

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Buffalo Ridge Wind, LLC for a Site Permit for the 109 MW Large Wind Energy Conversion System in Lincoln County, Minnesota

REVISED SCHEDULING ORDER

In the Matter of the Application of Buffalo Ridge Wind, LLC for a Certificate of Need for the 109 MW Large Wind Energy Conversion System in Lincoln County, Minnesota

An Amended Scheduling Order was filed in this matter on February 11, 2020. On March 16, 2020, the Commission suspended all public meetings from March 16 through March 27, 2020. Consequently, the schedule previously issued in this matter had to be revised.

Brian Meloy, Stinson LLP, appears on behalf of Buffalo Ridge Wind, LLC (Applicant). Ray Kirsch, appears on behalf of the Minnesota Department of Commerce, Environmental Review and Analysis division (DOC-EERA). Kevin Pranis, Marketing Manager, appears on behalf of the intervenor, Laborers' International Union of North America (LIUNA).

Based upon the record herein and the agreement of the parties,

IT IS HEREBY ORDERED THAT:

1. The parties to this proceeding are the Department of Commerce (Department),¹ the Applicant, and LIUNA.² Other interested persons may participate as public participants or as otherwise directed. Intervention as a party is not required in this matter.

¹ The Department of Commerce, Division of Energy Resources (DER) is a party to this proceeding. The Department of Commerce, Energy Environmental Review and Analysis unit (DOC-EERA) has an advisory role in environmental review and technical assistance in this proceeding and is not a party.

² The Commission granted LIUNA's petition to intervene in its order accepting the site permit application, dated November 11, 2019.

2. The period for persons to intervene in this matter passed on February 14, 2020, by previous order.

3. The PUC's order accepting the site permit application, dated November 11, 2019, requested that the Administrative Law Judge request the participation of state agencies pursuant to Minn. Stat. § 216E.10, subd. 3 (2018). At the Prehearing Conference, Mr. Panait clarified that the PUC will request the participation of state agencies pursuant to that statute.

4. The Commission anticipates making a final decision regarding its review of the Certificate of Need and Site Permit applications in late November or early December 2020. The parties have agreed to a schedule that conforms to this timeframe, and the parties and other interested persons are encouraged to adhere to all deadlines to permit full consideration of this matter by the deadline.

5. The following deadlines were previously established and have passed:

January 13, 2020	Environmental review scope issued by DOC-EERA
January 31, 2020	Preliminary draft site permit issued by DOC-EERA
January 31, 2020	Initial comments period on the merits of the certificate of need application closes
February 14, 2020	Reply comment period on the merits of the certificate of need application and deadline for requesting a contested case closed
February 20, 2020	PUC meeting on the draft site permit
March 6, 2020	PUC order issuing the draft site permit
March 6, 2020	Environmental review issued by DOC-EERA

6. A public hearing on the Site Permit application will be held on **Wednesday, July 22, 2020**, in Lincoln County, Minnesota, by a method to be determined (including consideration of holding the meeting remotely). Notice of the public hearing will be issued by the Commission by **June 19, 2020**. The Applicant, staff of the Department, and Commission staff will be available to answer questions and provide information on the Site Permit application and the Draft Site Permit. Written testimony by the parties may be submitted at the public hearing.

7. Written comments from the public and state agencies on the Site Permit application will be accepted until **4:30 p.m. on August 3, 2020**.

8. By **August 10, 2020**, the Administrative Law Judge will file in the e-Dockets system all written public comments received by the August 3, 2020, deadline.

9. The parties shall submit written responses to comments received at the public hearing by **4:30 p.m. on August 10, 2020**.

10. By **4:30 p.m. on August 21, 2020**, the applicant shall submit: (1) written responses to comments received at the public hearing; (2) proposed Findings of Fact, Conclusions of Law, and Recommendation on the LWECs Site Permit application; and (3) any suggestions as to appropriate permit conditions. The parties are encouraged to enter into stipulations to the extent that matters are not in dispute.

11. By **4:30 p.m. on September 4, 2020**, the Department will submit comments and recommendations regarding appropriate permit conditions.

12. The report of the Administrative Law Judge shall be filed and served on or before **4:30 p.m. on October 5, 2020**.

13. The parties shall file any exceptions to the Administrative Law Judge's report by **4:30 p.m. on October 19, 2020**.

14. The hearing record in this matter will be maintained through the Commission's electronic e-Dockets system. All documents filed by the Applicant and the Department will be filed electronically using the e-Dockets system.

Dated: June 10, 2020


BARBARA J. CASE
Administrative Law Judge

June 10, 2020

See Attached Service List

Re: *In the Matter of the Application of Buffalo Ridge Wind Energy, LLC for a Site Permit for the 109 MW Large Wind Energy Conversion System in Lincoln County, Minnesota*

In the Matter of the Application of Buffalo Ridge Wind Energy, LLC for a Certificate of Need for the 109 MW Large Wind Energy Conversion System in Lincoln County, Minnesota

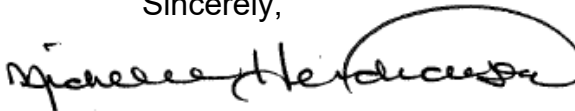
**OAH 82-2500-36550
MPUC IP-7006/WS-19-394
MPUC IP-7006/CN-19-309**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **REVISED SCHEDULING ORDER** in the above-entitled.

If you have any questions, please contact me at (651) 361-7896, Michelle.L.Hendrickson@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,



MICHELLE HENDRICKSON
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

<p>In the Matter of Buffalo Ridge Wind, LLC 109 MW Buffalo Ridge Wind Project in Lincoln and Pipestone Counties</p> <p>In the Matter of the Application of Buffalo Ridge Wind Energy, LLC for a Certificate of Need for the 109 MW Large Wind Energy Conversion System in Lincoln County, Minnesota</p>	<p>OAH Docket No.: 82-2500-36550 MPUC IP-7006/WS-19-394 MPUC IP-7006/CN-19-309</p>
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Michelle Hendrickson certifies that on June 10, 2020 she served the true and correct **REVISED SCHEDULING ORDER** by eService, and U.S. Mail, (in the manner indicated below) to the following individuals:

See Attached Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret
Barbara	Case	barbara.case@state.mn.us	Office of Administrative Hearings	600 N. Robert St. St. Paul, Mn. 55101	Electronic Service	Yes
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General- DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No
Danell	Herzig	danell.herzig@nexteraenergy.com	NextEra Energy Resources, LLC	700 Universe Blvd Juno Beach, FL 33408	Electronic Service	No
Brian	Meloy	brian.meloy@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No
Brian J	Murphy	Brian.J.Murphy@nee.com	Nextera Energy Resources, LLC	700 Universe Blvd LAW-JB Juno Beach, FL 33408	Electronic Service	No
Kevin	Pranis	kpranis@liunagroc.com	Laborers' District Council of MN and ND	81 E Little Canada Road St. Paul, Minnesota 55117	Electronic Service	No
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General- RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service	Yes

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trad Secret
Barbara	Case	barbara.case@state.mn.us	Office of Administrative Hearings	600 N. Robert St. St. Paul, Mn. 55101	Electronic Service	Yes
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes
Kate	Fairman	kate.frantz@state.mn.us	Department of Natural Resources	Box 32 500 Lafayette Rd St. Paul, MN 551554032	Electronic Service	No
Annie	Felix Gerth	annie.felix-gerth@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No
Andrew	Gibbons	andrew.gibbons@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 54002	Electronic Service	No
Kari	Howe	kari.howe@state.mn.us	DEED	332 Minnesota St, #E200 1ST National Bank Bldg St. Paul, MN 55101	Electronic Service	No
Ray	Kirsch	Raymond.Kirsch@state.mn.us	Department of Commerce	85 7th Place E Ste 500 St. Paul, MN 55101	Electronic Service	No
Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No
Susan	Medhaug	Susan.medhaug@state.mn.us	Department of Commerce	Suite 280, 85 Seventh Place East St. Paul, MN 551012198	Electronic Service	No
Brian	Meloy	brian.meloy@stinson.com	STINSON LLP	50 S 6th St Ste 2600 Minneapolis, MN 55402	Electronic Service	No
Brian J	Murphy	Brian.J.Murphy@nee.com	Nextera Energy Resources, LLC	700 Universe Blvd LAW-JB Juno Beach, FL 33408	Electronic Service	No
Kevin	Pranis	kpranis@liunagro.com	Laborers' District Council of MN and ND	81 E Little Canada Road St. Paul, Minnesota 55117	Electronic Service	No
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes
Stephan	Roos	stephan.roos@state.mn.us	MN Department of Agriculture	625 Robert St N Saint Paul, MN 55155-2538	Electronic Service	No

Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service	Yes
Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, Minnesota 55155- 4040	Electronic Service	N