the room. So it's
22 hard to see probably from certain vantage points so
23 please feel free to come up and look at the charts at
24 the end of the evening or during the evening. We're
25 also going to show you a depiction of the transmission

1 line and its design, talk about the project need, talk
2 about the benefits of the project, communities involved
3 and participating in the project, talk about the
4 stakeholders we've worked with, been communicating with
5 throughout the development of the project, provide you
6 with a little bit of an overview of the environmental
7 analysis and work we've done on Dodge County Wind, and
8 also discuss with everyone our community involvement in
9 trying to be good members of the community through the
10 project area.

11 So first a little more about us. Dodge
12 County Wind is a wholly-owned indirect subsidiary of
13 NextEra Energy Resources. NextEra Energy Resources is
14 the number one generator of renewable energy from the
15 wind and the sun. The Dodge County Wind Project will
16 be owned and operated by Dodge County Wind, LLC. That
17 will be the legal name.

18 Project overview of the Dodge County Wind
19 Project. The proposed Dodge County Wind Project and
20 associated facilities to include all facilities
21 connected to the project are located in Steele, Dodge,
22 and Olmsted Counties here in Minnesota. The wind
23 project specifically, 170 megawatts - that's the
24 capacity - includes 62 GE 2.5 megawatt turbines. Those
25 turbines have 116 rotor diameter and 90 meter hub

1 height. There will also be eight GE 1.715 megawatt
2 turbines with 103 meter rotor diameter and 80 meter of
3 height.

4 The proposed Dodge County Wind transmission
5 line connecting the project is located in Dodge and
6 Olmsted Counties. The 345 kV transmission line runs
7 approximately 23 miles is the average distance between
8 the two routes we'll discuss this evening. That's from
9 the project collector substation to the Byron
10 Substation in Olmsted County.

11 So this is the map that's on that side of the
12 room. Once again, I encourage everyone to come up and
13 look at it if they need a closer look. When we first
14 started developing this project, this black outline,
15 which is the project boundary, was twice the size. So
16 over time we've done our due diligence, a lot of
17 environmental studies and assessments, worked with
18 landowners in the community that wish to participate,
19 and today the project has the current black outline.
20 That is the project boundary today.

21 The brown dots within the project boundary
22 are turbine locations currently. Just as a reference
23 point, Owatonna is up here in the top left. That's
24 where we are today. This is where the project is in
25 relation to where we are tonight. The collector

1 substation is located in the southeast portion of the
2 project. That is where the transmission line begins
3 and will run east to the Byron Substation in Olmsted
4 County.

5 And now Jack is going to come up and pick up
6 from that collector substation and talk through the
7 transmission line.

8 MR. JACK MIDDLETON: Thanks, Mike. So as
9 Mike indicated, I'm talking a little bit about the
10 proposed routes for the Dodge County Wind Project.
11 Here we see the two proposed routes. And let me start
12 real quick with the Dodge County collector substation
13 that Mike indicated. So the wind farm is west and
14 northwest of that collector substation.

15 Our terminal points are the collector
16 substation and Byron Substation just west of Byron.
17 Originally between these two termini points, we had
18 developed a grouping of alternative routes, and
19 approximately six routes were developed in this area
20 connecting the two termini locations. Those routes are
21 Route A and Route B. Route A, just to clarify, is in
22 yellow. Route B is in blue. All those routes were
23 developed according to the Minnesota state routing and
24 siting guidelines.

25 So you also notice four areas with a hash

1 line, and those are combined segments that allow one to
2 switch back and forth between Route A and Route B to,
3 essentially, build a hybrid route that utilizes
4 different portions of each route.

5 The route itself in Minnesota can be up to
6 1.25 miles wide. That's where you're seeing a lot of
7 different widths there. We have three route widths
8 proposed for this project. We do not use the full 1.25
9 miles in width for either Route A or Route B. We have
10 a route -- a general route width starting at 1500 feet
11 and another route width category of 3,000, and then a
12 final route width category - you can see here a larger
13 one - of 4500. Those route widths are developed
14 according to the known constraints in and around that
15 specific area of the route as well as providing
16 additional flexibility to route at what we call an
17 anticipated alignment, which is the center line of the
18 transmission line. That is located within that route
19 width. The different route widths, in addition to
20 providing flexibility for routing constraints, also
21 provide additional flexibility for the team to grant
22 voluntary easements in areas where they have not been
23 able to attain them since. That's a little bit about
24 the two routes being proposed between the two termini
25 points.

1 And I'll talk now a little about the
2 transmission line design. The design, as Mike
3 indicated, is a 345 kilovolt single circuit design with
4 monopole structure, which is just like the one you see
5 here. Route A itself does parallel another 345
6 transmission line operated by Northern States Power for
7 approximately three miles before entering into the
8 Byron Substation.

9 The structures being proposed for this
10 project are steel structures either weathered or
11 galvanized, which is the one you see here. Span
12 lengths for the project range from about 500 feet to
13 1200 feet in length and an average of about 1,000. And
14 the height above ground for the poles ranges from 80 to
15 140 feet, and that's dependent upon terrain and also
16 the specific span length.

17 And then just a note to say the line follows
18 a combination of mainly private easements and some
19 public right-of-way. So that's a little about the
20 route. I'll turn it back over to Mike.

21 MR. MIKE WEICH: Thank you. So discussing
22 the project need. Our customer, the Minnesota
23 Municipal Power Agency, and ourselves have a power
24 purchase agreement for delivering a project to go
25 commercial operation in 2019. We have to provide MMPA,

1 Minnesota Municipal Power Agency, with renewable
2 energy, specifically wind, as part of their renewable
3 portfolio. We're going to deliver this power to the
4 Byron Substation. That's our agreed-upon delivery
5 point with the customer at the Byron Substation. That
6 is our point of interconnect, and this is not only
7 based on where we agreed to deliver this power for the
8 customer but also where we studied it in conjunction
9 with MISO studies, the determinate availability
10 capacity. This is where capacity is available to
11 inject the project energy.

12 Benefits of the project. The project will
13 bring approximately 200 temporary construction jobs.
14 We also anticipate 7 to 12 full-time jobs to operate
15 the site. We typically see increase to local business
16 during construction. During the construction period,
17 we see an uptick in business in the area. Typically
18 that includes hotels, additional residents, the 200
19 construction workers and others going in throughout the
20 project area. We see dining and other places usually
21 see an economic uptick during the construction period.

22 Annual ongoing compensation for all
23 participating landowners. We add to the property taxes
24 benefitting the schools in the area and in the
25 community. Charitable contributions to local

1 organizations we'll highlight in another slide. It's
2 something we've been doing over the past year with many
3 organizations and many events and throughout the
4 project area, which we plan on continuing as members of
5 the community.

6 Keep land in agricultural use, along with the
7 ongoing compensation for those participating landowners
8 in the project.

9 This project is needed to assist MMPA, our
10 customer, in providing clean, renewable energy as part
11 of their renewable portfolio and their commitment to
12 meeting the energy demand of customers, furthering the
13 state's goal of reducing carbon emissions. The great
14 state of Minnesota has a great goal of reducing carbon
15 emissions. MMPA has a renewable portfolio in line with
16 that goal, and we're very pleased and honored to be
17 delivering that energy to the customer here in
18 Minnesota.

19 Stakeholder outreach. The individuals and
20 agencies we've been coordinating with and working with
21 throughout the project development. We've conducted
22 stakeholder meetings focused on advising, educating,
23 consulting landowners and the community, township
24 officials, county officials. We've met with townships
25 and counties discussing the project, addressing the

1 project questions and discussing its future. We've
2 conducted outreach and communication with landowners,
3 wildlife agencies, and government officials in the
4 project area. Some of these agencies listed here
5 specifically that we've coordinated with: The Dodge,
6 Steele, and Olmsted County Environmental Services;
7 Dodge, Steele, and Olmsted County Soil and Water
8 Conservation Districts; the U.S. Army Corps of
9 Engineers; the Minnesota Department of Transportation;
10 the U.S. Fish and Wildlife Service; and the Minnesota
11 Department of Natural Resources. These are just some
12 of the agencies we've coordinated with throughout the
13 project's development.

14 And now I'll turn it over to Jennifer Field
15 for environmental review.

16 MS. JENNIFER FIELD: As Mike said earlier,
17 the -- when we started this project, it was, you know,
18 it was probably twice the size that -- the boundary
19 that we ended up with.

20 And we start our environmental studies, we
21 tend to start those pretty early so that it informs the
22 ultimate project boundary and the design of the turbine
23 array. As a company, NextEra, when we develop a wind
24 project across anywhere in the country, we do it here
25 to the U.S. Fish and Wildlife Service land-based wind

1 energy guidelines and the eagle conservation plan
2 guidance. And here in Minnesota, Department of Natural
3 Resources, DNR, has their own guidelines for commercial
4 wind energy projects, and we adhered to those
5 guidelines as well.

6 To date, our avian, bat, and eagle surveys
7 are complete and we've also completed a couple
8 different species-specific surveys at the request of
9 Minnesota DNR. We've continued to engage with both
10 U.S. Fish and Wildlife Service and DNR in several
11 meetings. They've reviewed our survey protocols.
12 We've sat down with them and reviewed the results of
13 the studies.

14 In Minnesota, we're also required to do a
15 cultural resource survey and coordinate with the
16 Minnesota State Historic Preservation Office. Those
17 studies are also complete at this time, and we don't
18 envision having any cultural impacts during
19 development.

20 And right now, we have completed our wetlands
21 delineations on both the wind site and the transmission
22 line, and we're currently coordinating with U.S. Army
23 Corps of Engineers; DNR; and the Dodge, Steele, and
24 Olmsted County wetland staff to make sure we're
25 minimizing our impacts to wetlands. And where we can't

1 minimize those impacts, we're making sure we get the
2 appropriate permit.

3 MR. MIKE WEICH: Thank you. Just to talk a
4 little about our community involvement. It's very
5 important to us at Dodge County Wind that we become
6 members of the community we call home. And these are
7 just some of the organizations and events we have
8 participated in while we've been developing the
9 project. And you know, we recently joined the Owatonna
10 Chamber of Commerce, and situations like those really
11 allow us to participate in the community. We really
12 have enjoyed this during the development of the
13 project, and we look forward to continuing our
14 involvement in the community as we go into commercial
15 operation of the project.

16 You can also feel free to contact me, Mike
17 Weich. I'm the developer on the Dodge County Wind
18 Project. Thanks for listening to us, and turn it back
19 over to Charley.

20 MS. SUZANNE STEINHAUER: Thank you. Thanks
21 again. I want to reiterate our thanks for coming out
22 tonight. My name is Suzanne Steinhauer. I'm with the
23 Minnesota Department of Commerce, Energy Environment
24 Review and Analysis.

25 And in addition to the PUC, the Department of

1 Commerce is involved in the project for two reasons.
2 First of all, we have staff - who is not here tonight -
3 they take a look and review the -- and will comment on
4 the need for the project. My role here is to prepare
5 for the environmental review. In this case, because of
6 the size of the project, there will be an environmental
7 impact statement prepared to address the review
8 requirements for this certificate of need and the route
9 permit required for the proposed project.

10 The environmental review is required because
11 this is a large project and it's going to have impacts,
12 and we need, in order to make an informed decision, we
13 need to better understand what the impacts are. What
14 the environmental review process does is, it provides
15 an objective analysis of the proposed project and its
16 potential human and environmental impacts. It doesn't
17 advocate either for or against the project. I want to
18 be real clear about that. It provides the information.
19 People can -- hopefully if we do the job right, people
20 can come to their own conclusions from the information
21 that's provided. So it doesn't advocate. And the goal
22 of the environmental review, in this case the EIS, is
23 informed decision-making.

24 So the environmental impact statement will
25 describe the proposed project and alternatives to the

1 project, including, for the transmission line,
2 alternative routes or route segments. It will assess
3 potential human and environmental impacts from the
4 proposed project and the alternatives that we're
5 looking at. It will identify strategies to avoid and
6 mitigate impacts. It will provide an objective
7 comparison between the alternatives.

8 The EIS won't make a recommendation on the
9 project and which alternatives should or shouldn't be
10 built. It's not a decision document. For some
11 agencies, the EIS kind of serves as a decision
12 document. That's not the case in the state energy
13 permitting program.

14 And the other thing is, it's not an
15 exhaustive study about everything about the project and
16 all the potential human and environmental impacts. So
17 because it's not an exhaustive study, we need to focus
18 the EIS, and that is the big reason why we have -- we
19 reach out to the public for scoping. We use the
20 scoping process to gather input from citizens, from
21 local governments, from other agencies, to develop
22 public input -- on if you want the table of contents
23 for the EIS. When you came in today, there was a -- I
24 know there was a pile of documents. The one that I
25 provide -- one of the ones I provided - you don't have

1 to look at it now - but it's call the draft scoping
2 decision. So this is, I think -- our intent here in
3 providing it, we haven't made up -- we don't know
4 exactly what's going to be in the EIS, but we know
5 certain things that we're going to look at. We're
6 going to look at property values. We're going to look
7 at the project impact to wildlife. We're going to look
8 at health and safety impacts. We're going to try to
9 understand and explain better what the construction
10 process looks like, how long it goes on, those sorts of
11 things.

12 So if you looked at the draft scoping
13 document, you'll see a list of issues that we plan to
14 cover. That list changes slowly, evolves over time,
15 but the particulars are different for each project. So
16 what we would like to ideally get from you tonight and
17 what we're looking for is your input to help us focus
18 on the issues that are particularly relevant for this
19 project in this place. Issues -- what's particularly
20 important to us, we have access to all sorts of
21 geographic information and maps. We'll call people;
22 we'll update; we'll make sure we have the current
23 version of studies. But any information specific to
24 the project area that people here know about that may
25 not be in the public domain, or we may not know about,

1 may be more difficult to find, that's great information
2 for us to have.

3 Examples in other projects have been air
4 strips that maybe that aren't registered. We like to
5 know about those. Unmarked graveyards, that was an
6 issue with another transmission project. Watershed
7 planning efforts, things like that. Those are a couple
8 of examples.

9 One of the other things we're also asking for
10 input on for the transmission line are -- the applicant
11 has proposed two routes. Some of the segments overlap,
12 Route A and Route B. Are there other route options
13 that should be looked at and should be reviewed?
14 Should there be a record developed? Those route
15 options can be entirely new routes or they can be route
16 segments. In order for a route alternative to be
17 considered in the environmental review document, they
18 need to be submitted during the scoping period, which
19 is tonight, but really, it ends November 15. It should
20 mitigate a specific impact. Some examples would be an
21 aesthetic impact, a land use or natural resource
22 impact. It should be specific and identifiable. Away
23 doesn't really help us. And it should meet the stated
24 need for the project.

25 So I hope this is helpful. So this is an

1 example of a route, an alternative route segment, that
2 was developed. In this case, the applicant proposed
3 the purple route here because they wanted to avoid this
4 lake here. I believe this is -- it's a state forest, I
5 think. So the purple route was proposed. During
6 scoping, the Department of Natural Resources, who was
7 also the landowner here, proposed that the orange route
8 here be evaluated. They were less concerned about
9 crossing the lake than they were about the potential
10 for habit -- for fragmenting wildlife habitat.

11 So the EIS will be looking at issues related
12 to both the wind project side of things, the site, and
13 also at the route. It will address the issues that are
14 required to be addressed for the route. Routes of this
15 size need to have an environmental impact statement.
16 Projects of this size need to have an environmental
17 report prepared. So the EIS will do both of those. We
18 will be looking at -- we will be looking at the site.
19 We can go deep into the site. But the environment
20 review process for wind permits, LWECS, we call them -
21 large wind energy conversion systems - is a little bit
22 different in that, in that process, one of the
23 components of environmental review is that -- the site
24 permit.

25 So we provided a sample site permit. Take a

1 look at those at your convenience, or right now if you
2 want. But you can take a look. And that is intended
3 to give you an idea of the kinds of things that are
4 generally -- that the permit looks at.

5 So with the draft site permit, the kind of
6 comments we're looking at tonight -- looking for
7 tonight: What issues should be considered in the
8 development of a draft site permit for this project?
9 Also, are there unique characteristics of either the
10 proposed site or the project that need to be considered
11 and developed further? And then: Are there items
12 missing or mischaracterized in the site permit
13 application? And again, that's an area where, in
14 particular, local input is helpful for us.

15 So getting to the good part here. The
16 comment period closes on Thursday, November 15. That's
17 the written comment period. Tonight is the only time
18 that we can take oral comments. After that, you're
19 free to give us a call and we can try to answer your
20 questions or explain things to you, but there won't be
21 a recording of that.

22 We have, Katriina is our court reporter here.
23 She will be taking down all the comments tonight. So
24 in order for us to get the information to flow
25 smoothly, I'll go over this. There is a couple sort of

1 background rules. But I do want to reiterate that even
2 if you comment tonight, the written comment period is
3 open for another three weeks. That closes on November
4 15. You can submit a comment form. There are copies
5 of those out on the table as you walked in. If you
6 want to write something down, submit it to us tonight,
7 bring it back to us. You can mail the comments, either
8 the form or your own document. All that contact
9 information is in the slide show and in the notice and
10 then also on the comment sheet. You can fax comments
11 to us. You can email comments to me. The comments
12 need to go to me because I'll be developing the scope.
13 And then also, on the Department of Commerce website,
14 you can comment directly. There's a toggle box. It's
15 open for comments. You submit it; you'll get a receipt
16 that says, yep, we got it. We'll take those. And all
17 of the comments received by November 15 will be posted,
18 and you can take a look at those.

19 So I'll go over a couple of the ground rules
20 tonight. So one speaker at a time. The court reporter
21 can't take comments from the floor. It's important
22 that we have an accurate record of your comments. It
23 is important that we respect everybody's right to
24 provide comments. So to that end, please maintain
25 respect for others. People may disagree; that happens.

1 We can still get through this.

2 Begin by stating and spelling your name. The
3 court reporter may ask you to slow down because, again,
4 we want to make sure there's an accurate recording of
5 that.

6 Direct your comments and questions to the
7 scope of the EIS and draft site permit. If you have
8 questions about the project, I can try to answer those.
9 Probably PUC and I are a little bit better at this
10 point on process, but we can try to answer some general
11 questions about -- related to impacts you may be
12 concerned about and then turn that over to Dodge County
13 Wind if they have -- if they can answer those better.

14 And then we're asking you to please limit
15 your initial comments to five minutes. I think there
16 is only about five people who signed up, so there
17 should be plenty of time, and we can loop back to you.

18 So the way that I'm going to handle this --
19 no, there are eight people who signed in. So I'm going
20 to call on people in order that they signed in. If,
21 when I get to your name, you don't want to comment, you
22 want to take a pass, that's fine. Once we have been
23 through everybody here, then we'll open it up by a show
24 of hands.

25 So if you can please come up to the mike,

1 state your name, spell your name, and we'll get a
2 record of that. I do want to say, the court reporter
3 is going to need to take a break. So right now I have
4 20 to 7. I think we'll go until about 7:30. We'll see
5 how things are. If there is still plenty of people who
6 want to speak after that, we'll take a short break and
7 come back. If it's getting towards the end, we'll try
8 to power through. So thank you.

9 So the first person is Ryan Lubben. Please
10 come up.

11 MR. RYAN LUBBEN: Can you move me down the
12 list while I'm handing these out, or do we got time?

13 MR. SUZANNE STEINHAUER: Sure. Okay. We can
14 go, then, to Jim Nichols.

15 MR. JIM NICHOLS: You want me to speak now
16 while he's handing out? Thank you. Can you hear me?

17 My name is Jim Nichols. I'm a farmer. Does
18 this work? All right. I'm Jim Nichols. I'm a farmer
19 from Lincoln County.

20 THE COURT REPORTER: Can you spell your name,
21 Mr. Nichols?

22 MR. JIM NICHOLS: Yes, N-I-C-H-O-L-S.

23 THE COURT REPORTER: Thank you.

24 MR. JIM NICHOLS: I'm here as a volunteer
25 because we have 300 wind turbines in Lincoln County

1 now. Truthfully, one of the best things that's ever
2 happened to my county.

3 I've served as a county commissioner. The
4 property taxes that we collect now are, it's a million
5 dollars now. Next year it will be \$2 million. When I
6 was on the board, our budget was 3 million. We have
7 three projects coming. We'll be collecting over \$4
8 million in property taxes. It's incredible. With
9 that, hopefully we'll be able to repeal property taxes
10 for everybody in the county and just collect it from
11 these big companies that come here to build.

12 I'm a volunteer tour guide. I host a lot of
13 groups at my turbine. If you have any questions,
14 please come and see me. I want to take you inside the
15 turbine; we'll talk a little bit about the effects of a
16 turbine.

17 But we passed our wind energy law in 1994.
18 It was my privilege to be a state senator then. And
19 then we passed, before that, our ethanol law. There's
20 a lot of farmers here. It was my privilege to be State
21 Secretary of Agriculture. Now, ethanol. Half of all
22 the corn grown in Minnesota goes to an ethanol plant.
23 We produce 1.6 billion gallons of ethanol; 8,000 jobs
24 in all plants.

25 Now, in Minnesota, with our turbines, we have

1 3,000 jobs, and the investment in Minnesota has been
2 \$6.8 billion, and that was last year. So it's just an
3 incredible investment by companies outside our state,
4 most of them, as a financial incentive provided by
5 Minnesota or the county. It doesn't cost you anything.
6 They come in and invest their money and create jobs.

7 One of the best things is, we have -- these
8 four projects we're building in Lincoln County will
9 generate over a thousand construction jobs over this
10 four-year period. We now have over a hundred local
11 jobs managing all of these wind turbines, the 300, in
12 Lincoln County and the counties around us. These are
13 jobs for our local kids. We're a small county, less
14 than 35,000 people. We have four towns and a lot of
15 farms. We struggle to keep our kids there with us
16 because we don't have the jobs. Now we have the jobs.
17 And before we're done, we'll probably have 200
18 permanent jobs in the county at a very good wage. The
19 starting wage for wind turbine construction, permanent
20 employee, which is managing and keeping the turbines
21 running, is more than our teachers get paid. It's not
22 quite fair, but -- as our kids graduate from high
23 school, they go to a technical college and get a degree
24 in wind energy or wind turbine management. We've kept
25 a lot of our kids there, and I think that's been one of

1 the better things.

2 Farmer income -- I have a turbine on my
3 property. I own it with my brother so the income is a
4 little bit different. You don't get rich if you own a
5 wind turbine; it's some income every month. And the
6 project that we just finished in January of this year
7 in Ivanhoe, Minnesota, farmer income is \$10,000 per
8 year and the property taxes are basically the same,
9 \$10,000 per year. So it's \$20,000 per turbine.

10 So 100 turbines that we just finished
11 building, turbines are now being all revamped. Our
12 turbines have been running over 20 years. They're
13 going to run for 40 years. You collect \$20,000 per
14 turbine, per year, for 40 years, is \$800,000 per
15 turbine. That's what it brings into your community.

16 Ivanhoe is a town that is really struggling.
17 They've lost their school, kind of everything. Now the
18 town has come back. A new building was built there to
19 house permanent workers, plus the construction. That
20 \$800,000 per turbine over the life of the project will
21 generate \$800 million in the Ivanhoe community.

22 It's just -- you have no idea what this does
23 for you to get these wind turbine projects. And it's
24 all money from outside sources. And the best part is
25 the consumers. The benefit is -- I have these handouts

1 here so I'm hoping to get them to you, put them in the
2 back there. We now are generating wind energy for two
3 cents per kilowatt hour. Maybe you've heard it might
4 be cheaper than that. But you'll see the handout here.
5 I can get my electricity from Lyon-Lincoln REA Co-op. A
6 lot of you are farmers here; you're getting your
7 electricity from farmers. Our power comes from coal
8 power in North Dakota. Right now, Lyon-Lincoln is
9 paying 6.3 cents per kilowatt hour to buy the power,
10 and you can buy it for two cents kilowatt hour
11 generated in the county, in Lincoln County.

12 So if my bill last month was \$216. We have
13 our turbine, and the contract rate is 2.3 cents. If I
14 can plug into my own turbine, my bill would be \$52.
15 That's what's going to happen, folks.

16 Wind energy is so incredibly cheap that --
17 just as someone -- because I was a state senator and ag
18 commissioner, I get a lot of calls from other companies
19 around the United States that are interested in our
20 wind. People don't know this, but a wind turbine
21 generates more energy than an oil well. The average
22 oil well in America produces 10.3 barrels per day. And
23 you will see that handout. 507,000 oil wells, 5
24 million barrels per day. Our turbine generates an
25 average of - it's 1.5 megawatt - 12 barrels a day; and

1 full production, 20 barrels. The turbines you're going
2 to get are going to generate about 20 barrels per day.
3 So when you put up a wind turbine, you have struck oil.
4 You don't have any -- you really have. Think about
5 what this does for your community.

6 I have friends in North Dakota. The Bakken
7 oil field, that's going to be pumped dry in 27 years.
8 Now, that's a great thing for North Dakota, and if
9 you're working there now, it's great. But your kids
10 aren't ever going to have a job there. It's all going
11 to be gone. The worst of it is, in an oil field, just
12 to frac your wells, a million gallons of water. I have
13 friends there that can't even get on the township road
14 by their farm because it's solid trucks.

15 The really beauty of wind energy -- I love to
16 do this and I've hosted hundreds of tours. They say,
17 where does the power go? I say, All my power is sold
18 to Xcel Energy in Minneapolis. They're the largest
19 buyer of wind energy in America. I snap my fingers,
20 it's there already, delivered at the speed of light.
21 And you all know this. But we kind of forget about
22 that.

23 So this is my best crop. My wind turbine is
24 my combine in the sky and it's out there harvesting 24
25 hours a day, 365 days of the year. Yesterday I was

1 combining. Thank God I got my beans out. Today,
2 obviously, it's raining so we're not in the field. But
3 my combine spends 11 months in the shed, just like
4 your's does. It's your best machine, your most
5 productive machine. You're delivering energy because
6 it can be delivered at the speed of light. These
7 transmission lines are not a problem. We got some in
8 Lincoln County. You can deliver it to Chicago and
9 Detroit and Minneapolis, and I'm glad you do it from
10 the small towns in Minnesota because think how cheap
11 this energy is and what it does for us.

12 So that's my quick story. I want to answer
13 questions. A turbine is 1500 feet from my house.
14 There is no noise. I've never heard it in my house. I
15 stand out in the yard, I'll year this gentle swishing
16 sound. I had a whole bus load of officials from South
17 Dakota there a month ago. The guy that organized it
18 was a state representative. Renewable energy, using a
19 decibel meter, and he was standing in the yard and the
20 turbine is running. It goes on and he says, This
21 turbine makes less noise than the air conditioner in my
22 house. That's clearly about --

23 MS. SUZANNE STEINHAEUER: Commissioner
24 Nichols.

25 MR. JIM NICHOLS: I gotta shut up.

1 MS. SUZANNE STEINHAEUER: Can you wrap it up,
2 and we can come back to you. Thank you.

3 Mr. Lubben, are you ready now?

4 MR. RYAN LUBBEN: My name is Ryan Lubben,
5 R-Y-A-N, L-U-B-B-E-N. He's got it, all right.

6 So I operate an aerial application business.
7 I purchased the business in 2005. I operate both
8 turbine and fixed-wing piston aircraft. I have nearly
9 4,000 hours flying.

10 We started flying in Dodge Center in 2009 for
11 a local co-op. That year we treated 2500 acres of
12 corn. In 2017, we treated over 16,000.

13 I'm sorry I don't have a presentation for
14 everyone. It's a very visual presentation. So I
15 brought a map, and this map is from 2017. What I did
16 is, I overlaid our flight path from that entire spray
17 season. That's on Page 3 for people following along.
18 And that's what the blue lines represent is our flight
19 path. I also put the red line on there, which is the
20 proposed path of the transmission line. As you can
21 see, our flight paths cross that transmission line
22 several times.

23 Keep in mind, this is my operation only.
24 There are three other operators working in that area
25 that year, so there's an awful lot of blue marks on

1 that map.

2 So if you go to Page 4, this is an as-applied
3 map for a single field. The red is the area being
4 treated. So that's a 40-acre field, and the blue lines
5 represent the spray path of the aircraft.

6 As you can see, it takes a good
7 three-quarters of a mile from the edge of the field for
8 that aircraft to turn around. And this is all done at
9 the flight level of the turbine blade, less than 150
10 feet.

11 So if you go to Page 5, I took an example
12 from a field in Grand Meadow Township where there is a
13 good-sized wind farm in that location. So the field is
14 outlined in yellow, 108 acres. As you can see, it's
15 surrounded by wind turbines. These turbines will not
16 allow safe aerial application in this field, even
17 though this field does not have a wind turbine in it.

18 So if you zoom out on Page 6, this is a
19 larger -- large view of the Grand Meadow wind turbine
20 farm. I outlined all the fields there in yellow, and
21 there is approximately 12,700 acres just in 24 sections
22 there not treatable by air.

23 It's a mess down there. I've driven through
24 there; I've flown over it. There is no safe way to
25 spray these fields in this wind farm. That can have a

1 huge impact on growers. Our biggest thing we do is
2 fungicide at corn tasseling. Average yield increase is
3 about 13 bushel, and I've heard upwards of 40 bushel
4 this year. It was a good year for the fungicide. So
5 if you take that times today's corn price, subtract the
6 application, it's about 23 dollars an acre that these
7 growers are realizing from aerial application of these
8 fungicides. And that's just -- that's just corn
9 fungicide. There's other pests coming down the road.
10 We already have soybean aphids. Soybean aphids weren't
11 here 15 years ago. They're here now. They can
12 devastate the soybean fields. The quickest, most
13 efficient way to do it is aerial application.

14 So on Page 8, I took -- I mapped all the
15 fields in Ripley Township where the proposed wind farm
16 is going to be. There is approximately 21,000 acres of
17 tillable farm land there. If you multiply that by the
18 23.50, which is a conservative number for the advantage
19 to growers, it's nearly a half-million dollars of
20 income potential lost to growers in Ripley Township.

21 There is other benefits of aerial
22 application. We can do aerial fertilizing, which is
23 becoming more popular as fertilizing restrictions are
24 coming to be more and more. We can also do cover crop
25 seeding, which is also becoming more popular. And a

1 lot of times we do that in-crop. Those types of
2 applications need to be done with aerial application.

3 Dry materials are even more critical because
4 we fly a little bit higher to get the dry material
5 spread out, so that puts us in the arc of the turbine
6 blades even more.

7 I'm not against wind energy. I'm not against
8 wind farms. I make my livelihood by spraying, but I
9 would like to maybe be involved in the process. If we
10 can get these things built the right way, we can safely
11 spray. But it needs to get done the right way. If --
12 I guess I'm here to ask you guys to reach out to us.
13 So that's all I got.

14 MS. SUZANNE STEINHAUER: Thank you. I
15 appreciate that. Next we've got Dave Johnson, or
16 Jensen. If you could please use the mike there, that
17 would be great. Thanks. If you could, again, state
18 and spell your name for the reporter.

19 MR. DAVE JENSEN: Dave Jensen, J-E-N-S-E-N.
20 I live by Pratt, Minnesota.

21 I think my question is going to be directed
22 more towards you. So the first thing I'm just curious:
23 What's this cost the taxpayers?

24 MR. MIKE WEICH: We're funding this entire
25 project off our balance sheet.

1 MR. DAVE JENSEN: So there's not one penny of
2 taxpayer dollars used for any of this?

3 MR. MIKE WEICH: All the construction is
4 built off our balance sheet, sir.

5 MR. DAVE JENSEN: That's fine. So is there
6 any tax dollars used at any point, or do you get a tax
7 credit or tax money in the whole process of -- from
8 your first shovelful of dirt until you're in operation?
9 Yeah, is it subsidized by the government in any way,
10 shape, or form?

11 MR. MIKE WEICH: Our construction process,
12 sir, is entirely built off our balance sheet of NextEra
13 Energy Resources. We don't receive anything to build
14 the project off of that.

15 MR. DAVE JENSEN: And I understand. So once
16 it's operational, do you get tax credits?

17 MR. MIKE WEICH: Yes, sir. There is a
18 production tax credit.

19 MR. DAVE JENSEN: So that would come from the
20 taxpayer.

21 MR. MIKE WEICH: The production tax credit is
22 associated with producing wind energy. There is a
23 roll-off period that starts in 2020, and that's
24 associated with per generation of megawatt hour of the
25 project.

1 MR. DAVE JENSEN: Okay. So there is taxpayer
2 dollars involved.

3 MR. MIKE WEICH: I'm not directly aware, sir,
4 of where that PTC money is coming from. It's a federal
5 production tax credit.

6 MR. DAVE JENSEN: And then -- so you want to
7 come into my neighborhood and build all these turbines,
8 and I took the money. I sold the wind rights to my --
9 me and my wife, because I'm of the attitude, if I don't
10 take the money, they're going to be built anyway. So I
11 don't know how many turbines there are in the United
12 States, but I've noticed they have all these turbines.
13 I think the gentleman that came to our house said that
14 Xcel has 10,000 of them. Would that be accurate?

15 MR. MIKE WEICH: Are you referring to Xcel
16 Energy?

17 MR. DAVE JENSEN: Yeah.

18 MR. MIKE WEICH: I'm not specifically aware
19 of the number of turbines.

20 MR. DAVE JENSEN: So of all these turbines
21 that we have nationwide, there is one thing that I have
22 noticed is that my electric bill hasn't gone down any,
23 what I pay for kilowatt hour. So we're going to put
24 all these turbines in the neighborhood. And I don't
25 blame the landowners because they get well paid, okay.

1 So what's in it for the guys who have to look at them
2 every day, okay? They're not putting one on my
3 property. So they're going to put up all these
4 turbines, but what I pay for kilowatt hour for
5 electricity is not going to go down. So how does this
6 benefit the people where all the turbines are being
7 built?

8 MR. MIKE WEICH: Yes, sir. So as an
9 independent power producer, Dodge County Wind builds a
10 project for a customer. So in this case, it would be
11 MMPA, as we discussed in the presentation. So our
12 responsibility is to construct and deliver that energy,
13 so a point of interconnect for the customer. The
14 specifics regarding how you're charged for your energy
15 bill, we're not aware of specifically how that's
16 derived or how you're charged. But our project -- when
17 we bid our projects to customers, we compete against
18 generation and assets of all kinds, both renewable and
19 nonrenewable. And wind, especially in the state of
20 Minnesota, is well known as being one of the cheapest
21 sources of energy. So in terms of building our project
22 to customers and delivering the best cost efficient
23 energy for our customers, that's what we're responsible
24 for and we deliver, sir.

25 MR. DAVE JENSEN: So it's -- and I understand

1 all of that. It's a great deal for you guys and it's a
2 great deal for whoever you're selling your electricity
3 to. But for the people who have to live with the
4 turbines, from what I can see - and correct me if I am
5 wrong, and I very well could be - it is of no benefit
6 to me. It will not lower my cost of electricity, okay.
7 So I don't -- you understand where I'm coming from?

8 MR. MIKE WEICH: Yes, sir.

9 MR. DAVE JENSEN: It's a great deal for
10 everybody except for the people who live there, with
11 the exception of the landowners who get a turbine.

12 MR. MIKE WEICH: Yes, sir. So as was pointed
13 out in our presentation also, the other presentations
14 here this evening, your perspective is obviously
15 individual, based on the benefits of the project. We
16 outlined in our presentation some direct benefits that
17 we believe that everyone in the community, as well as
18 the property tax benefits that have been discussed
19 tonight, that would be delivered to the community and
20 also contributing to local, clean energy and energy
21 production at the local level, and, you know,
22 contributing to the Minnesota independence of energy
23 production and not relying on energy coming in from
24 outside the state. We believe those are not only
25 benefits to the state of Minnesota, specific counties

1 in Minnesota, but it trickles down directly to
2 customers as well.

3 MR. DAVE JENSEN: Okay, thank you.

4 MR. MIKE WEICH: Thank you, sir.

5 MS. SUZANNE STEINHAUER: Thank you. The next
6 person I've got is Bruce Schmoll.

7 MR. BRUCE SCHMOLL: Thank you. Bruce
8 Schmoll, S-C-H-M-O-L-L. I guess I won't need my five
9 minutes because I just want to echo Mr. Nichols'
10 comments. I agree wholeheartedly with you; thank you,
11 Commissioner.

12 I'm in a rather unique situation. I'm a
13 farmer, landowner. I'm in the middle of this project
14 in Ripley Township. And what's unique about my
15 situation is, about 18 years ago, my family did erect a
16 small wind generator at our place. So any questions
17 I've had about wind generation and the use of these
18 turbines and the location of them have been answered a
19 long time ago. So I offer no specific questions along
20 those lines, but -- other than the fact that we have
21 produced quite bit of a energy that supplied our farm
22 at, Mr. Jensen, a very reduced cost to ourselves. We
23 are able to sell the surplus. So I myself, as a
24 farmer, I say a great deal of -- and I know we talked
25 about the spraying aspect a little bit ago and I

1 understand that. And there is a need to address those
2 issues and make sure it's compatible with the airlines
3 and agriculture. But it is going to be a great benefit
4 to our area for a number of various reason that we
5 don't have time to go into here.

6 But more specifically, if you looked at the
7 price of grain, corn and soybeans, we're quite a bit
8 down from what we have been. As a farmer, most of us
9 that are in agriculture here, are always looking for
10 ways to add value to our businesses. And right now,
11 this is a way to add significant value to my business
12 and every other landowner out there that does have a
13 turbine.

14 Additionally, one other thing. Many
15 landowners are retired right now or facing retirement,
16 and in the case of my parents who are landowners,
17 retired farmers, looking at probably moving into
18 assisted living soon. The added value they will get
19 from the contracts signed with this business is going
20 to greatly enhance their quality of life moving
21 forward.

22 So with that, that's my comments. But I
23 would offer a couple of business cards if you would
24 like to contact me later on for any other information.
25 But I welcome this project, and I see this as a great

1 deal for our community. Thank you.

2 MS. SUZANNE STEINHAUER: Thank you. So I've
3 got Kevin Pranis. Ok, so you'll hold off then? David
4 Griffin or Griffith from Claremont?

5 MR. DAVID GRIFFITH: Hello. I'm a farmer
6 from Claremont. David Griffith, G-R-I-F-F-I-T-H.

7 And I'll keep it brief. I didn't know what
8 people were going to say, but I wanted to comment that
9 basically I'm a farmer. I'm retired now. I rent my
10 soil; I figure I might as well rent my air, you know.
11 It's just that simple.

12 We don't want to hurt people. Talking about
13 the aerial spraying, I don't have a solution for that.
14 That's not my line of business. But to me, this just
15 seems like a win-win thing.

16 If you look at the solar farms, and I'm not
17 badmouthing solar farms, but you put those in, and
18 there's 40 acres or whatever it is; it's gone forever.
19 You put one turbine up, you can still farm around it.
20 To me, that's a more economic use of land.

21 We're going to need more power in the future,
22 especially if they go with these electric cars. And I
23 don't think anybody wants a coal plant or a nuclear
24 plant next to their neighborhood producing.

25 So I guess I'm on board with this all the

1 way. And that's it. Thank you.

2 MS. SUZANNE STEINHAUER: Thank you. Troy
3 Andrist from Kasson? If you would say and spell your
4 name correctly, I'd appreciate it.

5 MR. TROY ANDRIST: My name is Troy Andrist
6 from Kasson. It's T-R-O-Y, and last name is
7 A-N-D-R-I-S-T.

8 Well, I would just like to start by saying,
9 you know, you guys have a tough job ahead of you trying
10 to make everybody happy. I do get that. I'm going to
11 have some comments. They're going to be kind of
12 negative also, but just so you guys know, I do
13 understand that point of it.

14 But I would like to mention that too, that,
15 you know, power plants still have to run 24 hours a day
16 whether there's a turbine turning or not. You just
17 don't flip the switch on and they start producing
18 power. So the -- I would just like to know what the
19 real cost is, because with inefficiencies of the power
20 plants and the solar and wind is causing, and the
21 benefits of the wind are adding, you know, I would just
22 like to know the whole story instead of just one side
23 of the story.

24 But anyway, I would like to start by saying,
25 I think it was last summer, someone from NextEra

1 stopped by my place. I was not there, but my dad was
2 on my place and I talked to the person on the phone. I
3 can't remember his name or who it was. We talked about
4 it; I told him I'm not interested in having power lines
5 coming through my -- I mean, my house is 99 feet from
6 the center of the road. The easement is 50 feet.
7 Power line comes through, it's going to be just about
8 over my house, and I'm not going to live under a power
9 line. I see power lines coming through and I just
10 think it's awful when you see people's properties get
11 -- Well, then I find that I'm on Route B. You know,
12 and there is other areas that these -- that I know that
13 NextEra has talked to other property owners that will
14 allow them to go through that won't affect houses. But
15 just in my little area, there's four houses being
16 affected. And I was told that there would be no power
17 poles on my property; they would be able to bridge my
18 property and the power lines. Well, I talked to
19 another owner and the power company wanted the easement
20 through his property and he doesn't want to give it.
21 Then he was told that the power lines will go through
22 his front yard and there is going to be a power pole
23 everywhere People's Power has a pole. Well, that's
24 kind of different than the story I was told. So I
25 would like straight answers on that issue.

1 I did talk to People's Power, and they said
2 they were working on it. They didn't know how the
3 power poles were going to be run. They might move them
4 to the other side of the road. If they do that, my
5 neighbor's going to lose all his pine tree buffer in
6 his yard. And there's this thing -- I just don't want
7 the public to be kept in the dark until it's too late
8 and the next thing is people's property is being
9 destroyed.

10 And, you know, I've talked to other
11 landowners. One landowner, for example, told me that
12 the NextEra people told them that his neighbor signed
13 up, and he said, I'm not interested in signing an
14 easement coming through my property. Then he said
15 after the NextEra guy left, he called his neighbor and
16 talked to his neighbor, and his neighbor said, They
17 haven't talked to me yet.

18 So, you know, so I tried confirming his story
19 so I called that neighbor and talked to that neighbor.
20 He didn't confirm or deny the story but he just said he
21 felt like he had a choice, either it's going to be in
22 his front yard or he was forced to sell the easement
23 through their property. And to me, that's -- you know,
24 you go to some of these elderly landowners, that's --
25 you know, I just don't like snake oil salesman tactics.

1 So if that stuff has been done, I think these people
2 should be talked to and, you know, there should be
3 something done about that.

4 You know, and then for my county, I wish my
5 county commissioners and stuff would actually have the
6 meeting with the property owners so the property owners
7 do know their rights. Does the county own the right of
8 way and need to give NextEra the permission, or do they
9 have eminent domain power? What is really the true
10 story because there is so much unknown up there, and I
11 just don't want to believe one story but something else
12 is true. But I've spent a lot of time trying to
13 educate myself and wasting a lot of my time from work
14 to find this stuff out. So I think more needs to be
15 done on the county level and NextEra's level, just
16 meeting with people, you know, on the power line route
17 so we're not wasting our time. And then, you know, it
18 kind of makes us want to be more combative instead of
19 helping more with the solution on this problem.

20 And, you know, I just feel if the state is
21 pushing this thing and wants this wind energy, you
22 know, I think there should be a pyramid of who a gets
23 power line on the property, and that should be started
24 with the state. It should be run right up the road,
25 14, go around Kasson. You know, I know the airport is

1 out there, but -- and try to impact people's properties
2 the least you can.

3 Sorry I'm jumping around. I've just got a
4 bunch of different things written down. Another
5 concern I have coming up is, the wind field to the
6 south of me, from what I understand, there was another
7 company that did the construction project, and then
8 when it was done, everything was sold to the parent
9 company and this company was dissolved and so tile
10 lines weren't getting fixed, farmers had no one to go
11 back to to go fix their property. And is this going to
12 be the same situation where Dodge County, LLC, in a
13 year or two after this thing is done, they're
14 dissolved, everything is sold, all the liability is
15 going with it, you know?

16 And let me see. Is NextEra planning on
17 expanding their windmills into other townships along
18 this power line route? Just so the public -- I can see
19 it happening because there was another company around
20 that was trying to get people signed up. And just so
21 everyone knows what really is coming instead of kind
22 of, you know, dividing and then conquering the public.

23 So anyway, that's just some of my thoughts,
24 and -- oh, and taxes. When it was mentioned that taxes
25 would be given to the school district, if my memory

1 serves me right, I thought the same thing was kind of
2 said to Grand Meadow School District, and then I
3 thought the State took the money and put it to their
4 General Fund, because they just can't tell where the
5 tax money is going to go. That's the State's decision,
6 from what I understand.

7 MS. SUZANNE STEINHAUER: I can try to answer
8 that question. There is two taxes. There is the taxes
9 on the power sales, and those do go -- they are paid to
10 the State, to the Minnesota Department of Revenue. I
11 can't answer -- I think -- I can't answer right now
12 whether they go into the General Fund or not.

13 MR. TROY ANDRIST: But another fund besides
14 going to the school district.

15 MS. SUZANNE STEINHAUER: But -- so that's on
16 the power production, the energy they produce. But the
17 owner of the project pays property taxes, and that is
18 divided between the local governments however they do
19 that. Is that correct?

20 MR. TROY ANDRIST: I'll try to make this
21 quick so I can get done. The other thing is, from what
22 I understand, Dodge County is getting money from the
23 wind project just for being in Dodge County.

24 Now, the landowners that are going to be
25 affected with a 120-foot or 140-foot pole -- because

1 I'll have the taller poles in my yard, I already know
2 that. If that comes through, it is going to affect my
3 property values. Because me, I would not buy a house
4 that had that in there. So you're limiting the pool of
5 people that would be interested in purchasing my
6 property, so therefore, my property will go down in
7 value. And from what I understand from Dodge County,
8 they do mass appraisals and they don't take features
9 like that into effect or into their equation.

10 But I just feel that if my property values
11 are going to be impacted, is Dodge County going to
12 reimburse or lower my taxes or give me money, all of
13 that tax money, or someone, for the losses? Because I
14 won't be living in that house.

15 MS. SUZANNE STEINHAUER: I can't answer how
16 Dodge County does their evaluation.

17 MR. TROY ANDRIST: Those are my questions.
18 All right.

19 MS. SUZANNE STEINHAUER: I did -- did you
20 want to?

21 MR. MIKE WEICH: Thank you, sir, for all your
22 comments. Just a couple of things and then we're happy
23 to come offline with you after tonight and discuss
24 more. You had a lot of questions that we would love to
25 answer.

1 First on the tax evaluation. The way we
2 understand it is, and as was mentioned, we report to
3 the State of Minnesota, as is required each year. We
4 report how many megawatt hours we produced per turbine
5 on this project. So every turbine's megawatt hours
6 produced, generation produced, is produced to the
7 State. The State will then allocate that accordingly.
8 So typically, as that gets funded down and passed down,
9 the State will pass that money to the counties.
10 Typically, the counties can keep 80 percent of that
11 value; 20 percent goes to the townships where the
12 turbines are located. So the townships where the
13 turbines are located will receive a portion of that tax
14 revenue. Counties will also receive a portion if they
15 have turbines as well. That's a general flow of that.

16 Also, sir, you mentioned -- I just want to
17 make sure I address some of your questions. Property
18 values. We build our projects in 32 states, and we see
19 no evidence of property value being affected in any way
20 across our fleet constructing our projects.

21 And then lastly, sir, in terms of your
22 comment regarding tile. You mentioned tile and how we
23 handle that situation accordingly in our projects. We
24 repair tile when damaged. And we have met with all
25 three of the main tile companies that service this

1 entire project area. We've met with all three
2 companies. We have discussed the tile that they have
3 built in all these landowners' properties throughout
4 the project. We've already started exchanging maps of
5 the tile in order to identify where this tile is, early
6 on, to aid in our construction efforts. And built into
7 our agreements with landowners, where we discuss tile
8 -- it's very important there are landowners in the
9 project. We have an agreement with the landowners that
10 up to four years after the project goes into commercial
11 operation they can make sure they notify us that tile
12 has been damaged, and we will work with them throughout
13 our operations team to assess the damage to the tile
14 and determine its impact. Because we understand that
15 tile damage doesn't necessarily happen in the months of
16 construction. It may occur well after construction
17 later on down the road and we may not see it. NextEra
18 is committed to work with the tile companies locally
19 and replace those tiles within four years.

20 And, Jeff, if you could just real quick talk
21 about how we handle tile during construction, I think
22 it would also help you, sir.

23 MR. TROY ANDRIST: Yeah, I understand the
24 whole tile thing. On a similar wind project, you know,
25 Ellingson -- or, not Ellingson, but another tile

1 company over there, they had someone on site repairing
2 tiles. But what happened, the instance I'm talking
3 about, is when they were doing their test pouring, the
4 people doing the test pouring were boring with no tile
5 maps and there was tile damage. So it wasn't unknown
6 about, but by the time they figured it out, the
7 company, from what I understand, dissolved and they
8 were SOL on -- so it was the farmers' problem,
9 responsibility.

10 Oh, one last quick thing. I'll make it
11 really quick. Okay, now, if your power lines go
12 through, when I talked with People's Power, they also
13 said that they may combine power lines with you, they
14 move them to the other side of the road. Everything is
15 kind of up in the air, you know. So I don't know.

16 But now, if your lines come through, are the
17 property owners that -- I mean, are these sections
18 where all the sudden these lines are going to go
19 through to the other side of the road? Like in my
20 instance, if it does go to the other side of the road,
21 my neighbor is losing all his pine tree buffers,
22 everything is gone. So he thinks it's not going to
23 affect him, but -- and I'm not saying it is. I'm just
24 saying that if they do move it, it is affecting him.
25 So make sure that everyone is -- really knows what's

1 going on.

2 So anyway, thank you.

3 MS. SUZANNE STEINHAUER: Thanks for your
4 comments. I have two responses that I just want to
5 make sure people are aware of.

6 I can't speak to the project that you were
7 speaking of, and I don't know who permitted that. But
8 for projects that are permitted by the Public Utilities
9 Commission, the permit is a 30-year permit. And we ask
10 for -- they need to continue through the life of the
11 permit reporting complaints, which would include
12 property damage, things like that. So I can't speak to
13 the project that you were referring to, but that is
14 something that the Commission would hold the owner to.

15 And then earlier you asked about NextEra's
16 intention of expanding. What -- I don't know if you
17 want to answer that, but what I can tell you is, they
18 have applied for a project of up to 170 megawatts
19 within that box. If the Commission determines there is
20 a need for that project and they get a permit and they
21 build turbines to meet 170 megawatts, that's the
22 permitted project. If there are areas -- then that box
23 goes away. If at some point in the future NextEra or
24 another company wants to develop in the general project
25 area, they would need to apply again for a different

1 project. There would be another review process.

2 And I don't know if NextEra -- they haven't
3 spoken to us about any intent to expand. But if you
4 need to comment --

5 MR. MIKE WEICH: That perfectly describes it.
6 And also, it's a single circuit transmission line
7 specifically designed for one project, like was
8 mentioned, the 170 megawatts. So one project for the
9 line.

10 MR. SCOTT EK: Hi. My name is Scott Ek. I'm
11 with the Minnesota Public Utilities Commission. I just
12 wanted to add one more thing, and this is for everyone
13 involved and specifically Mr. Andrist.

14 Tonight specifically we -- in comments that
15 you sent to us in writing, the comment forms out there
16 or on your own sheet of paper, that's the information
17 we're exactly looking for is what is your address, what
18 is the issue, is the transmission line near your home.
19 Those are impacts. Those are potential impacts that
20 need to be looked at that could be mitigated by an
21 alternative route segment that Suzanne was talking
22 about. But sometimes we call them pinch points.

23 So we do -- this is the time in this comment
24 period to let us know, let the Department of Commerce
25 know so they can look at it in that environmental

1 impact statement, well, here's a spot where we have
2 folks on both sides of the road and this is a
3 problematic area what are we going to do about it? And
4 that will give the commissioners information at the end
5 of this process. Also, during the public hearings that
6 will come down the line, the judge will listen too.
7 You know, the EIS says this, I live here and we have
8 these issues.

9 So it's really important, and that is really
10 one of the very specific reasons we have these meetings
11 tonight as we start this whole review process. So I
12 just wanted folks to know that comments like that are
13 really important.

14 MR. SUZANNE STEINHAUER: Thank you. I
15 couldn't have said it better and I'm embarrassed I
16 didn't. Thank you, Scott.

17 Those are all the people that have signed up.
18 So now we're going to go by a show of hands. I saw
19 somebody in the back holding some papers. Yes, you,
20 sir. Will you please come up?

21 MR. NATE OREILLY: Hello. My name is Nate
22 O'Reilly. I am a business representative for the Iron
23 Workers Local 512. And I also serve as Building Trades
24 President for the Southeast Minnesota Building Trades
25 Council.

1 You need my name. O'Reilly, O-R-E-I-L-L-Y.
2 But yes, I serve as Building Trades President for the
3 Council. We represent, here in Steele and Dodge County
4 alone, over 700 skilled trade workers.

5 So the things I would like to talk to you
6 guys about tonight are the economic benefits of using a
7 local workforce. A lot of the times we see these large
8 electrical generating projects are scrutinized down to
9 the smallest environmental detail, whether it be
10 vegetation, animals, water resource, or anything like
11 that. I would ask the Commission and the developers
12 here to apply that same standard and ideas to the
13 economic impact to the communities and the area and the
14 state of Minnesota as a whole.

15 It has been talked about. Like the economic
16 impact, property taxes, it will come up. It will be a
17 little bit better for these communities or counties
18 where this is going on, but that barely scratches the
19 surface when developers do not use a majority local
20 workforce.

21 We're here to ask the Public Utilities
22 Commission to require, as a part of the permit, some
23 sort of local hiring requirements, or even prevailing
24 wage so we know contractors bidding on the project have
25 a fair and level playing field, and for our developers

1 here to commit to hiring local workers.

2 Growing up in a small town myself, I know
3 that there are not a lot of opportunities for good
4 paying jobs. When we have developers on projects such
5 as this commit to hiring local workers, it's going to
6 provide an opportunity for people in these small towns
7 and communities to enter into this type of work that
8 can supply a lifelong family-supporting wages type of
9 job.

10 There was a gentleman spoke earlier tonight,
11 and I find it interesting he brings it up. The project
12 out by Ivanhoe in western Minnesota, Ivanhoe/Marshall
13 area, that developer -- I'm intimately familiar with
14 that project. And unfortunately, that was a project
15 that did not use -- I believe the number was less than
16 10 percent local workers. So if you can imagine that,
17 when these workers and contractors are largely from out
18 of state, that -- it doesn't provide that opportunity
19 for people to go to work on them, and then that money
20 doesn't stay here in Minnesota.

21 In the building construction trades, like the
22 700-plus skilled workers in Steele and Dodge County,
23 they live here in our communities. Their payroll taxes
24 go to the State of Minnesota. They are buying houses;
25 they are paying property taxes; they are supporting our

1 local school districts. In the case of the project
2 near Ivanhoe, with less than 10 percent of those
3 workers, and they're all out of state, that money does
4 not stay in Ivanhoe. Like I say, to the full economic
5 impact of the projects, that -- you know, there is some
6 economic impact of property taxes, but it's not the
7 full impact.

8 I can tell you about Ivanhoe. I was out
9 there once early on in the project because I did have
10 six workers there of the -- I think around that time
11 there was 110 actual workers on site and 6 were local
12 Minnesota workers.

13 So I think that's about all I got to say.
14 You guys are understanding the -- I guess the point I'm
15 trying to portray across here. One other thing, there
16 is actually studies out there about this, and the
17 difference between hiring a local workforce versus a
18 nonlocal workforce, and what it means to the
19 communities, and what, say, a 10 percent local
20 workforce versus, say, 70 percent local workforce is
21 literally tens of millions of dollars to local
22 communities, the school districts, the counties, and
23 the state of Minnesota. So thank you.

24 MS. SUZANNE STEINHAUER: Thank you. That
25 gentleman in the front row in blue.

1 MR. RICHARD BORGLUM: Richard Borglum,
2 B-O-R-G-L-U-M. How do you, when you went around and
3 bought your wind rights and stuff, did they determine
4 who got wind rights or who they paid for their wind
5 rights, and what property they didn't pay on, and stuff
6 like that?

7 MR. MIKE WEICH: So in terms of the wind
8 rights you're alluding to, three by five rule in the
9 State of Minnesota. Those buffers around each turbine
10 are dictated to us by law. So we negotiate with
11 landowners and we negotiate with them individually for
12 easements on their property to build turbines, and we
13 show them these wind buffers, and we discuss with them
14 exactly what you're talking about, their wind rights,
15 and how that's encompassed in the participation of the
16 project.

17 MR. RICHARD BORGLUM: What is the buffer
18 around the wind tower?

19 MR. MIKE WEICH: It's called the three by
20 five rule, so three times the rotor diameter of that
21 turbine and every direction but the prevailing wind.
22 Into the prevailing wind, which we agree upon with the
23 State, the prevailing wind is five times the rotor
24 diameter. So that is the wind buffer for each turbine,
25 three by five rule. And those are the buffers around

1 each turbine --

2 MR. RICHARD BORGLUM: Okay.

3 MR. MIKE WEICH: -- granting wind rights.

4 MR. RICHARD BORGLUM: Then that black line
5 really has nothing to do with what you drew on that
6 map, your project line?

7 MR. MIKE WEICH: With wind rights, sir, that
8 map did not show wind rights. That black line was the
9 project boundary; you are correct. That did not show
10 the wind rights.

11 MR. RICHARD BORGLUM: Okay, thank you.

12 MR. MIKE WEICH: Thank you, sir.

13 MR. SUZANNE STEINHAUER: Thank you. Somebody
14 standing up back there. If you could please come up.

15 MS. NUGGET FIELDS: Excuse me. I'll be
16 brief. I'm Nugget Fields from Canisteo Township in
17 Dodge County.

18 THE COURT REPORTER: Can you spell your name?

19 MS. NUGGET FIELDS: It's Nugget, N-U-G-G-E-T,
20 like a gold nugget; Fields, F-I-E-L-D-S. Gold fields.
21 I don't have any gold, wish I did. My dad did back
22 when.

23 But anyway, I talked to a Mr. Michael - I
24 don't know if you're up here or not - from your company
25 a few months ago. He was very kind and listened to a

1 lot of my questions.

2 First of all, I want to say, I understand why
3 the farmers are taking the money, and it's free money,
4 and it's something that they need at this time. So on
5 that point, I have my understanding toward that.

6 But as a person living in Canisteo Township,
7 I don't know if people understand that your company,
8 the energy that is made there is not staying in Dodge
9 County. It's going -- and correct me if I am wrong.
10 Is it not going to the Twin Cities, to Anoka and that
11 area up there?

12 MR. MIKE WEICH: So, ma'am, per the laws of
13 physics, there is only so far the energy will actually
14 go, so it will delivered to that Byron Substation.

15 MS. NUGGET FIELDS: But from there it goes
16 north; it doesn't go to Rochester?

17 MR. MIKE WEICH: It goes with the natural
18 flow of electricity, so it will go all over southern
19 Minnesota. It won't directly just go to Minneapolis.
20 It will service the entire area, this entire area.

21 MS. NUGGET FIELDS: Well, that's a little bit
22 different than I was shown on a map and the proposal
23 from your company, that it does go north.

24 MR. MIKE WEICH: The transmission line we're
25 building, ma'am, is going to connect to Byron.

1 MS. NUGGET FIELDS: Yeah, I understand about
2 the transmission line. I'm saying about the power that
3 is produced in this county. It's not staying in this
4 county.

5 MR. MIKE WEICH: Yes, ma'am, so per our
6 agreement with the customer, we're building our project
7 in Dodge and Steele Counties, and we're delivering it
8 to that point of interconnect in Byron, and that is our
9 responsibility as an independent power producer. Our
10 customer from there, they take the energy, and where it
11 goes from there, is our customer's coordinations. As
12 the power producer, that encompasses our project.

13 MS. NUGGET FIELDS: Okay. Well, my main
14 question -- Suzanne, you don't remember me but maybe
15 you remember my name. I called you right away when I
16 first got a letter a few months ago regarding this
17 whole project, and my concern was the environmental
18 aspect of this whole project. We have eagles; we have
19 tundra swans that fly over. And so -- and in looking
20 at the scope of what you're going to be doing, who is
21 exactly -- I mean, do you physically go out and look to
22 see how many eagles' nests are out there? I mean, who
23 makes the final decisions on these different concerns
24 we have? Because we, as an area where we live, there
25 is a lot of concerns, but we don't know who to tell. I

1 mean, we can write it down on a piece of paper, but I
2 mean, are you going to walk out there and say, Oh,
3 yeah, they've got three eagles' nests in this area, and
4 they've got all these birds. And the voltage of these
5 transmission lines are very high, and there are some
6 dangers, whether they want to agree to it or not. I've
7 done enough research on it to know that it's not safe
8 for birds. So what do you -- how do you go about this?

9 MS. SUZANNE STEINHAUER: So I'm going to turn
10 it over to Jenny Field in a minute because she can talk
11 about, before they came in with the application action,
12 they did studies of the -- how -- they consulted with
13 the Minnesota Department of Natural Resources, and then
14 went out and did studies looking at how the birds use
15 the general space, and she can speak to that.

16 With respect to transmission lines, there are
17 industry standards having to do with, like, for
18 different -- the impacts to different types of birds
19 are different. One of the big concerns is with raptors
20 and those with larger wind span, and so there is an
21 industry standard that the conductors have to be so far
22 apart so they can't, when their wings are spread, be a
23 conductor there. They are also looking at areas that
24 have a lot of bird activity, in consultation with the
25 DNR. There may be portions of the line that we would

1 recommend have -- be marked so that the birds can see
2 that.

3 So that's sort of general, and I can let
4 Jenny speak to the pre-construction stuff that they
5 have done.

6 MS. NUGGET FIELDS: That helps me understand
7 a little bit about how you're going to do this.

8 MS. SUZANNE STEINHAUER: And it's part of the
9 -- if there is a permit issued, they will need to
10 follow up with post-construction monitoring to see --
11 they'll do some prediction and then will look to see
12 how their predictions are turning out.

13 MS. NUGGET FIELDS: So you will physically go
14 look at these things or?

15 MS. SUZANNE STEINHAUER: Physically they have
16 -- they hire -- generally there are consultants that
17 specialize in this, and they design studies based on
18 what they know about the project area, and so they'll
19 define --

20 MS. NUGGET FIELDS: Unless they live in this
21 area, they aren't going to really know what's going on
22 unless they talk to the people in those areas. So --
23 but I'll further ask questions on the form and so
24 forth.

25 But I have one more quick question. And I

1 hear rumors all the time on this and I'd like it
2 clarified.

3 It's my understanding that your windmills in
4 the wintertime need -- and I can't remember what it is.
5 You have to put something in there so that they'll be
6 efficient, and it's really not something that is fuel
7 efficient and isn't really good for the environment?
8 I'm not quite sure what you put in your windmills in
9 the winter to keep them going.

10 MS. SUZANNE STEINHAUER: Are you talking
11 about some sort of lubricant?

12 MS. NUGGET FIELDS: I don't know what it --
13 all I know is, my husband's always saying it's not a
14 good deal, so I don't -- and he's not here. So the
15 gentleman on the end can explain.

16 MR. JEFF DAMEN: Yeah, no problem. Sorry,
17 Jeff Damen, D-A-M-E-N.

18 So to answer your question about, do we put
19 anything in them or do we change how they run in the
20 wintertime? So the answer -- the quick answer is: no.
21 But just like your car, they have oil in them, they
22 have, you know, a coolant in them. So they rate it for
23 12 months of the year in Minnesota.

24 One thing that the northern climate, what we
25 do, we put a cold weather package in these turbines.

1 What that is is some heaters to make sure that when
2 they turn -- if there's no wind and, you know, the
3 turbines stop, you know, they -- you know, just like
4 the block heater you have in your car where you plug it
5 in, heats it up so it's easier to start. That's really
6 the only thing that we have in these turbines any
7 different than we would in any other one.

8 But in the wintertime, actually, they'll run
9 just as efficient, if not more, because the heat that
10 builds up actually takes away some of the energy. Just
11 like your car overheats, takes more power, so actually,
12 wintertime, they actually run better.

13 MS. NUGGET FIELDS: I'm just concerned about
14 the -- you know, who is going to do the wildlife, the
15 environment, and follow through with it. I guess we
16 just need some questions answered from our area. So --

17 MS. JENNIFER FIELD: Yeah, on the avian
18 issues -- oh. Jennifer Field. So I'm a Field as well.
19 I'm singular; you're plural.

20 Yeah, we -- as I mentioned, any time NextEra
21 develops a wind energy project, we follow the U.S. Fish
22 and Wildlife Service wind energy guidelines. And those
23 guidelines are very prescriptive in the types of
24 studies that they want you to do out there. So we do
25 hire a team of local biologists who tend to know what

1 species should be there, what -- you know, what the
2 landscape is like. Those folks go out there, and for
3 this project, we have two years of avian surveys out
4 there, including bat surveys. And we also do raptor
5 nest surveys. And those surveys go out to 10 miles --
6 up to 10 mile of buffer of the project area. They're
7 done at a time of year before it leafs out so that you
8 can actually see a lot of these raptor nests, and that
9 includes eagles, other raptors. That's all documented.
10 All that information is used to create a bird and bat
11 conservation strategy. DOC will call it an avian/bat
12 protection plan. And we're on -- we will draft that.
13 We have a draft, a preliminary draft, in the
14 application right now. That draft is being updated
15 with our second year of data. And in that document, we
16 talk about what we've seen out there and how we will
17 manage the site for avian species, bat species
18 following construction of all of our projects. And if
19 this project is permitted, we will do it on this
20 project. We do post-construction mortality monitoring
21 so that we know what -- you know, what we are impacting
22 out there. All that information is shared with, not
23 just the Minnesota DNR, but U.S. Fish and Wildlife
24 Service. And we work with them to minimize any
25 potential impacts we're having to the avian and bat

1 community.

2 MS. NUGGET FIELDS: One more question about
3 the voltage of the transmission lines at Canisteo. Why
4 are they so high in comparison to the other
5 transmission lines in other areas?

6 MR. MIKE WEICH: So that substation in Byron,
7 ma'am, that we mentioned earlier, that is a 345 kV
8 substation. That's the voltage of the substation. So
9 we determine the most efficient way to transfer the
10 energy from the project and turbines. From the
11 collector substation in Dodge County to that 345
12 substation is via a 345 kV transmission line. To
13 prevent losses on the line and deliver that energy most
14 efficiently, we chose a 345 kilovolt transmission line
15 to that substation.

16 MS. NUGGET FIELDS: Thank you.

17 MS. SUZANNE STEINHAUER: Thank you. Can I
18 get a show -- I've got about 20 to 8, and we can be
19 here until 9. If I can just get a show of hands and
20 that will help us decide. Okay. Let's take a
21 10-minute break, and then we'll be back at about 10 to
22 8, and then we'll resume with questions and comments.
23 Thank you.

24 (A RECESS WAS TAKEN.)

25 MS. SUZANNE STEINHAUER: So has everyone

1 managed to top off their coffee and tea and grab
2 another cookie?

3 I want to address a couple things. I had
4 questions about the comment deadline during the break.
5 And that is -- I'll scroll back to this slide, but it's
6 November 15. That's important particularly if you want
7 to propose another route or route alternative. We need
8 to have those by the 15th, and we'll be looking at them
9 then. If you have questions about a route or some
10 ideas for a route, I'm happy to try to work with you on
11 that. I want to also let you know that on the
12 Department of Commerce website for the project - and
13 there is information in the handouts - there is an
14 interactive map which will allow you to kind of zoom in
15 and zoom out on both the wind project and the
16 transmission project. You can type your address in or
17 your inlaws address in and see where they are in
18 relation to the things that are being proposed. So I
19 just want to reiterate that and we'll come back to that
20 later.

21 So we're going to go by hands except somebody
22 came up to me during the break and asked to speak, so
23 let's start with Bob Brekke. Brekke?

24 MR. BOB BREKKE: Brekke.

25 MS. SUZANNE STEINHAUER: Brekke.

1 MR. BOB BREKKE: Bob Brekke, B-R-E-K-K-E,
2 Byron, Minnesota. We are in Section 31, Cameron
3 Township. We are lucky enough to be on Route A and
4 Route B.

5 We have a concern about a couple of things.
6 One. About eight years ago, Xcel built a power line to
7 a wind farm down at Pleasant Valley, the Pleasant
8 Valley substation. It's a 1.7 line. At that time, we
9 saw some handwriting on the wall. We told them at that
10 time that every time you build a new wind farm, you
11 can't build a new transmission line to the substation
12 in Byron because eventually you're going to run out of
13 areas to get there. Because Byron is to the east; you
14 ain't gonna put a line over the top of Byron. They
15 ain't gonna let you run it down the railroad tracks
16 because they ain't gonna let you run it down the
17 railroad tracks. So you can come from the south or you
18 can come from the north, northwest.

19 Eight years later, here is a new wind farm
20 that wants to go in so we need a new transmission line.
21 Okay. Eight years from now, you want a new
22 transmission line. I mean, I'm sorry you want another
23 new wind farm and you need another new transmission
24 line. Somewhere along the line someone has to realize
25 that if you want to build -- to get to the town, every

1 time you want to get to the town you don't build a new
2 road. You upgrade the road you have to handle it,
3 meaning that we can't build a new transmission line
4 every time we want to get to the substation in Byron.
5 You need to build a transmission line that has the
6 capability, but upgrade it to handle more lines, more
7 power rather than taking the new easement route for a
8 whole new transmission line. Seems fairly logical to
9 me. But in eight years again we'll see it come back
10 again and make the same statement over again.

11 Last comment. I said I was on Route A and
12 Route B, and I am. The interesting thing is, the land
13 -- the easement acquisition people came and talked to
14 us about Route A a long time ago and we've been working
15 with them, and so on and so forth. Then I open up the
16 state website and I realize that I'm on Route B. And
17 no one has ever said a word to me in advance about me
18 being on Route B. I think that somewhere along the
19 line there should have been some representation or some
20 visiting with us that they want to put us on Route B
21 too. And believe me, it happened. I can show it to
22 you in black and white. It's not the end of the world.
23 Well, it might be the end of the world. But that's not
24 how things should get done.

25 MS. SUZANNE STEINHAUER: Thank you. I've got

1 a gentleman here. We'll get to everyone.

2 MR. BRAD MEIER: Good evening. Brad Meier,
3 B-R-A-D, M-E-I-E-R, with the Owatonna Chamber of
4 Commerce. I want to welcome you to Owatonna. Thanks
5 for doing this hearing tonight.

6 We're very optimistic about the project here
7 for a couple of pretty obvious reasons. I think from
8 an economic impact standpoint to our communities here
9 in Steele County and Dodge County -- we are primarily
10 Steele.

11 We feel like NextEra Energy has gotten
12 involved with our organization and has done, we feel, a
13 very good job of communicating with our community on
14 the project and what is going to take place. We feel
15 very good about that.

16 And in general, from a business perspective,
17 our policy, our philosophy, has been an, all of the
18 above, from an energy standpoint, and wind energy is
19 included in that.

20 So thank you, and have a good evening.

21 MS. SUZANNE STEINHAUER: Thank you. There is
22 a gentleman back there with a hat. Yes, you, please.

23 MR. BILL BULTMAN: Bill Bultman,
24 B-U-L-T-M-A-N. I kind of have a question, and it works
25 really well following up with the Chamber of Commerce

1 welcoming you and everything.

2 What is your plan on local labor hire? Do
3 you have one built into it? Because when it comes to
4 it, yeah, you give money back to the community but do
5 you create jobs while you're doing it? Do you keep
6 people employed? Are you going to bring all your
7 workers out of Texas and Arizona and places like that,
8 or are you going to hire local to where you put money
9 actually back into the community?

10 MR. MIKE WEICH: Thank you, sir, for your
11 question. So we will be using a Minnesota contractor
12 on this project from the state of Minnesota, and we
13 have a process, really, for the rest of the year, over
14 the next year, working with that contractor to have
15 things like hiring fairs and reach out and connect
16 points with local contractors and subcontractors to
17 communicate exactly that, whether or not we can work
18 together and find employment for local workers. So
19 that's a process that will occur between ourselves and
20 the local contractor over the next year to find fits
21 for those that fit the project. So that's an ongoing
22 process that we have planned.

23 MR. BILL BULTMAN: Okay.

24 MS. SUZANNE STEINHAUER: Thank you. In the
25 back, the gentleman with the hat, please.

1 MR. LUCAS SCHUWEILER: Lucas Schuweiler,
2 S-C-H-U-W-E-I-L-E-R. So approximately 10 years ago my
3 wife and I were lucky enough to find a country house on
4 a tar road, a fixer-upper. This is great. Planned on
5 starting a family, everything. Then a year or so ago,
6 we find out that they're going to be building wind
7 farms, and, you know, kind of looked into it, some of
8 the effects, the shadow flicker, the insomnia, some
9 cases from other wind farm projects, some of the horror
10 stories that you hear. So we called NextEra. They
11 came out and met us in our yard and we talked. At that
12 point, they were talking about building a wind turbine
13 at exactly the setback that was required. So they made
14 it sound really good, right? We'll plant trees for
15 you. We'll do whatever we can. We'll give you any
16 studies that you want in regards to property value and
17 things. So your statement about not affecting property
18 value is false. Because you guys provided me a
19 statement that included wind farms, feedlots,
20 landfills, all the way from -- well, you do pretty good
21 at your study because it's not zero to two miles. It's
22 not basically a quarter-mile off your back door. It's
23 zero to five, five to ten, 10 to 15, and you lump all
24 these numbers together.

25 So after all of this research, we decided

1 that we were going to talk to a realtor that I do a lot
2 of work for, sold numerous houses with, well known
3 within the community and owns her own brokerage and has
4 been doing it since -- for a very long time. I stopped
5 at the fair booth, and geez, you know, I said, Talked
6 to a realtor, talking \$30,000 off our property value to
7 sell.

8 Now, I'm not a generational farm. I have 15
9 acres. I think 12 of it is woods. You know, nice
10 place to hunt, right? I got a shed, things I can work
11 on in there. But stopped at the fair booth, mentioned
12 the dilemma I'm in, Geez, I really -- this was an
13 investment, right? This is a dream come true to live
14 in the country. Quiet, the whole works. I was told by
15 one of your representatives, and if seen him, I would
16 probably point him out to you, but when I explained
17 this to him, he told me, he said, I think it's time to
18 find a new realtor. Now, what kind of statement is
19 that? I mean, that's not a very good -- I wasn't
20 impressed.

21 Now, I'm lucky enough that some of those --
22 according to your maps, some of those wind turbines
23 that were going to be basically out my back door have
24 moved. Probably still within line of sight and things
25 like that. I don't know that I'll have to deal with

1 the shadow flicker and I probably won't hear it. But
2 the fact of the matter is that some of my neighbors are
3 going through the same thing, right? You buy a house
4 in the country. It's one of those things where, you
5 know, everybody wants to move to the country, right? I
6 mean, every city kid wants to live in the country. And
7 it's one thing that if you have the land and you're
8 able to put up a wind turbine and it's three sections
9 over and it's in your -- you know, it's in the back 200
10 acres of your property, that's -- that's great. And I
11 don't blame you guys for taking the money. Heck, money
12 is money, right? Income is income. But for the people
13 that it affects, I mean, it affects everybody. It
14 affects property value in general, you know, throughout
15 the whole county.

16 I guess, if they're going to be built in
17 Steele and Dodge County, that's Minnesota. That's
18 where the power should go first, right? That money --
19 excuse me. That energy should go to help us who have
20 to suffer every day when I drive to work now and I get
21 to see 15 windmills, right? Every night when I want to
22 look at the stars and I look off and I see blinking red
23 lights. If the power is going to the Twin Cities,
24 build them up there. Use these resources to provide
25 energy efficient appliances, things like that. Let's

1 -- I don't know.

2 Without government subsidies, how profitable
3 is a wind turbine realistically? If you were to get
4 absolutely no tax breaks, no money from anybody, and
5 you had to just make it on what you're selling your
6 power for, is it beneficial to you?

7 MR. MIKE WEICH: Thank you for your question,
8 sir. The production tax credit you're alluding to
9 right now, it will begin to roll off in 2020. And as
10 we head into the mid-part of the next decade, there
11 will be no tax credits. So we will be competing with
12 other resources without tax credits, and we are already
13 seeing that we bid very competitively. In fact, below
14 most other generators.

15 So to answer your question, we are still just
16 as competitive, if not more competitive as to
17 technology as these assets increase into the next
18 decade.

19 MR. LUCAS SCHUWEILER: So how come -- how
20 come wind turbines are not everything, right? Why are
21 we still using other sources for power? Why are we not
22 strictly just, hey, let's put up turbines?

23 MR. MIKE WEICH: Yes, sir, that's a great
24 question, and I think that that's a question that a lot
25 of other people in the industry will have to answer

1 over time, and that's the reason why we have to have a
2 lot of these discussions over time across states like
3 Minnesota where renewable energy is being developed.
4 We're assessing that question as more renewables come
5 into the portfolio, and I think that's a question
6 that's naturally going to be answered as new generators
7 get built and older generators are decommissioned over
8 time.

9 MR. LUCAS SCHUWEILER: So is it true that the
10 majority of wind power is produced at night when it's
11 least needed?

12 MR. MIKE WEICH: That is true. The wind
13 blows strongest in the evening hours, in the night, and
14 that is when we see the most megawatt hours produced.
15 But we also see megawatt hours produced in different
16 times of the year as the winds change. So there is a
17 whole variety of how the wind affects the maximum
18 production over the course of a year.

19 MR. LUCAS SCHUWEILER: So how much fossil
20 fuels and other energy is used to create your wind
21 farm? So if your wind farm, let's say, costs, you
22 know, taxpayers and your credit for building it, right,
23 if -- is it actually a benefit to us or is it strictly
24 just a benefit to a company like yourself who has the
25 ability to build these and do that?

1 MR. MIKE WEICH: Yes, sir. First off, just
2 to reiterate, we, NextEra Energy Resources, build off
3 of our balance sheet. So every penny that goes into
4 building this project is off of the money from our
5 balance sheet on your corporation.

6 In terms of what you mentioned about other
7 fossil fuels in the energy value system, I think that's
8 one of the reasons why we're here and why we love
9 working with the great state of Minnesota and other
10 states like it because that's an issue we're continuing
11 to work together on is, you know, becoming more carbon
12 emission free over time. And I think that's why our
13 projects here and every single part of the energy value
14 chain, from construction to materials, over time we see
15 advanced efficiencies all across everything you just
16 mentioned, and we're glad to be a part of that.

17 MR. LUCAS SCHUWEILER: Well, thank you guys
18 for your time.

19 MR. MIKE WEICH: Thank you, sir.

20 MR. SUZANNE STEINHAUER: Thank you. I'm
21 going to -- gosh, I just see guys in hats. There is
22 somebody here, a woman without a hat.

23 MS. MINDY WARD: My name is Mindy Ward,
24 W-A-R-D. I'm not good at public speaking.

25 My husband and his family have been engaged

1 members of the Kasson community for years. When we
2 were married we knew we wanted to have a family in this
3 community, and to me, as a daughter of a farmer in
4 southwestern Minnesota, it was our goal to live on a
5 rural property.

6 For five years, my husband and I searched for
7 a property to raise our young family. With the
8 requirement in Dodge County of 53 acres to build a
9 property, it was impossible to locate one. In 2017, we
10 were blessed to find an existing property on 10 acres,
11 two miles from our family. We have performed a major
12 remodeling project using a Kasson contractor and an
13 almost entire Kasson workforce. We have significantly
14 increased the value of our home only now to have the
15 proposed route come to the east of me and then cut to
16 the north of me, then come back to me on the west.

17 My questions/comments are these. You are
18 planning -- you are not planning to use my property so
19 I will receive no revenue from this. Yet it will
20 affect the value of my home; will it not?

21 These are high voltage lines. Radiation has
22 a cumulative effect of years. The proposed
23 transmission routes are wide but the boundaries often
24 come very close to my home. When will these routes be
25 more condensed? Is it necessary to come back at me on

1 multiple sides and subject my family to an increased
2 risk that might be decreased if you only went on one
3 side of my home. I'm the house there.

4 MS. SUZANNE STEINHAUER: Thank you. Perhaps
5 afterwards, you don't need to put it on the record, but
6 if you could get your address and we can take a look at
7 that.

8 Property values always comes up. It doesn't
9 mean it's not unique to each individual person, so we
10 do look at that. We will not evaluate effects on
11 particular properties, but that is an important issue
12 to people, obviously.

13 And then as far as when the route --

14 MS. MINDY WARD: That's pretty wide there.

15 MS. SUZANNE STEINHAUER: It is a wide area.
16 They've identified several wide areas because of some
17 of the constraints so they don't -- I think they don't
18 know exactly where things will be. If -- I think on
19 that map, there is a proposed alignment, which is a
20 narrower line. And then I do want to commend, also,
21 the Department of Commerce website. And --

22 MS. MINDY WARD: So that's what you have on
23 the website currently.

24 MS. SUZANNE STEINHAUER: You can -- we tried
25 to set it up -- you can click on the -- and I'm happy

1 to talk with you and talk you through it, but you can
2 click on it, see where the proposed alignment is. So
3 it's a narrower -- you can see where they're proposing.
4 But we're still going to look at the entire route. But
5 they have to start somewhere.

6 MS. MINDY WARD: So will there be a time when
7 this is going to be condensed from that wide of an area
8 for a narrower area where we will be notified?

9 MS. SUZANNE STEINHAUER: I am not going to
10 submit to notifying you of -- I don't think that --
11 through the permitting process, the Commission, if they
12 decide that the project is needed, if they issue a
13 route permit, a route permit will specify a route
14 width. It will also specify what the intended right of
15 way is. So there is a potential in the process that
16 that route width and the actual alignment may be
17 somewhat more certain by the time a permit decision is
18 made. The Commission will make a decision with an
19 intended alignment. And if for some reason the
20 applicant believes, through engineering or something,
21 they need to change that, they'll need to demonstrate
22 what the impacts will be.

23 So I can't specifically answer, but it's sort
24 of the process. Thank you.

25 UNIDENTIFIED SPEAKER: Can you comment on her

1 emission question?

2 MS. SUZANNE STEINHAUER: The question was
3 about EMF, I believe. I'm sorry, I was kind of focused
4 on the other.

5 Electric and magnetic field. That's also
6 something that always comes up with transmission lines.
7 There is a lot of research on that. We always look to
8 see what the most updated information is. There are
9 two different aspect. There is the electric field.
10 The main danger there would be electric impacts with,
11 for instance, medical equipment or, not electrocution,
12 but that would be the major impact fear there. So
13 we'll take a look at that.

14 And then the magnetic field, which is
15 generated around the transmission line, there have been
16 concerns about the health effects of those also. So
17 we'll take a look at that. They have to be set back a
18 certain -- there is a right-of-way. So it acknowledges
19 there could be some impact. But what we have seen in
20 the studies that have been done for - at least since
21 the '70s - is, there are some studies that have pointed
22 to instances of potential health impacts. But those
23 haven't been consistent, and the biological mechanism
24 through which that may happen hasn't been identified.

25 So I can't tell you there are absolutely no

1 effects, but there are transmission lines, many of
2 them, all over, and we haven't seen large scale health
3 impacts. But it's a concern; I understand that.

4 So there was somebody on this side.

5 Gentleman in the blue sweatshirt and hat.

6 MR. TRAVIS DELZER: Hi. I have a couple
7 questions. My name is Travis Delzer, D-E-L-Z-E-R.

8 Number 1, I'm not for it at all. And God
9 bless everybody who is going to make money off of it.
10 I'm just a guy trying to make a living. I want to see
11 everybody make a living. I appreciate the money coming
12 into the county, the township, everything. But I guess
13 I'm right there along Option B there, okay, which may
14 or may not happen. If B was to happen, they'll have to
15 wipe out a bunch of trees on the north side of my --
16 across the road from me up to the north. Well, that's
17 going to have a direct negative effect on my
18 pocketbook.

19 And you know, I'm looking around the room.
20 There is a lot of landowners with agreements and all
21 that fun stuff. They're going to make a bunch of money
22 off this. That's great. But I think there's a lot
23 more people that are along that route who are going to
24 be affected financially in a negative manner. What's
25 going to be done about that? Is anything going to be

1 addressed?

2 In a nutshell, it's going to affect my heat
3 bill. There's a heckuva north wind. I mean, that's
4 what you're going after. You're going after that wind.
5 I've got a wind block over there that I don't know if
6 it's going to get wiped out. That's going to have a
7 negative effect on my heat bill. So I'm not for that,
8 obviously.

9 Then my second question is, it's a 30-year
10 project, right? Okay. What happens when that 30 years
11 is done? You know, are the windmills going to get
12 rebuilt? Do they stand there? What's the out plan?

13 MS. SUZANNE STEINHAUER: So I can leave it to
14 NextEra to answer the question. Generally for projects
15 -- the first part of the question, generally for the
16 project the developer will pay an easement if it's on
17 your property. And, generally, if it's not on your
18 property, they have a -- if they have other plans for
19 that, we can perhaps talk to them about that. We could
20 look at tree clearing.

21 The second part, what happens after 30 years
22 is a really good question, because we have a lot of
23 these projects that are older. They're coming up on
24 the end of their power purchaser agreement. There is a
25 requirement for projects that are permitted by the

1 Commission that they need to -- that the applicant
2 needs to provide information on how they would
3 decommission and how they would pay for it. So
4 decommissioning is not just taking the towers down,
5 taking the roads out if landowners agree. So what are
6 the aspects of that; how would they do it; how much
7 will it cost; how will they pay for it. And so they
8 need to provide that information sort of at the outset,
9 and then those plans need to be updated periodically.
10 We're internally trying to decide what the right lag
11 time would be for that.

12 MR. TRAVIS DELZER: Anything to be said about
13 my heat bill?

14 MR. MIKE WEICH: Yes, sir. As the route is
15 narrowed down as we go through this process with the
16 State of Minnesota and they let us know their concerns
17 and where they would like to make adjustments, we'll
18 make adjustments accordingly. And we're not aware of
19 any direct impact to your heat bill that will be
20 affected by the transmission line at all directly
21 specifically. But I can tell you, we'll work with all
22 landowners on the transmission route, depending on
23 which route is selected, to the very end, until we
24 reach construction on the project.

25 MS. SUZANNE STEINHAUER: Thank you. I think

1 there is a gentleman in the back with a reddish,
2 brownish sweatshirt maybe, and a hat.

3 MR. JOSHUA KALINA: Good evening. Joshua
4 Kalina, K-A-L-I-N-A. I am also a member of Iron
5 Workers Local 512. I brought a couple guys with me
6 tonight just as a show of how important these building
7 projects are to us. This money -- I mean, these guys
8 that I brought with come on their own accord. They
9 live in this area; we all live in this area.

10 And I understand the issues that go with
11 landowners and the residents around the transmission
12 lines. That's why we do these meetings so we can get
13 all this stuff worked out. But at the end of it, we
14 have a skilled trade right here in this back yard that
15 can put these things up efficiently and cost
16 effectively. Leaving that money right here in these
17 communities to buy trucks and houses and pay mortgages
18 and cars and send our kids to these public school; we
19 pay property taxes right here in these towns. And I --
20 you know, I love this area, love it more than anything.
21 My daughter plays travelling softball. We drive the
22 heartland. I look at all this stuff. My sister owns
23 ground down in Truman, Minnesota, 1700 acres. They
24 pray for a project like this to come through there
25 because there is nothing there, you know.

1 As Jim was saying earlier, from Lincoln
2 County, them kids have a reason to stay there in that
3 county now. You know, there is skilled jobs there.
4 There is work. And it's the same with us and our
5 family. I just can't attest to that value enough. And
6 when this thing is ready to go and we've got these
7 issues ironed out with everybody's property and
8 landowner issues and property values and transmission
9 lines, we are here and ready to build these projects
10 for you. Please look us up.

11 MS. SUZANNE STEINHAUER: Thank you. I'm
12 going to -- the lady in blue and white, please.

13 MS. CHERYL BOETTCHER: Cheryl, C-H-E-R-Y-L,
14 Boettcher, B-O-E-T-T-C-H-E R. If down the road at some
15 point, say 10, 15 years down the road you decide to
16 sell this to another company, do those contracts still
17 stand as they are?

18 MS. SUZANNE STEINHAUER: So --

19 MS. CHERYL BOETTCHER: That the farmers had
20 signed?

21 MS. SUZANNE STEINHAUER: That's an issue for
22 the easement. I would say that from a permitting
23 perspective -- and I'll turn that over to Mike in just
24 a minute. But the permit still stands and whoever
25 would buy the project is still responsible. But your

1 question is to the leases?

2 MR. MIKE WEICH: So engaging in the 30-year
3 power purchase agreement, our intent is to own and
4 operate the wind farm for 30 years.

5 MS. CHERYL BOETTCHER: But what if something
6 happens and you sell it?

7 MR. MIKE WEICH: Understood. Typically
8 speaking, and I'm not going to speak to -- this is a
9 generality just to give you an understanding. They're
10 obviously different on a case-by-case basis, but
11 typically speaking, when a wind farm is sold from one
12 party to another, the easements are sold with it. It's
13 a part of the sale. So there is no change directly.
14 And those landowners are notified accordingly if that
15 were to occur. So the life of the project stays the
16 same, and if there is a sale, there might be a process
17 through the State notification as well. But our intent
18 is not to do that. But to answer your question
19 generally, that's typically what happens to those
20 landowner easements.

21 MS. CHERYL BOETTCHER: Okay. When you sign
22 and you get the contract to read over, should you have
23 a lawyer take a look at that for you?

24 MR. MIKE WEICH: You're talking about the
25 landowner?

1 MS. CHERYL BOETTCHER: The landowner.

2 MR. MIKE WEICH: All landowners have the
3 perfect right, and we encourage landowners to have
4 their personal lawyers review all landowner agreements.
5 We typically see lawyers reviewing agreements and
6 working with us through any concerns they have in their
7 landowner agreements. That's very normal in the case
8 of working with landowners.

9 MS. CHERYL BOETTCHER: When that happens,
10 have you ever had someone that turned it down because
11 of what was in the paper, in the contract?

12 MR. MIKE WEICH: Because of what was in the
13 contract?

14 MS. CHERYL BOETTCHER: Right.

15 MR. MIKE WEICH: I'm not going to speak to
16 anything specific. I'm not aware of any specific
17 cases, but there are a variety of reasons when lawyers
18 review these contracts that the contract goes through
19 or doesn't go through. But we always encourage
20 landowners to reach out to their legal team or their
21 counsel and review the agreements, and then we review
22 it along with them through our legal counsel.

23 MS. CHERYL BOETTCHER: Thank you.

24 MR. MIKE WEICH: Thank you, ma'am.

25 MS. SUZANNE STEINHAUER: Thank you. The

1 gentleman in the second row in the blue, please.

2 MR. TODD HUMPHREY: Thank you. I'm Todd
3 Humphrey, H-U-M-P-H-R-E-Y. I'm also from Canisteo
4 Township and neighbor Bob and Troy and I think Ms.
5 Ward? are all my neighbors. I guess we're all in the
6 same boat here.

7 I'm looking at it from an aesthetic value. I
8 have a question first. On MMPA, who is their -- who
9 will you be selling the power to? Who is the customer
10 base for them? Who do they sell it to?

11 MR. MIKE WEICH: I can't reference a direct
12 map, sir, but from that Byron Substation, their
13 customers are spread from that direct location. So
14 they deliver accordingly based on their delivery
15 schedule and however they coordinate that.

16 MR. TODD HUMPHREY: I don't understand who
17 MMPA is.

18 MR. MIKE WEICH: Minnesota Municipal Power
19 Agency, as we alluded to earlier today. They're a
20 subsidiary of Avant Energy. That's their corporation.
21 That's our customer, sir.

22 MR. TODD HUMPHREY: So we buy our power
23 through People's Co-op, would I think they get their
24 power from Dairyland or something like that. So it's
25 unlikely that whatever is generated in our area, it's

1 not being sold to People's Co-op?

2 MR. MIKE WEICH: So, sir, you're touching on
3 a very good point. This is a complicated matter to
4 explain. There is definitely electrical laws of
5 physical reality in the case of electricity, and there
6 is economics. So in the case of economics, we're
7 delivering at a point of interconnection per a
8 contractual agreement with the customer, and they're
9 delivering economically throughout the state to their
10 customer base. But then there is also the reality of,
11 just like water in the flow of water, the flow of
12 electricity in this area will only go so far. It will
13 not go thousands upon thousands of hundreds upon
14 hundreds upon hundreds of miles. It stays local
15 through the laws of physics. So that electricity can't
16 go farther than local. But there is also another
17 economic component per the power purchase agreement.
18 So those two combined service customers accordingly.

19 I know that's a little complicated but there
20 is an electricity portion of it and an economic portion
21 of it.

22 MR. TODD HUMPHREY: Yeah. And I think what
23 you're saying is that there is a lot of brokerage that
24 happens between power companies where if I have
25 abundance I'm going to sell it to you even though we're

1 not the same customer base because, you're right, the
2 power can't go far. But I'm not buying my electricity
3 from MMPA, so I'm doubtful this electricity will be out
4 in this area. That's how I'm thinking. That's kind of
5 my point.

6 The other kind of point that I want to bring
7 up is, there has been a lot of talk about decrease of
8 property values, which I would agree. Neighbor Troy
9 has that. The other gentleman has that. And we've all
10 moved out here, that we want to get away from the city,
11 we want to have this view. And so -- I wish you guys
12 good luck. This route thing is going to be the biggest
13 issue. You know, I think everybody here wants this
14 clean power, and it's great for the crop farmers that
15 are going to be newly-minted wind farmers. You know,
16 that's great.

17 I hope you do local labor. It's going to be
18 great for those people for our economy. But there is
19 also the contingent that I really want to reinforce
20 too, is that, you know, hey, we moved out here to not
21 look at power poles, and there has to be -- it's going
22 to be hard to find a good route that's that
23 compromised.

24 I'd also like to highlight again what Bob
25 said, Bob Brekke said, about, you know, golly, eight

1 years from now are we going to have another string of
2 poles go by? You know, come on, guys; let's think
3 ahead and not put that on the Commission where, you
4 know, it's not you. You're just building a power and
5 you've got to get it to the plant; that's your job.
6 But the Commission has got to start thinking ahead
7 here. When they put those lines in that goes from
8 north to south up to that station, they should have
9 planned for the future on this. So I guess that's my
10 comment. And I appreciate you guys for all you're
11 doing and good luck to work on this. I do have, after
12 talking to Jeff here on a technical issue, I will be
13 submitting an idea for Route C which would get rid of
14 some of this zig-zaggy stuff that's going through here.
15 Maybe that works, I don't know, but you guys can figure
16 that out. Thank you for your time.

17 MS. SUZANNE STEINHAUER: Thank you. And then
18 to respond to your earlier question, we'll certainly --
19 I can't answer right now who MMPA's customers are, but
20 that's certainly something we would address in the EIS.

21 So I'll go to this side of the room now. I
22 see Mr. Nichols would like to speak but I want to make
23 sure everybody has -- the gentleman here.

24 MR. TROY KNUTSON: My name is Troy Knutson,
25 T-R-O-Y, K-N-U-T-S-O-N. And I live on proposed Route A

1 or option A, or 1, or whatever it is. I'm fortunate
2 enough that my house doesn't have to have one of the
3 transmission lines go right next to it, but when we
4 have a lot of discussion about bats and eagles and
5 things like that, and, you know, if the line goes south
6 of me, my whole view to the south is destroyed. You
7 can put hundreds of thousands of dollars into a piece
8 of property out there to enjoy the rivers. There's two
9 streams that come together and meet on our property.
10 We've got woodlands that neighbors have that, if I
11 understand it right, there's a 300 foot path of trees
12 that are going to be cut through when they go through
13 that. This beautiful view that moved out there to
14 enjoy is gone.

15 If it doesn't go that route, it goes north of
16 me. We talked about, once again, bats, eagles, all of
17 that. Fine and dandy, but there is at least 10 kids in
18 a half-mile stretch where these power lines are going
19 to be basically over the top of their house. Once
20 again, it doesn't affect me. But we talked about the,
21 there could be some issues but maybe not. How would
22 you feel if it was your family and your kid gets cancer
23 because this power line came through that you had no
24 control of?

25 You know, I work in an industry where I help

1 people make a lot of money. And the number one thing
2 that destroys that making a lot of money is greed.
3 When we listen tonight and we hear about the people
4 that are for it, there is one thing that comes back all
5 the time. It's greed. It's the money; it's this, it's
6 that. It's not, you know, what it's going to do for
7 the economy.

8 Mr. Nichols, I'm -- it's great that you're
9 happy with what happened there. One of the things that
10 jumped out to me on that is, he said there is 5,000
11 people in this community and the county there. This
12 isn't a 5,000-person county. We've got Mayo Clinic
13 that employs 40,000 people. We've got, I don't know
14 how many tens of thousands of people are in this county
15 that this is affecting. And, you know, I look out from
16 my house now. All I see is flashing red lights
17 everywhere. It has completely destroyed the landscape
18 that we have in this beautiful state. And I just hate
19 the thought of -- it's great, you know, the farm
20 community needs some help. It's great that they get
21 some money for it. But it affects more than just the
22 people that own that property. It affects everyone
23 that is out there.

24 And, you know, I look at Mayo One flies back
25 and forth nonstop over this entire area. And I heard

1 this gentleman talking about how it's going to affect
2 his business. Gee, we've got a hospital that depends
3 on that helicopter being able to get out and get to
4 people and being able to transport them back again, and
5 all the sudden they're shut down from being able to
6 land in any properties nearby. I just think there is a
7 lot more than just the greed part of things that needs
8 to be made a decision up here.

9 And I hope everyone takes their time. Boy, I
10 sure hope -- you know, I guess I feel blessed that I
11 can be a quarter-of-a-mile in one direction, maybe
12 three-tenths of a mile away in another direction or
13 less, but not necessarily going right over my house.
14 There's a lot of people in this proposed route that are
15 in a lot of trouble. Their lives are forever changed.
16 And we're all forever changed once this goes in.

17 And I guess one of the questions I have is,
18 we talk about Dodge County Wind, LLC. Is that a
19 separate -- so, say, the government funding quits on
20 this, like we were talking about, and a different type
21 of energy comes in and all the sudden these windmills
22 aren't operable anymore. Dodge County, LLC, or
23 whoever, goes bankrupt. Is NextEra still involved in
24 this at any point in time, or now it's just done? What
25 would happen if that situation came about?

1 MR. MIKE WEICH: So, sir, first of all, to
2 address that question, we wouldn't be investing if we
3 weren't extremely confident as a business in its
4 longterm future viability.

5 MR. TROY KNUTSON: Really --

6 MR. MIKE WEICH: -- understood, sir.

7 MS. SUZANNE STEINHAUER: The court reporter
8 needs to capture this.

9 MR. MIKE WEICH: In terms of the long-term
10 viability of the project, sir, if other technologies
11 come in, I can't predict the future. There is no clear
12 path for how many wind farms will be built and solar
13 farms will be built, coal plants will be built, nuclear
14 facilities will be built. There will be some
15 combination.

16 Our commitment as Dodge County Wind is to
17 develop this project. We have a 30-year commitment, at
18 a minimum, to the customer, and we're going to deliver
19 on that, and that's our promise. And that's what Dodge
20 County Wind, LLC, as an indirect subsidiary of NextEra
21 Energy Resources, part of NextEra Energy Resources,
22 that's our intent. As far as the uncertainty of the
23 future, we're like every other independent power
24 producer in the country preparing ourselves for
25 anything that happens in the future and to deliver for

1 customers through that future.

2 MR. TROY KNUTSON: That was a good job of
3 dancing around what I asked. The question is, if you
4 go bankrupt, is NextEra still on the line for this, or
5 is it strictly Dodge County, LLC?

6 MS. SUZANNE STEINHAUER: If the Commission --
7 do you want to do that?

8 UNIDENTIFIED SPEAKER: Let him answer the
9 question.

10 MS. SUZANNE STEINHAUER: I'm going to give
11 this to Scott since that has to do with the permit and
12 the responsible party for the permit, and that's one of
13 the things they look at.

14 MR. SCOTT EK: Hi, again. This is Scott Ek
15 with the Public Utilities Commission. Should the
16 Commission decide at the end of the day for Dodge
17 County Wind to get their permits for this project, part
18 of the -- well, the transmission permit, the wind site
19 permit, there is conditions in those that require that
20 throughout the life of the permit, throughout the life
21 of the project, that this company is responsible for
22 that project and anything that happens to it. One of
23 those conditions are transferring of permits. Should
24 they transfer it to a different entity, they have to
25 come to the Commission, and they have to get the

1 Commission's blessing. The Commission has to say,
2 Well, does this other company have enough money, have
3 enough resources, do they know how to do this, will
4 they follow through on the conditions? The Commission
5 has to approve a transfer of ownership, and then the
6 new entity would become the permittee, would have to
7 follow through on the conditions of the permit.

8 The permits also include a requirement for
9 decommissioning. And the Commission, that's been a
10 real important thing for them as these wind farms have
11 been popping up more, knowing, hey, at the onset, we're
12 going to require these guys to show us that they have
13 the money and will have the money, and as Suzanne said,
14 throughout the 30 years, we expect updates to keep
15 showing that you have the money, that should something
16 happen, like a bankruptcy or whatnot, that you still
17 have that money and you will be required to take down
18 those wind turbines and restore the land to what it
19 was.

20 MR. TROY KNUTSON: If there's a bankruptcy,
21 how's there going to be money?

22 MR. SCOTT EK: That's what the Commission
23 tries to set up before, and that's part of the
24 decommissioning plan, saying that that money somehow is
25 set up in some type of trust. And that's been looked

1 at on other projects. That's what the whole
2 decommissioning plan is for is, should that happen, and
3 the Commission is very concerned and is very interested
4 in how all that works. And that's a condition that the
5 Commission holds.

6 MR. TROY KNUTSON: Okay. So I guess just
7 back to my question again then, is Dodge County Wind,
8 LLC, when this project goes into place, if you go
9 bankrupt, does NextEra still -- are they on the hook
10 somehow, or that's -- you're completely separate?

11 MR. MIKE WEICH: Yes, sir. So we typically
12 set up decommissioning bonds, so that's the trust that
13 was alluded to, on all of our projects so that money is
14 provided and determine the value of the project,
15 decommission the project before we even build it
16 through this process. We typically do this around the
17 country with local communities, as well, build it into
18 our community and local agreements. There is a bond
19 and a decommissioning bond so that money is there
20 throughout the 30 years of the project life to
21 decommission at any time for whatever reason.

22 MR. TROY KNUTSON: Maybe I'm not completely
23 understanding it, but if you go bankrupt, is NextEra
24 still -- not bond -- I mean, costs go up on things,
25 everything, so that bond doesn't happen; is everyone

1 stuck with these towers in their yards and concrete in
2 the ground so that it's no longer usable?

3 MR. MIKE WEICH: What was being --

4 MR. TROY KNUTSON: Is NextEra still
5 financially backing everything so --

6 MR. MIKE WEICH: Yes, sir. That's part of
7 the process that was being explained. We're held
8 accountable for being able to deliver on that
9 decommissioning plan throughout the life if anything
10 happens in any way, shape, or form.

11 MR. TROY KNUTSON: I guess I'll leave it at
12 that. I'm not so sure I got my answer, but appreciate
13 it.

14 MS. CHERYL BOETTCHER: Where do you get the
15 funds to have those bonds?

16 MS. SUZANNE STEINHAUER: Excuse me.

17 MS. BOETTCHER: Where do you get the funds
18 for the bonds to fulfill 30 years?

19 MS. SUZANNE STEINHAUER: Can you identify
20 yourself for the reporter?

21 THE COURT REPORTER: Can you say your name
22 again?

23 MS. CHERYL BOETTCHER: Cheryl Boettcher,
24 C-H-E-R-Y-L, B-O-E-T-T-C-H-E-R. Where do you get the
25 funds to be able to have these bonds to cover 30 years?

1 MR. MIKE WEICH: Out of our balance sheet,
2 just like the same funds I alluded to before, to build
3 the project.

4 MS. CHERYL BOETTCHER: So where does that
5 money come from on your balance sheet? I don't
6 understand where the money comes from. Where do you
7 get the money for the funds to have this to cover 30
8 years? Where does that money come from?

9 MS. MIKE WEICH: That's what I was alluding
10 to before, ma'am, off our balance sheet. So it's cash
11 we have on hand as a firm that we can put into things
12 like building this project and also establishing things
13 like trusts or bonds for the decommissioning of the
14 project.

15 MS. CHERYL BOETTCHER: And where do those
16 funds come from?

17 MR. MIKE WEICH: They're part of our
18 corporation, ma'am. It's part of our cash flows,
19 operating cash flows, part of our company's value.

20 MS. CHERYL BOETTCHER: There's no government
21 subsidy of any kind?

22 MR. MIKE WEICH: No, ma'am. That's what we
23 were talking about earlier is cash on our balance
24 sheet. The PTC production tax credit we've discussed
25 and alluded to a couple of times is awarded to us upon

1 commissioning of the project, when the project goes
2 operational. And that's determined on generation and
3 megawatt hours. We don't receive that to build the
4 project. We have money on our own to build the
5 project.

6 MS. CHERYL BOETTCHER: So that will last the
7 whole 30 years; is that right?

8 MR. MIKE WEICH: Yes, ma'am. That's what
9 they hold us to is our bond being there for the life of
10 the project to decommission.

11 MS. SUZANNE STEINHAUER: I can try -- I don't
12 know if my attempt to answer that will further
13 complicate. That is exactly why there is a
14 decommissioning plan, so that the money is available
15 independent of having to go and bill them for it, so
16 that the landowners, the local government, and the
17 State are not held accountable. So we can't get into
18 tonight into exactly how those funds are set up and who
19 the beneficiaries are, what the payment schedule is.
20 But that is what the decommissioning plan is intended
21 to prevent.

22 So the gentleman in the red sweatshirt,
23 please.

24 MR. KEVIN PRANIS: Good evening. Kevin
25 Pranis with the Laborers' Union. And so I want to say

1 our organization represents construction workers like
2 iron workers and others, and we strongly support wind
3 energy projects that are responsibly developed and that
4 put local people to work in high-quality jobs. And we
5 look forward to working with NextEra hopefully in
6 achieving that on this project. I can say that, as you
7 heard from many others, it is entirely possible to
8 build a wind farm in Minnesota, in any part of
9 Minnesota, with a majority local workforce, often at
10 60, 70, 80 percent local workers who build those
11 projects. And so we know that's possible.

12 And the workforce is here, you heard that.
13 700 in just these two counties alone, much less who can
14 commute in terms of skilled trades. So there is no
15 question that that's something that can be done, right?
16 I think that what we see is, though it's not a question
17 of whether it's a contractor from Minnesota or not
18 because there's contractors from out of state that use
19 Minnesota workers, and we've seen contractors based in
20 the state that build projects in that same state with a
21 largely nonlocal workforce. It's really a question of
22 the commitment of that contractor to put local people
23 to work, as well as a commitment of the developer. And
24 I think it's important for people to know that if it's
25 a priority for the developer, for local workers to

1 build it, then that's what will happen, right? It is
2 in the control of the developer and the contractor to
3 make clear, this is what we want to see, and I would
4 hope that's what would happen in this case.

5 I know that on the Iron Range, we have a lot
6 of members who are Iron Rangers, and their resources --
7 here, you have a resource of wind, which is amazing.
8 There, they have a resource of iron and other minerals.
9 And if someone proposed to build a big project on the
10 Iron Range to extract those minerals to make money off
11 it and they said, but we're going to use an 80 percent
12 nonlocal workforce to do it, you'd never get that mine
13 built, right? No one would put up with that because
14 they'd say, wait a minute, these are local resources
15 and we've got to leverage those resources to get as
16 much as we can. And I think wind is the same, right?
17 It's a valuable resource. Maybe we didn't always see
18 it that way but it is. The company recognizes that
19 correctly, that there's a big potential here. And I
20 think it's important that potential be used locally.

21 And I guess my question is to the Commission
22 and Department of Commerce staff, I think two
23 questions. One, what is done within the environmental
24 impact statement to look at this question of local
25 jobs, right, and those socioeconomic impacts, right,

1 not just in theory how many jobs are created, but
2 what's that plan actually going to look like and how
3 many of those jobs will likely go to local people?

4 And other question is whether anyone ever
5 goes back after a project is completed to see if those
6 benefits that were anticipated were actually realized,
7 if those 200 jobs on a given project turned into, you
8 know, 150 local jobs that put a lot of people to work,
9 or whether it was 30 or 40 local jobs and most of the
10 workforce came from Texas?

11 MR. SUZANNE STEINHAUER: So for the first
12 part of your question, what does the environmental
13 impact statement and how can it do that, we'll look at
14 it. I'm right now trying to construct how we would
15 analyze it. It sounds like you may have some good
16 ideas for that, and I'd appreciate that.

17 The second part of your question, have we
18 gone back and looked at whether the jobs have been as
19 reported, and the answer is, no, we haven't. There
20 hasn't been a reporting requirement.

21 MR. JEFF DAMEN: So I want to touch base on
22 the local labor force I heard a couple times tonight.

23 So, you know, I just want to be, you know --
24 it's just like anyone in this crowd who wants to build
25 a house or a barn. You know, you're not going to bring

1 in employees from Texas to build your barn, right? I'm
2 not going to, you know -- we have gravel, you know,
3 we've got to haul aggregate; we've got to haul cement;
4 we need wood from a lumber store. That's not being
5 hauled in from, you know, thousands and thousands miles
6 away. So the local labor force, we'll probably tap the
7 local labor force as much as we can because (A), it's
8 my job to keep the cost of the construction down as
9 much as possible. So what does that mean? It means
10 using as much local support, local help as I can get.
11 If there's an aggregate that's two miles down from a
12 turbine, I'm not going to haul from 30 miles away
13 becomes it's just -- it makes sense.

14 So in order to say -- how do you prove we're
15 going to use local support, I mean, that's how I
16 believe, as the commissioner said, that's where you see
17 the benefits from a project when you come in is, you
18 know, we start reaching out and find out who's local,
19 who's looking for work, and then we pull upon those
20 resources.

21 So, you know, it's 100 percent my commitment
22 to use, you know, obviously local support.

23 MR. SUZANNE STEINHAUER: Thank you. And it
24 is closing in on 9, and I want to make sure that
25 everybody can speak. The gentleman in the blue shirt.

1 MR. GENE SIMON: Gene Simon, S-I-M-O-N. One
2 question I have is, as you start building these towers,
3 there's going to be an extreme amount of heavy
4 construction traffic, dump trucks, cement trucks,
5 probably huge trucks that are hauling in your turbines
6 and all that stuff. Who is going to -- a lot of these
7 things are going to be built on secondary roads or low
8 tonnage type tar roads. Who is going to be responsible
9 for the upkeep of those roads after you come in and,
10 you know, beat them up?

11 MS. SUZANNE STEINHAUER: The EIS will look at
12 that. Typically, it's a requirement of the permit that
13 they have road agreements with the local road
14 authorities, county or township. And I can't speak to
15 the particulars of that. If you can --

16 MR. GENE SIMON: So each township would have
17 to write a contract with you or something of that
18 effect?

19 MS. SUZANNE STEINHAUER: We can take a look
20 at that. I do want to try and move things along so
21 everybody can speak. But I think it would be up to the
22 township. In some cases they will delegate that, the
23 ability to negotiate an agreement, to the county. So
24 that's an alternative. If --

25 MR. JEFF DAMEN: I'll be really quick. So to

1 answer your question: absolutely. So the first thing
2 we'll do before we do any construction, we enter into
3 an agreement with any townships, counties, of any roads
4 that we are going to put even a pick-up truck on.

5 One thing we'll do is, we'll do a
6 pre-construction survey, which we video it, we get a
7 third party to go look at every single little crack in
8 the road, every little bump. And if after -- so during
9 the construction if any of the roads need to be
10 maintained, we'll be fully responsible to maintain
11 those roads or to improve them for the traffic that we
12 need to put on them.

13 At the end of the construction period, we do
14 a post-construction survey by a third party. Those
15 cracks, if there's little crack bigger, we're fully
16 responsible to make sure the road is exactly what we
17 found it. If not, we upgrade them.

18 MR. GENE SIMON: Thank you.

19 MS. SUZANNE STEINHAUER: Thank you. So
20 somebody who hasn't had the opportunity to make a
21 comment or ask a question? The gentleman in the back
22 row here.

23 MR. DOUGLAS EAYRS: Hi. My name is Douglas
24 Eayrs, E-A-Y-R-S. First name is Douglas.

25 I just want to make a quick comment, and I

1 have two questions. First of all, I don't consider
2 NextEra, the corporation, a four letter word. I mean,
3 this is a big project so I do respect their economic
4 interest in doing this project. I respect that.

5 My first question is to the PUC. The buyer,
6 MMPA is a slow-growth utility by their own definition.
7 Is it not -- before you permit a project, don't you
8 have to do demand for the power if the buyer is a
9 slow-growth utility, is there a need for the power?
10 Have you looked at that?

11 MR. SCOTT EK: Scott Ek with the Public
12 Utilities Commission. It's a good question, Mr. Eayrs.

13 We're at the beginning of the process. The
14 company submitted their application for a certificate
15 of need, and that's where they supply to the Commission
16 all of the information required under rule and statute
17 saying, this is why we need this project, and, you
18 know, we're answering all your questions. I can't
19 answer your question tonight. However, that is a
20 question that the Department of Commerce, Division of
21 Energy Resources, must go through and will go through
22 during this process to figure out. Well, is this
23 project needed? Does MMPA need this energy? Does
24 Minnesota need this energy? Is it part of the
25 renewable energy requirements of Minnesota? So it is a

1 question that's going to be drilled through. It's just
2 not going to be answered tonight. And that's the whole
3 reason for this process.

4 MR. DOUGLAS EAYRS: Okay, thank you. My next
5 question is to the project person at NextEra and also
6 MPUC.

7 You have people that benefit from the project
8 that spoke up to tonight. And then you have people
9 that have to suffer the nuisance, the people who have
10 the power line, you know, a thousand feet from their
11 house or that have a wind generator a thousand feet
12 from their house or something like that. These are
13 competing interests. One person theoretically harmed,
14 another person benefits from it, and you guys have to
15 weigh that. So my question is this: In other counties
16 where you've got other wind projects in, do the local
17 units of government do a local property tax adjustment
18 for the people that suffer a harm, like a potential
19 nuisance? Is there an abatement or an adjustment for a
20 person that has a power line a thousand feet from their
21 house; do they get a reduced property tax? Do you know
22 if this is done in other local units of government, or
23 is it just -- I know our county's position would be
24 it's no -- it doesn't affect the property value.
25 That's what they'll say, so they'll just keep the tax

1 the same. They won't give the neighbor that has to put
2 up with the nuisance, they won't give them any tax
3 benefit. My question is: In other localities that
4 have had wind projects go in, does the local unit of
5 government accommodate at all, or is it always the same
6 thing, you know, there is no effect?

7 MS. SUZANNE STEINHAUER: In my experience in
8 Minnesota, I've not seen that happen. So --

9 MR. MIKE WEICH: I directly develop in Iowa
10 and Minnesota, so I can speak to those two states, and
11 the same response: I do not see that ever happening.

12 MR. DOUGLAS EAYRS: Last question is for the
13 developer. This part of the state -- and it's good for
14 the MPUC to hear this too. Dodge County, Steele
15 County, and Mower County, and Freeborn County, this
16 part of the state is some of the most productive
17 farmland in the world. Not in the United States.
18 We're talking in the world. We get 200 acre -- 200
19 bushel an acre; we get 65, 70 bushel soybean yields.
20 This is highly, highly productive farmland. It's nice
21 to have the wind farm come in. We also get sweet corn
22 yields because some of the land is used for sweet corn
23 which is, you know, for human consumption. Some of
24 it's sweet pea, string beans. It's not just grain
25 farming. Who decided to site this project in western

1 southwestern Dodge County? Who made that decision to
2 come into this area, this highly-productive farmland?
3 I'd like to know that.

4 MR. MIKE WEICH: So, sir, there are a
5 combination of reasons why we develop in certain areas
6 of the country, across the 32 states where we build
7 projects in our fleet. We touched on all those reasons
8 throughout this evening. So there is a demand from a
9 customer that reaches out to us, or bilaterally, we
10 discuss a need for a certain project, whatever that
11 project may, renewable or not. We then look at the
12 best resource in that area of the country. So you
13 alluded to the great wind resource, among other
14 resources, that this state of Minnesota has. So pretty
15 typical, wind would play into that equation. And we
16 started a macro view across the state and find areas
17 where there is a sweet spot of both demand and wind
18 resource. And my final comment on that, on a more
19 local basis is, across all 32 states where we build our
20 projects, we simply, as a fact of the industry, cannot
21 build a project without landowner and community
22 involvement, participation. And we would not be here
23 today if we did not have participation and community
24 commitment to the project. So the combination of
25 community commitment to the project and participation,

1 the allocated resource and the proper resource deliver
2 the right amount of energy and the demand are some of
3 the things. There are other things we touched upon
4 tonight, but the main thing is to drive us to a certain
5 region.

6 MR. DOUGLAS EAYRS: Okay. Thank you.

7 MS. SUZANNE STEINHAUER: Thank you. Somebody
8 else who hasn't had an opportunity. I do want to leave
9 it open, but I do want to let people know that the
10 written comment -- after tonight, we can't take oral
11 comments. You can call me and I can try and answer
12 your questions but they won't be part of the record.
13 But we're taking written comments up to until through
14 November 15. So even if you have provided verbal
15 comments tonight, you want to follow up with that, or
16 you have something you have heard once you go back home
17 and think about it, please provide your written
18 comments. But people who haven't had an opportunity to
19 speak tonight? Oh, the gentleman in red.

20 MR. KEN FOLIE: Some technical questions.
21 I'm Ken Folie. F-O-L-I-E. I'm Dodge County. I'm
22 actually a fellow supervisor in Canisteo Township, and
23 my background, I'm an engineer/programmer so I'm a
24 technical person, plus some farming too. And some of
25 the questions that I get is, if you go into Rochester,

1 back of the John Deere dealer, RDO, you will see five
2 stacks, you know, like a new, I'm assuming, natural gas
3 generating plant being built. And then where Highway
4 14 and 52 hits, there's a large fuel storage there for
5 diesel fuel for generation too, because a lot of people
6 feel there is unlimited natural gas but the pipeline
7 capacity has a limit and heating takes top priority
8 too.

9 So I'm kind of wondering, like with renewable
10 energy, wind and solar, it's not necessarily 100
11 percent available. You know, we don't tolerate
12 brownouts and blackouts. Those plants to be brought
13 online, who built those? Is that Xcel or Rochester
14 Public Utilities, to buffer it? Or is that part of a
15 renewable base at this time too?

16 So that's some of the questions I get from
17 people within the township and myself too. Like I
18 said, I'm a technical engineer/programmer type person.

19 MR. SCOTT EK: Mr. Folie, Scott Ek with the
20 Public Utilities Commission. If you want to give me
21 your name and information, phone number, I can research
22 and find out exactly who owns those gas plants and the
23 storage, the diesel storage you were talking about.
24 But for tonight's purposes, that's not information that
25 any of us can pull off the top of our heads because

1 they're here to explain their wind project, and -- but
2 that's information that possibly we could find out.

3 MR. KEN FOLIE: Okay. Mind you, I like
4 working with everybody, and like I said, I get a lot of
5 questions, so staying in touch with you here. Thank
6 you.

7 MS. SUZANNE STEINHAEUER: I see one hand. Is
8 there anymore? Two. Okay, if you can -- do you think
9 you can come up and make some brief comments?

10 MR. NATE OREILLY: Okay, real quick.

11 MS. SUZANNE STEINHAEUER: Can you introduce
12 yourself again, please?

13 MR. NATE OREILLY: Yes, Nate O'Reilly,
14 O-R-E-I-L-L-Y. And just to be real quick, to answer
15 that gentleman's question, the one in Rochester he's
16 talking about is owned by Rochester Public Utilities.
17 There is another one up in Faribault, one has happened
18 in Owatonna here within the last two years, these gas
19 plants, and they have been built by a very large
20 majority of - I don't want to say 100 percent but
21 nearly 100 percent - local workers.

22 MS. SUZANNE STEINHAEUER: Thank you.
23 Gentleman in back please.

24 MR. TROY ANDRIST: Just one real quick
25 comment.

1 MS. SUZANNE STEINHAUER: I'm sorry, can you
2 identify yourself. We're a little fuzzy at this point.

3 MR. TROY ANDRIST: Troy Andrist,
4 A-N-D-R-I-S-T. One thing that might be helpful for you
5 and kind of maybe help the local labor out is, when
6 they did the wind project south of me -- I haul rocks
7 sometimes for a quarry there on belly dumps and stuff
8 like that. You know, we had the people from Texas
9 there doing the excavating and road, and they don't
10 have the conception of -- they don't have any idea of
11 how frost really is. And, you know, it was -- I can't
12 remember. I know it was in November, might have even
13 been in the middle of November, were laying down rock
14 on township roads just before it's going to snow. You
15 know, it should never have been put down. So basically
16 you rock the ditches, is what you did. So if you would
17 have hired local labor, they would have been able to
18 probably avoid that big cost. And, you know, not push
19 the I need to get this done so I check this box, and
20 even though it's going to be a waste of money but I get
21 this box checked off, I get to walk away. Just try not
22 to do that to the townships, and hopefully the
23 townships don't let that happen to them. So thank you.

24 MS. SUZANNE STEINHAUER: Thank you. I've got
25 9:02. Mr. Nichols, if you can kind of close up. I do

1 want to respect people's time. I know you have other
2 things to do.

3 MR. JIM NICHOLS: I got a long drive too.
4 NextEra Energy has proposed to build two projects in
5 Lincoln County near Lake Benton, understanding it will
6 be a Minnesota contractor that will build those. You
7 indicated that here again tonight. Thank you for that.

8 Xcel Energy is going to build two more
9 projects in Lincoln County, Hendricks, owned by Xcel
10 Energy. I think that'll be a Minnesota contractor.

11 Ivanhoe. It was a French company that hired
12 an Indiana company to build, and believe me, I was
13 involved in that company because they did not treat
14 people right. That won't happen again. NextEra and
15 Xcel are good companies. Once of the very first
16 companies to come to Minnesota and build at Lake Benton
17 - we were the first - was NextEra Energy. We've worked
18 with you over 20 year. You're a damn good company or I
19 wouldn't drive 150 mile to be here.

20 MS. SUZANNE STEINHAUER: Thank you. And it's
21 a little bit after 9, and I -- perhaps everybody hasn't
22 had the opportunity to speak, but we need to wrap up
23 the public comment portion of the meeting. I do want
24 to reiterate, we're going to be around for a little
25 while if you have questions. They won't be part of the

1 record but we can try to get back to you. And then we
2 need written comments to me by November 15. Here is
3 the information that is in your slide and it's also, I
4 believe, what you received in the notice and a handout
5 of it.

6 Thank you very much. I really appreciate
7 your time. Thanks.

8 (Meeting concluded at 9:05 p.m.)

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