

The Commission met on **Thursday, February 9, 2017**, with Chair Lange and Commissioners Lipschultz, Schuerger, Sieben, and Tuma present.

The following matters were taken up by the Commission:

## **ENERGY FACILITIES PLANNING AGENDA**

**IP-6961/WS-16-686**

**In the Matter of the Application of Blazing Star Wind Farm, LLC for a Site Permit for the 200-Megawatt Blazing Star Wind Project in Lincoln County**

Commissioner Tuma moved to take the following actions:

1. Issue the draft site permit proposed by Commission staff as the draft site permit for the Blazing Star Wind Project that includes: a) staff's modifications to the Department of Commerce proposed draft site permit, and b) the additional special condition language concerning a development agreement with Lincoln County;
2. Authorize Commission staff to modify the draft site permit to correct typographic and formatting errors, improve consistency, and ensure agreement with the Commission's final order in the matter; and
3. Modify sections 5.1 and 10.3 of the draft site permit as follows:

### **5.1 Notification**

Within 30 days of permit issuance, the Permittee shall send a copy of the permit and the complaint procedures to any regional development commission, the Lincoln County ~~county~~ auditor and environmental office, and city and township clerk in which any part of the site is located. Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this site permit and complaint procedures less than five days prior to the start of construction on their property. The Permittee shall contact landowners prior to entering the property or conducting maintenance within the site, unless otherwise negotiated with the affected landowner.

### 10.3 Site Plan

At least 14 days prior to the pre-construction meeting, the Permittee shall provide the Commission, the Department and the Lincoln County Environmental Office with a site plan that includes specifications and drawings for site preparation and grading; specifications and locations of all turbines and other structures to be constructed including all electrical equipment, collector and feeder lines, pollution control equipment, fencing, roads, and other associated facilities; and procedures for cleanup and restoration. The documentation shall include maps depicting the site boundary and layout in relation to that approved by this permit. The Permittee shall document, through GIS mapping, compliance with the setbacks and site layout restrictions required by this permit, including compliance with the noise standards pursuant to Minnesota Rules Chapter 7030. At the same time, the Permittee shall notify affected landowners and city and town clerks that the site plan is on file with the Commission and the Lincoln County Environmental Office. The Permittee may submit a site plan and engineering drawings for only a portion of the project if the Permittee intends to commence construction on certain parts of the project before completing the site plan and engineering drawings for other parts of the project.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes to its site plan or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission, the Department, the Lincoln County Environmental Office, city and town clerks, and the affected landowners at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

In the event that previously unidentified environmental conditions are discovered during construction that by law or pursuant to conditions outlined in this permit would preclude the use of that site as a turbine site, the Permittee shall have the right to move or relocate the turbine site. Under these circumstances, the Permittee shall notify the Commission, the Department, the Minnesota Pollution Control Agency, the Minnesota Department of Natural Resources, the Lincoln County Environmental Office, city and town clerks, and the affected landowners of any turbines that are to be relocated, and provide the previously unidentified environmental conditions and how the movement of the turbine

mitigates the environmental impact at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit. and demonstrate compliance with the setbacks and site layout restrictions required by this permit before the turbine is constructed on the new site.

The motion passed 5–0.

**PL-9/CN-14-916**

**In the Matter of the Application of Enbridge Energy, Limited Partnership for a Certificate of Need for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border**

**PL-9/PPL-15-137**

**In the Matter of the Application of Enbridge Energy, Limited Partnership for a Route Permit for the Line 3 Pipeline Replacement Project in Minnesota from the North Dakota Border to the Wisconsin Border**

Commissioner Lipschultz moved to take the following actions:

1. Deny Friends of the Headwaters’ and Minnesota Center for Environmental Advocacy’s petition for rehearing; and
2. Deny Sierra Club’s petition for rehearing and reconsideration.

The motion passed 5–0.

**ENERGY AGENDA**

**E-015/M-12-233**

**In the Matter of Minnesota Power’s Supplemental Filing for Its Temporary Rider for Residential Time-of-Day Rate for Participants of the Smart Grid Advanced Metering Infrastructure Pilot Project**

Commissioner Schuerger moved to take the following actions:

1. Approve Minnesota Power’s petition to continue the Time-of-Day Rate for the existing participants, with two modifications:
  - a. Adjust the rate design to assume 25 hours of critical peak pricing events; and
  - b. Adjust the on-peak adder to \$0.04870 per kilowatt-hour.

2. Accept Minnesota Power's March 25, 2016 compliance report as complete.
3. Require Minnesota Power to file additional compliance reports 6 and 12 months from the date the new rate becomes effective. In these filings, the Company shall report trends in participation rates and include another customer feedback survey. In the 12- month filing, the Company shall make suggestions of alternative rates and time-of-day periods along with the anticipated impact of those alternatives. The Commission delegates authority to the Executive Secretary to issue a notice outlining the specific content of the reports as it relates to participation rates and customer feedback.

The motion passed 5–0.

**E-015/M-14-962**

**In the Matter of Minnesota Power's 2015 Renewable Resources Rider and Factor**

Commissioner Lipschultz moved to take the following actions:

1. Deny Minnesota Power's motion for reconsideration;
2. Grant reconsideration on the Commission's own motion for purposes of considering the merits of the November 8, 2016 order and determining whether any changes should be made to the order; and
3. Delegate to the Executive Secretary the task of issuing a notice requesting additional briefing and comment on the issues raised by the Commission at the February 9 meeting, and on such additional issues as may be identified by Commission staff, and setting appropriate timelines.

The motion passed 5–0.

There being no further business, the meeting was adjourned.

**APPROVED BY THE COMMISSION: March 8, 2017**



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**Daniel P. Wolf, Executive Secretary**