

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

Katie Sieben
Hwikwon Ham
Joseph Sullivan
John Tuma

Chair
Commissioner
Commissioner
Commissioner

**In the Matter of the Application of Plum
Creek Wind Farm, LLC for a Certificate of
Need for an up to 414 MW Large Wind
Energy Conversion System and 345 kV
Transmission Line in Cottonwood, Murray,
and Redwood Counties**

MPUC Docket No. IP-6997/CN-18-699

Notice under Minn. R. 7849.0400

INTRODUCTION

On November 12, 2019, Plum Creek Wind Farm, LLC (“Plum Creek”) filed separate applications for a certificate of need (“CN Application”), a site permit (“Site Permit Application”), and a route permit (“Route Permit Application”) to construct the 414-megawatt (“MW”) Plum Creek Wind Farm Project in Cottonwood, Murray, and Redwood Counties (the “Project”). The proposed Project would include a large wind energy conversion system (“LWECS”) (“Wind Project”) and an associated 345-kilovolt (“kV”) high-voltage transmission line (“HVTL”) (“HVTL Project”). The Minnesota Public Utilities Commission (“Commission”) issued an Order Granting Certificate of Need and Issuing Site and Route Permit for the Project on September 23, 2021.¹ On May 5, 2023, Plum Creek requested an amendment to the Site Permit to allow construction of the Project to commence by September 23, 2025 and notified the Commission that the in-service date for the Project is expected to be December 31, 2026, rather than December 31, 2023. The Site Permit was subsequently amended by the Commission on July 5, 2023 (“2023 Site Permit”) and the Commission adopted the Department of Commerce’s recommendation that the Commission approve Plum Creek’s request to extend the in-service date associated with the certificate of need for the Plum Creek Wind Farm. A rehearing or recertification was not required by the Commission.²

Since the issuance of the 2023 Site Permit, Plum Creek has been actively marketing the Plum Creek Project to potential new owner(s)/purchaser(s)³ of the energy to be generated by the Wind Project and through this process has determined that, due to the timing of the regulatory approvals required for the consummation of the sale of the Plum Creek Project or its energy, along with delays to the current Midcontinent Independent System Operator (“MISO”) cycle,

¹ Commission Order Granting Certificate of Need and Issuing Site and Route Permit (Sept. 23, 2021) (eDocket No. [20219-178198-01](#)).

² See Commission Order (July, 5, 2023) (eDocket No. [20237-197232-02](#)) (approving Plum Creek’s request to extend the date by which construction must commence from two to four years after issuance of the Site Permit).

³ See For Example, eDocket Docket No. E-002/CN-23-212, which is considering Plum Creek as one of the projects to be acquired by Northern States Power Company, d/b/a Xcel Energy.

construction of the Wind Project is unlikely to commence until the summer of 2026 at the earliest or summer 2027 at the latest⁴.

However, the Wind Project is now exempt from Certificate of Need requirements because it is a LWECS, as defined in section 216F.01, subdivision 2, and the Wind Project is being developed and permitted by an independent power producer, Plum Creek, under chapter 216E.⁵ Moreover, the HVTL Project is also now exempt from Certificate of Need requirements because it is an HVTL that is required to directly interconnect a LWECS, as defined in section 216F.01, subdivision 2, being developed and permitted by an independent power producer, Plum Creek, under chapter 216E.⁷ Accordingly, an extension of the in-service date for the Project in the Certificate of Need is no longer necessary. However, because the Project received its Certificate of Need prior to the independent power producer exemption becoming law and to avoid potential concerns raised by a non-independent power producer owner or offtaker of the Project, Plum Creek also requests an extension of the in-service date under the Certificate of Need to December 31, 2028. To support the requested in-service date extension, Plum Creek sets forth below how the need for the Wind Project has only increased since the Commission issued a Site Permit, Route Permit, and Certificate of Need for the Project.

Minn. R. 7849.0400 requires Plum Creek to inform the Commission of certain changes in size, type or timing of the Project.⁶ If an applicant determines a delay beyond one year from the approved in-service date will occur, Minnesota Rules 7849.0400, subp. 2(H), requires an applicant to inform the Commission of the desired change and detail the reasons for the change. Plum Creek now anticipates needing an additional extension of the time by which construction must commence. For the reasons outlined in this notice, Plum Creek is seeking permission, under separate applications to change certain portions of the LWECS and HVTL which require amendments to the Site Permit and Route Permit and herein provides notice to the Commission of a further extension of the expected in-service date from December 31, 2026 to December 31, 2028. Accordingly, Plum Creek requests the Commission approve the requested changes without rehearing or recertification.

DISCUSSION

To support the requested in-service date extension, Plum Creek sets forth below how the need for the Project has only increased since the Commission issued a Site Permit, Route Permit, and Certificate of Need to the Project.

⁴ In Docket No. E-002/CN-23-212 (the Commission is currently considering a settlement agreement between Xcel Energy, Plum Creek and other bidders to the RFP that would require negotiated Power Purchase Agreements to be filed to the Commission within four months of the Commission's approval of the settlement agreement. This schedule would suggest a Power Purchase Agreement between Xcel Energy and Plum Creek for the Project may not be approved until the summer of 2025, which would not allow construction to commence in 2025.

⁵ On May 24, 2023, Governor Walz signed H.F. 2310 into law. H.F. 2310 amends Minn. Stat. Section 216B.243, subd. 8 to exempt projects permitted by independent power producers, such as Plum Creek, from certificate of need requirements. See H.F. 2310 lines 353.25- 355.14, inclusive.

⁶ Minn. R. 7849.0400, subp. 2(H).

First, Plum Creek is being actively marketed to potential purchaser(s)⁷ of the Wind Project and/or its power. Second, the demand for renewable energy is likely to increase beyond the demand considered in the Project's Certificate of Need proceeding. In February 2023, the Minnesota Legislature passed "100 Percent by 2040" legislation,⁸ a carbon-free energy standard, which is likely to increase Minnesota's renewable energy needs by compelling utilities to obtain additional electricity from renewable sources beyond that currently required by the Renewable Energy Standards set forth in Minn. Stat. § 216B.1691 and further reduce carbon from energy sources. The "100 Percent by 2040" standard requires utilities to generate or procure sufficient electricity generated from a carbon-free technology, such as solar, equivalent to at least the percentages of the electric utility's total retail sales to retail customers in Minnesota by the end of the year indicated in Table 1. Accordingly, a delay in the timing of the Project will not impact the overall need for the Project.

Table 1 Carbon Free-Standard Milestones	
Year	Percent of Retail Electric Sales as Carbon-Free Energy
2030	80% for public utilities; 60 % for other electric utilities
2035	90% for all electric utilities
2040	100% for all electric utilities

CONCLUSION

Plum Creek herein notifies the Commission of its intent to extend the date by which the Project must be in-service from December 31, 2026 to December 31, 2028. Plum Creek requests the Commission approve the requested changes without rehearing or recertification.

Dated: February 4, 2025

Respectfully submitted,

/s/ Jeremy P. Duehr

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Attorney for Plum Creek Wind Farm, LLC

⁷ See For Example, eDocket Docket No. E-002/CN-23-212, which is considering Plum Creek as one of the projects to be acquired by Northern States Power Company, d/b/a Xcel Energy.

⁸ Governor Walz signed the "100 Percent by 2040" legislation into law on February 7, 2023.

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CERTIFICATE OF SERVICE

MPUC Docket No. IP-6997/CN-18-699

Breann L. Jurek certifies that on the 4th day of February, 2025, she e-filed a true and correct copy of the following documents on behalf of Plum Creek Wind Farm, LLC via eDockets (www.edockets.state.mn.us).

- Certificate of Need Extension Request; and
- Certificate of Service.

Said documents were also served as designated on the Official Service List on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on: February 4, 2025

Signed: /s/ Breann L. Jurek

Fredrikson & Byron, P.A.

60 South Sixth Street

Suite 1500

Minneapolis, MN 55402

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Lisa	Agrimonti	lagrimonti@fredlaw.com	Fredrikson & Byron, P.A.		60 South Sixth Street Suite 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	18-699Official Service List
2	Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron		60 S 6th St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	18-699Official Service List
3	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 1400 St. Paul MN, 55101 United States	Electronic Service		Yes	18-699Official Service List
4	Richard	Dornfeld	richard.dornfeld@ag.state.mn.us		Office of the Attorney General - Department of Commerce	Minnesota Attorney General's Office 445 Minnesota Street, Suite 1800 Saint Paul MN, 55101 United States	Electronic Service		No	18-699Official Service List
5	Bret	Eknes	bret.eknes@state.mn.us		Public Utilities Commission	Suite 350 121 7th Place East St. Paul MN, 55101-2147 United States	Electronic Service		No	18-699Official Service List
6	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	18-699Official Service List
7	Lucas	Franco	lfranco@liunagroc.com	LIUNA		81 Little Canada Rd E Little Canada MN, 55117 United States	Electronic Service		No	18-699Official Service List
8	Katherine	Hinderlie	katherine.hinderlie@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	445 Minnesota St Suite 1400 St. Paul MN, 55101-2134 United States	Electronic Service		No	18-699Official Service List
9	Louise	Miltich	louise.miltich@state.mn.us		Department of Commerce	85 7th Place East Saint Paul MN, 55101 United States	Electronic Service		No	18-699Official Service List
10	Jenny	Monson Miller	jenny@nationalgridrenewables.com	National Grid Renewables		8400 Normandale Lake Blvd Ste 1200 Bloomington MN, 55437 United States	Electronic Service		No	18-699Official Service List
11	Carol A.	Overland	overland@legalelectric.org	Legalelectric - Overland Law Office		1110 West Avenue Red Wing MN, 55066 United States	Electronic Service		No	18-699Official Service List
12	Jessica	Palmer Denig	jessica.palmer-denig@state.mn.us		Office of Administrative Hearings	600 Robert St N PO Box 64620	Electronic Service		No	18-699Official Service List

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
						St. Paul MN, 55164 United States				
13	Kevin	Pranis	kpranis@liunagroc.com	Laborers' District Council of MN and ND		81 E Little Canada Road St. Paul MN, 55117 United States	Electronic Service		No	18-699Official Service List
14	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		Yes	18-699Official Service List
15	Will	Seuffert	will.seuffert@state.mn.us		Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul MN, 55101 United States	Electronic Service		Yes	18-699Official Service List
16	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates		7400 Lyndale Ave S Ste 190 Richfield MN, 55423 United States	Electronic Service		Yes	18-699Official Service List
17	Bill	Storm	bill.storm@state.mn.us		Department of Commerce	Room 500 85 7th Place East St. Paul MN, 55101-2198 United States	Electronic Service		No	18-699Official Service List