

**BEFORE THE MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS**

**600 North Robert Street**

**St. Paul, MN 55101**

**FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION**

**121 Seventh Place East Suite 350**

**St. Paul, MN 55101**

In the Matter of the Application of Flying  
Cow Wind, LLC for a Certificate of Need  
for the 152 MW Large Wind Energy  
Conversion System in Yellow Medicine  
County, Minnesota;

MPUC Docket No. IP-6984/CN-17-676

MPUC Docket No. IP-6984/WS-17-749

OAH Docket No. 60-2500-35035

In the Matter of the Application of Flying  
Cow Wind, LLC for a Site Permit for the  
up to 152 MW Large Wind Energy  
Conversion System in Yellow Medicine  
County, Minnesota;

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**Lake Cochrane Improvement Association  
Reply**

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Applicant has objected to our petition for contested case on timeliness grounds. Lake Cochrane Improvement Association offers the following brief reply. Applicant initiated its application in October of 2017. The environmental review was filed in May of 2018. Our organization attempted to proceed in this case without counsel, and we did not appreciate how difficult that would be. As we participated in the proceedings, statements and filings of the PUC staff and applicant suggested that our rights would not

be compromised if we proceeded as participants, without serving as parties during the initial stages of the proceedings.

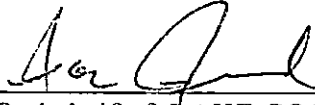
In March of 2018, the Laborers District Council sought a contested case and applicant responded that the request for a contested case as to the site permit was premature. Specifically, applicant wrote:

Commission rules allow Petitioner to request a contested case hearing, but only if Petitioner does so "within the time period established for submitting comments on the draft site permit." Minn. R. 7854.0900, subp. 5. The draft site permit has not yet been issued, and thus the Request is also untimely in that respect. As the time period for commenting on the appropriate procedural treatment of the Applications has passed, and the draft site permit has not yet been issued, Petitioner does not have the right to request a contested case hearing at this time

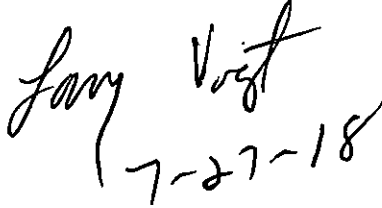
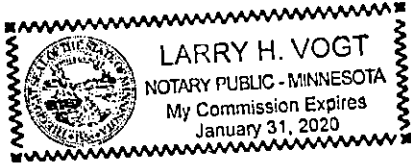
We reasoned that our primary issue with the project was site related, because by far the most important aspect of our concerns relate to the impacts of locating towers within the three mile limit imposed on the South Dakota side. We believe that this is a site permit issue. Based on the information submitted at the public hearing, LCIA concluded that there were facts in dispute. We sought advice of counsel on how to go about protecting our rights, and with assistance, we sought leave to intervene and for a contested case on these issues. We reaffirm our belief that a contested case in the site permitting matter is appropriate.

Dated: 7-27, 2018

Ron Ruud



On behalf of LAKE COCHRANE  
IMPROVEMENT ASSOCIATION



Larry Vogt  
7-27-18