

10-1240
11-831

43265 County Road 28
Sauk Centre, MN 56378
September 26, 2014

Dr. Burl Haar, Executive Secretary
Minnesota Public Utilities Commission
127 7th Place East, Suite 350
St. Paul, MN 55101-2147

Dear Dr. Haar,

Please consider the enclosed information about Black Oak and Getty Wind Farms. Especially consider the number of residences within the footprint. We can't imagine how a permit could be granted which allows wind turbines to be placed in a populated rural area such as ours. We have traveled abroad and within the United States and no where have we seen turbines placed so near residences.

We would welcome a visit by you or one of your staff to personally view the area.

Sincerely,



Dave and Barb Jennissen

Docket Number IP-6853/WS-10-1240 (Black Oak Wind)
Docket Number IP-6866/WS-11-831 (Getty Wind)

PUC Docket Number IP-6853/WS-10-1240 (Black Oak)
IP-6866/WS-11-831 (Getty)

As residents within the Getty and Black Oak wind farms footprint, we are writing to urge the Public Utilities Commission to reevaluate their decision to permit this project based on the following information.

- This project qualified as a C-BED project under Minnesota law. Three fourths of the property in the Black Oak project is owned by absentee landlords some living as far away as Illinois and Arizona. In the Getty wind farm project, only three of the original investors have turbines on their property. Certainly the Project is based in our community but it is not supported by the residents LIVING in the community. (absentee landowner map and petitioner signed opposition included)
- In the Getty Wind project residents signed only because they were approached by investor neighbors. If our residents would have been approached by Mr. Pickar, Geronimo Director of Development, very few would have signed. Our petition clearly shows that there is extreme opposition to this project at this time. Why did people wait until now to complain? Because they signed a contract that told them not to discuss "provisions of the Lease" with their neighbors. Being good and decent people, they felt compelled to abide by the confidentiality clause.
- We, the petitioners, feel that no one looked at the number of prairie potholes and WMA in the footprint. No one granting the permit observed all the migratory birds, golden eagles, nesting bald eagles, and trumpeter swans that call these potholes home. Obviously, someone sat at a desk in downtown St. Paul and approved a wind farm permit for an area they knew nothing about.
- Did anyone look at a map of Getty and Raymond Townships and consider the number of residences within the footprint and consequently the number of people whose lives will be forever changed? Changed because our property values will be reduced with no compensation for our loss. Changed because we will endure noise and shadow flicker. Changed because aerial spraying will affect our crop livelihood and stray voltage will affect our cattle. Changed because tons of concrete will be buried in our soils which could potentially harm our water quality.
- Original contracts were signed with Geronimo Wind and now residents have been asked to sign amended contracts for the third time. The payment option to landowners has been changed. Now landowners are refusing to sign amended contracts. Some farmers were included in the project map but never signed contracts. When Geronimo Wind was questioned about this they responded, "After the project is completed, we will remove your property from the project area". Was this done to mislead the PUC into thinking that more land was available for turbines when in actuality it was not?

Printed Name

Signature

Jason Marthaler

Jason Marthaler

Angie Marthaler

Angie Marthaler

Paul Reitsma

Paul Reitsma

Carolyn Reitsma

Carolyn Reitsma

Larry Ludwig

Larry Ludwig

Brandon Bergerding

Brandon Bergerding

~~Bob Bergerding~~

Bob Bergerding

Brian Bergerding

Kira Groetsch

Kira Groetsch

~~Jan Groetsch~~

Josh Groetsch

Josh Groetsch

Joel Groetsch

Joel Groetsch

Flo Groetsch

Florence Groetsch

Carol Ludwig

Carol Ludwig

ORLIN LADWIG

Orlin Ludwig

Jan Wiener

Jan Wiener

Jonathan Groetsch

Jonathan Groetsch

Michelle Groetsch

Michelle Groetsch

TEROME TRISKO

Terome Trisko

Barb Jennissen

Barb Jennissen

Dave Jennissen

Dave Jennissen

John W. Gregory

John W. Gregory

Christy Gregory

Christy Gregory

Jon Randall

Jon Randall

Nancy Randall

Nancy Randall

Thomas Rousslang

Thomas Rousslang

Clarence Rousslang

Clarence Rousslang

Vickie Rousslang

Vickie Rousslang

Peter Rousslang

Peter Rousslang

KEN Vogt

Ken Vogt

Sally Vogt

Sally A. Vogt

Janel Westerman

Janel Westerman

Scott Westerman

Scott Westerman

Anna Westerman

Anna Westerman

Grace Westerman

Grace Westerman

Richard Kasper

Richard Kasper

Printed Name

Signature

Earl Hasper

Earl Hasper

Martin Van Bock

Martin Van Bock

John Lahr

John Lahr

Ethan Vogt

Ethan Vogt

Martin Vogt

Martin Vogt

Ted C Kaminski

Ted C Kaminski

Barbara L. Kaminski

Barbara L. Kaminski

Randy Schlegel

Randy Schlegel

Nancy Schlegel

Nancy Schlegel

John Schlegel

John Schlegel

Koni Messer

Koni Messer

Jason Messer

Jason Messer

Mark Wenker

Mark Wenker

Adam Wenker

Adam Wenker

Eric Wenker

Eric Wenker

DAVID WIENER

David Wiener

Wayne Bromenshenkel

Wayne Bromenshenkel

Blake Bromenshenkel

Blake Bromenshenkel

LINDA K. BROMENSHENKEL

Linda K Bromenshenkel

Bill Bromenshenkel

Bill Bromenshenkel

Print Name

Sign Name

DAVID WIENER

David Wiener

BARBARA KAMINSKI

Barbara Kaminski

Betty Dean

Betty Dean

Nancy Schlaak

Nancy Schlaak

Wayne Schlaak

Wayne Schlaak

WILFRED ARENS

Wilfred Arens

Doris Arens

Doris Arens

Vickie Rouslang

Vickie Rouslang

Clarence Rouslang

Clarence Rouslang

Peter Rouslang

Peter Rouslang

Mark Wenker

Mark Wenker

Darlene Marthaler

Darlene M. Marthaler

Arthur MANTHALER

Arthur J. Marthaler

Jan Wiener

Jan Wiener

Dave Jennissen

Dave Jennissen

Barb Jennissen

Barb Jennissen

NATHAN WIENER

Nathan Wiener

THEODORE C. KAMINSKI

Theodore C. Kaminski

Thomas Wurm

Thomas Wurm

Jason Marthaler

Jason Marthaler

Angi Marthaler

Angi Marthaler

JERONIE TRISKO

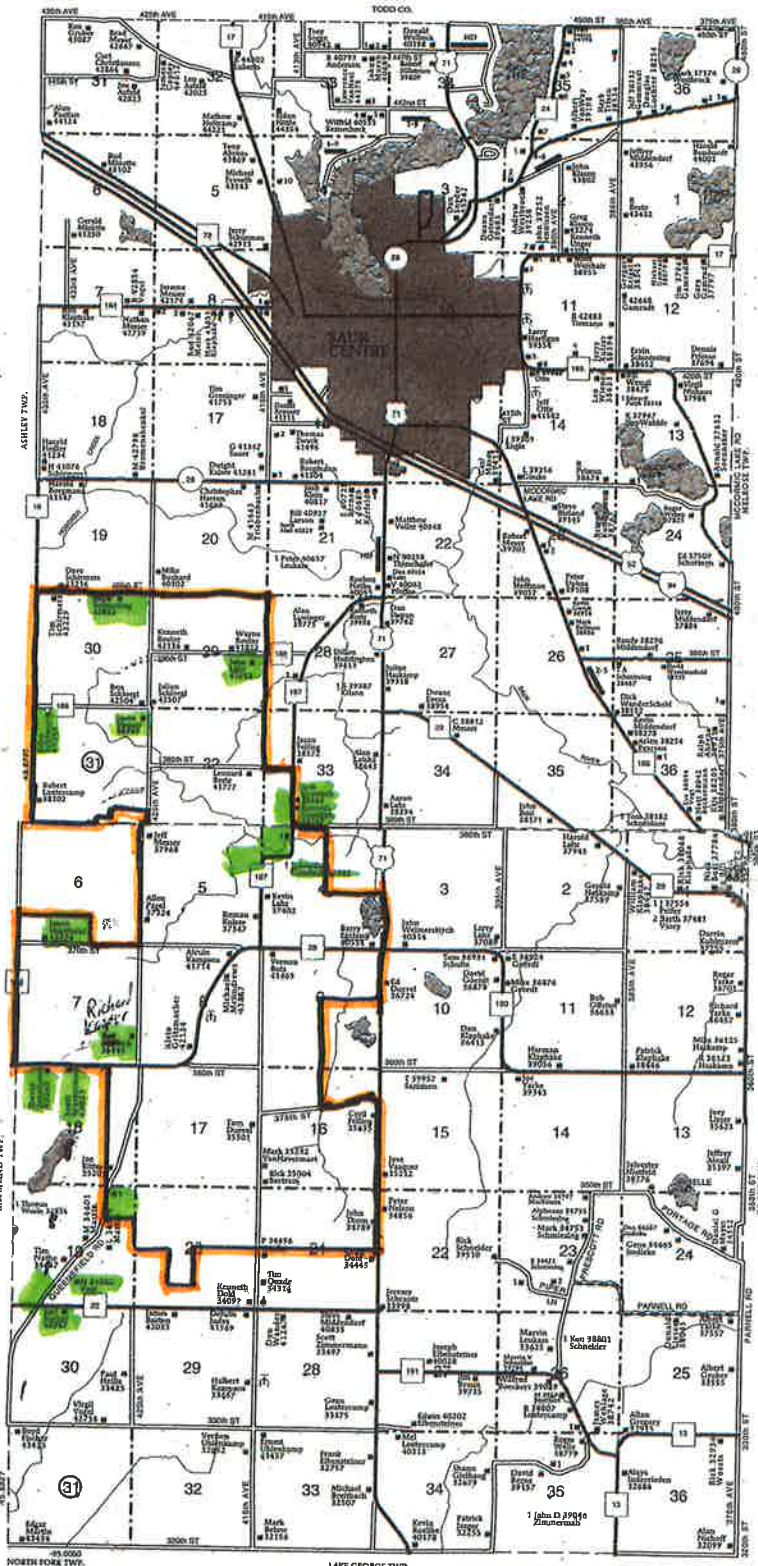
Jerome Trisko

Paul Reitsma

Paul Reitsma

Paul Reitsma

Paul Reitsma

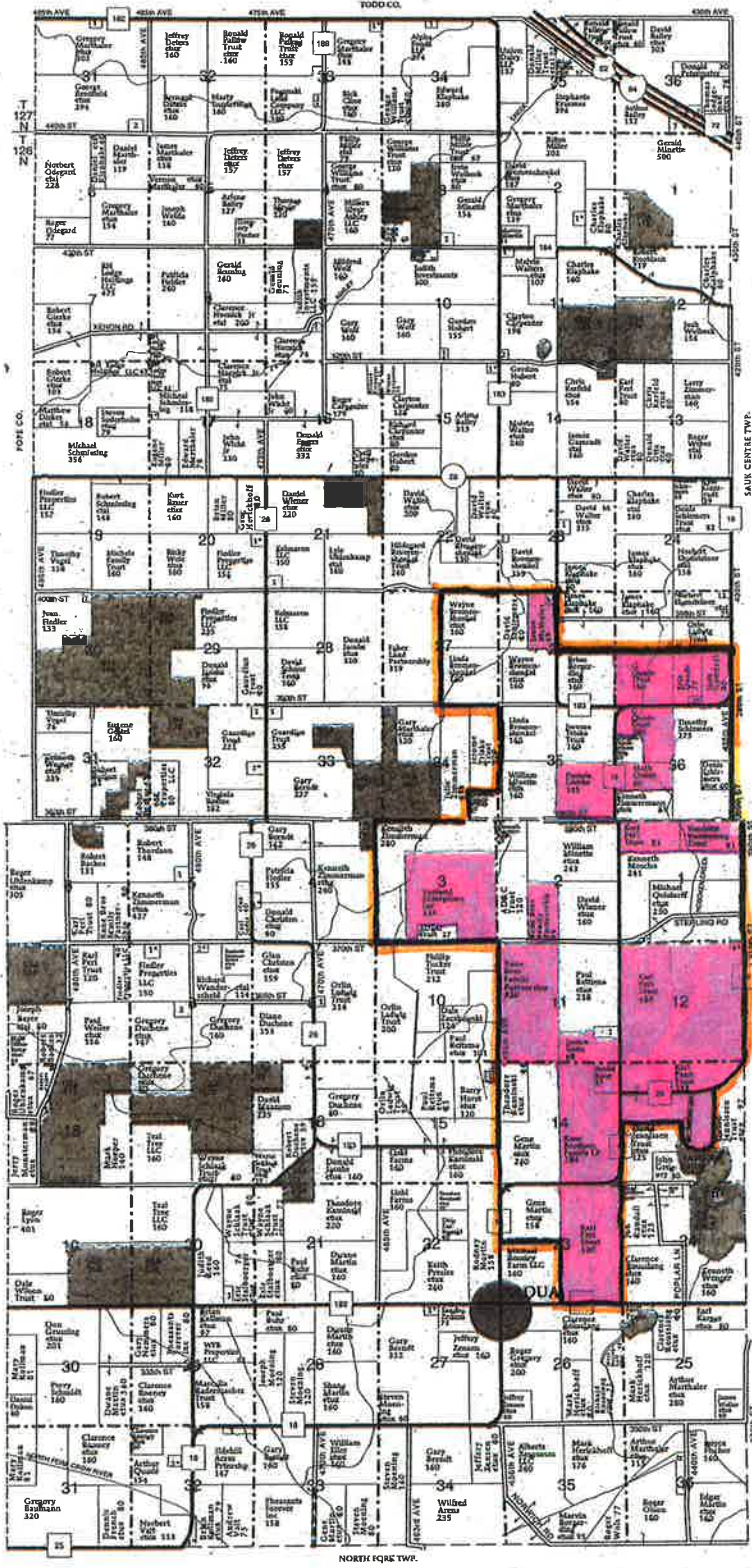


Gatty Wind FootPrint

Resident Signatures

IP - 6853/WS-10-1240
IP - 6866/WS-11-831



GETTY TOWNSHIP
SECTION 33
1 Bokulgalamborg, Mike
79248
2 Loudercamp, Tom 39124
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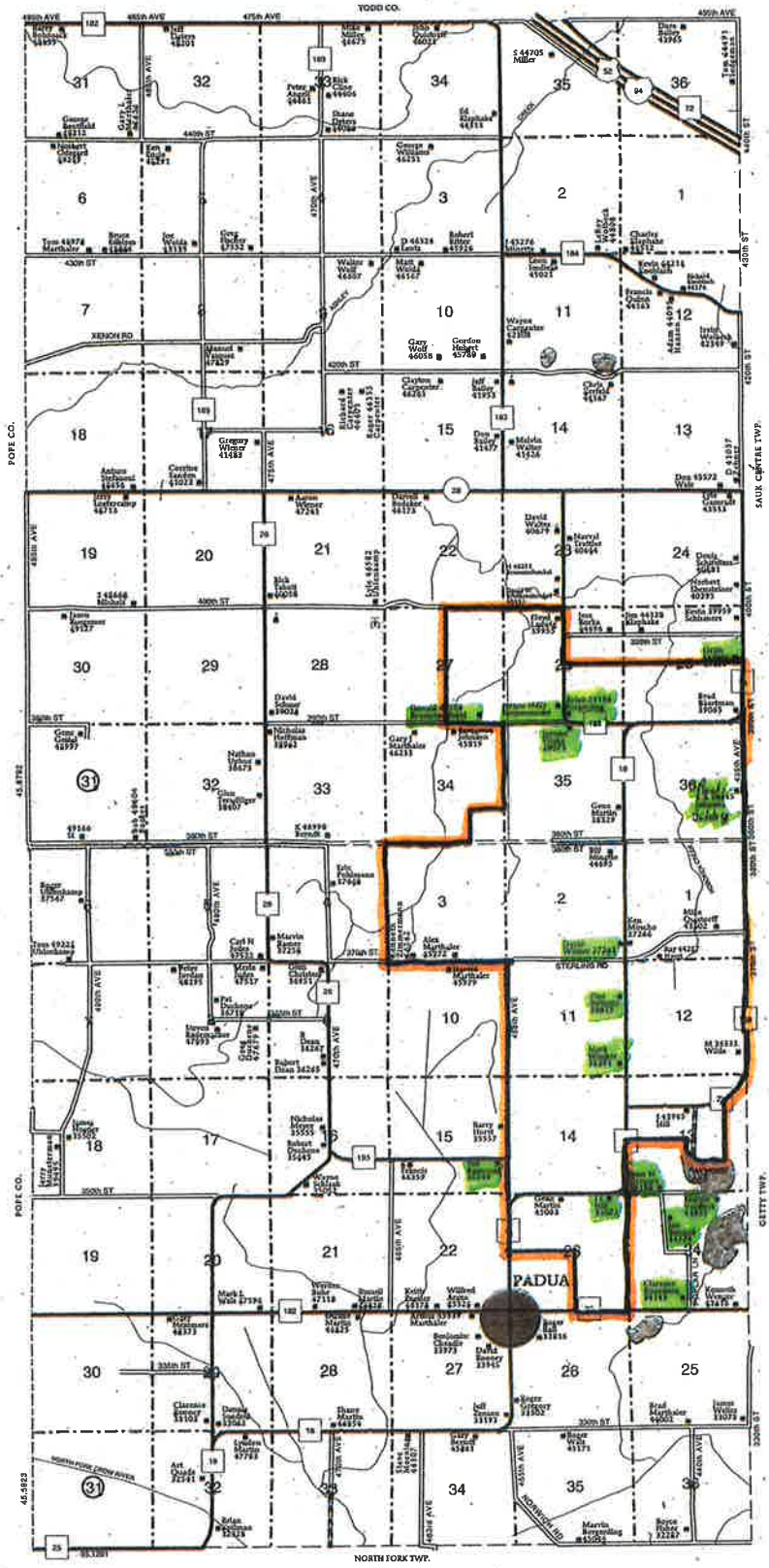
RAYMOND TOWNSHIP

SECTION 1 1. Horst, Barry's	SECTION 11 1. Wagner, Mark 14	SECTION 21 1. VanBlack, Marti 7
SECTION 2 1. Regier, Marvin 6	SECTION 12 1. Horst, Barry 4	SECTION 22 1. Martin, Owane 2
SECTION 3 1. LMC Drainage LLC 10	SECTION 13 1. Hooper, Stephen 5	SECTION 23 1. Martin, Lyndon 9
SECTION 4 1. Jordan, Peter 10	SECTION 14 1. Hooper, James 7	SECTION 24 1. Ousda Jr, Arthur 8
SECTION 5 1. Duchene, Patrick 6	SECTION 15 1. Wisk, Mark 4	SECTION 25 1. Kollman, Brian 8
SECTION 6 1. Duchene, Leon 13		

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 Black Oak Wind farm footprint
 Absentee Landowner

IP-6853/WS-10-1240 Black Oak
 IP-6866/WS-11-831 Getty Wind



IP-6853/WS-10-1240
 IP-6866/WS-11-831

Black Oak Wind Farm Footprint

Resident Signatures

Attached is page 17 of the original contract and comments by Brodie Miller, Rinke Noonan Law Firm. His comments clearly state that we were not allowed to speak to one another about the "financial terms and provisions of the Lease". Because of this, none of us were aware of the dissatisfaction felt by our neighbors about the Project. We were misled to think everyone was in favor of it.

Docket #'s IP-6853/WS-10-1240 (Black Oak)
 IP-6866/WS-11-831 (Getty Wind)


restriction or interference. The affected party shall use its reasonable efforts to avoid or remove such causes of nonperformance and shall continue performance hereunder whenever such causes are removed. "Force Majeure" means fire, earthquake, flood or other casualty or accident; strikes or labor disputes; war, civil strife or other violence, any law, order, proclamation, regulation, ordinance, action, demand or requirement of any government agency or utility, or any other act or condition beyond the reasonable control of a party hereto.

13.2 Confidentiality. Landowner shall maintain in the strictest confidence, for the benefit of Lessee, any Assignee or Tenant, all information pertaining to the financial terms of or payments under this Agreement, Lessee's site or product design, methods of operation, methods of construction, power production or availability of the Windpower Facilities, and the like, whether disclosed by Lessee, any Assignee or Tenant, or discovered by Landowner, unless such information either (i) is in the public domain by reason of prior publication through no act or omission of Landowner or its employees or agents; or (ii) was already known to Landowner at the time of disclosure and which Landowner is free to use or disclose without breach of any obligation to any person or entity. Landowner shall not use such information for its own benefit, publish or otherwise disclose it to others, or permit its use by others for their benefit or to the detriment of Lessee, any Assignee or Tenant. Notwithstanding the foregoing, Landowner may disclose such information to Landowner's lenders, attorneys, accountants and other personal financial advisors solely for use in connection with their representation of Landowner regarding this Agreement; any prospective purchaser of the Property who has made a written offer to purchase or otherwise acquire the Property that Landowner desires to accept; or pursuant to lawful process, subpoena or court order requiring such disclosure, provided Landowner in making such disclosure advises the party receiving the information of the confidentiality of the information and obtains the written agreement of said party not to disclose the information, which agreement shall run to the benefit of and be enforceable by Lessee. Landowner shall get Lessee's written consent before issuing a press release or having any contact with or responding to the news media with any operational, sensitive or confidential information with respect to this Agreement, the wind power project to be constructed on the Property by Lessee, or any other existing wind power project owned or operated by Lessee. The provisions of this Section 13.2 shall survive the termination or expiration of this Agreement.

13.3 Successors and Assigns. This Agreement shall burden the Property and shall run with the land. This Agreement shall inure to the benefit of and be binding upon Landowner and Lessee and, to the extent provided in any assignment or other transfer under Section 10 hereof, any Assignee or Tenant, and their respective heirs, transferees, successors and assigns, and all persons claiming under them. References to "Lessee" in this Agreement shall be deemed to include Assignees and Tenants, which hold a direct ownership interest in this Agreement and actually are exercising rights under this Agreement to the extent consistent with such interest.

13.4 Memorandum of Lease. Landowner and Lessee shall execute in recordable form and Lessee shall then record a memorandum of the lease evidenced by this Agreement reasonably satisfactory in form and substance to Lessee and Landowner. Landowner hereby consents to the recordation of the interest of an Assignee in the Property.

13.5 Notices. All notices or other communications required or permitted by this Agreement, including payments to Landowner, shall be in writing and shall be deemed given


October 21, 2008
Page 7

you. You do not have a similar right to terminate the Lease upon notice to any party. Instead, under Section 12.2, your only right to terminate the Lease comes after an uncured default under the Lease. As stated above, an uncured default is very unlikely since many parties have to fail to cure the default, including Getty, any of Getty's successors, assigns, subtenants or lender. Accordingly, it may make sense for you to seek to have these provisions expanded in your favor. For example, you may wish to have "bench marks" put in the lease that require Getty to have proceeded to develop the wind farm and if a certain benchmark is not met, then you would have the right to terminate the lease.

13. **Removal of Improvements.** Upon termination of the Lease, Getty only has the obligation to remove the foundations of the Windpower Facilities to a depth of 4 feet. Section 12.3 should specifically state that any and all Windpower Facilities and their accessories should be completely removed from your property upon termination of the Lease. Any and all cords, towers and buildings should also be removed. Even though a foundation might be 4 feet underground, this could still restrict your use of the property after termination of the Lease.
14. **Confidentiality.** It is important to note that Section 13.2 of the Lease specifically requires you keep all the financial terms and provisions of the Lease confidential. This means that you will be unable to "trade notes" with your neighbors or other property owners regarding the final specific financial and payment provisions within your Lease without violating the confidentiality provision.

The Memorandum basically outlines the same terms and provisions within the Lease. Therefore the above comments regarding the Lease apply in the same manner to the Memorandum. If you have any questions or would like us to put together a revised draft of the Lease, please feel free to contact John Babcock or me.

Sincerely,


Brodie L. Miller
BLM/blm

September 30, 2014

Dear Dr. Burl Haar and Commissioners,

Thank you for accepting this comment on the Black Oak and Getty Wind projects. In reading through the Avian Bat Survey that was submitted, I have several concerns:

First and foremost, I ask that the applicant follow the state DNR requested protocol and provide **seasonal** Avian and Bat surveys. Two days in June is not an indicator of the avian and bat populations in this area. This so called updated survey is not complete enough. Not requiring more updated and seasonal study could yield disastrous results. Once our avian and bat species are in decline it is difficult, if even possible, to reclaim the losses to the population. Stearns County is heavily agricultural and particularly dependent upon all pollinators, including bat populations.

Secondly, the August 18 submitted survey from June, 2014 has monitors that are located on the very edges of the project footprint. I request that monitors be located within the project so as to capture more data for this 14,723 acre area.

Third, the monitors are located at 1.5 meter heights. This is equal to 5 feet. It would be prudent to have monitors at two heights, and on single poles. The camera tripods might be economical and efficient for one night surveys, but bats are in decline and Minnesota is host to species that are already challenged by White Nose Syndrome in the southeast. The rapid spread of this syndrome demands that our state takes a very cautious approach with surveys.

Fourth, the USFWS requests four nights for prescribed acreage amount. It appears the applicant surveyed four sights on two nights, June 3 and 4, of 2014, rather than eight nights. I request that the surveys be done in a more complete fashion as asked for by FWS. Despite attention to no vegetation within 33 feet of the monitors, thirty-three feet is only 11 yards, or barely over a first down in football terms. If I am not mistaken about FWS survey protocol, there should be 8 nights of surveys, not 4 locations for 2 nights.

We are researching the accuracy of the SM3BAT Song Meter detectors. In the interim, we request a Public Hearing be granted by the Minnesota Public Utilities Commission. This is critical to the Commission hearing more data and information.

If the USFWS and the State Department of Natural Resources asks for more data with their protocol, it is imperative that these requests be fulfilled completely. Minnesota Agriculture cannot be neglected. There must be full effort and complete and updated surveys to protect our natural resources and oversee any threat to Agriculture and the environment.

Thank you, again, for accepting this comment.

Very Sincerely,

Marie McNamara

35815 165th Ave. Goodhue, MN 55027



Discussion name: Black Oak Wind, LLC Application for a Site Permit for a Large Wind Energy Conversion System in Stearns County WS-10-1240 (Black Oak Wind), WS-11-831 (Getty Wind)			
Discussion close date: 2014-09-30 at 4:30pm			
Should the Commission approve the petition for modification or amendment to the Black Oak Wind and Getty Wind large wind energy conversion system site permits to specify a different type of wind turbine model, a different total number of turbines, and a different preliminary turbine layout?	Answer	User ID	Time Posted



	<p>No. The commission should not approve the petition. Our family farm and our family's current and future generations will be impacted negatively by the turbines. Depreciation in land values, disruption to migratory birds, impact to the Bald Eagle population on our land, are just some of the issues that still have not been addressed in this venture. The concept was first soft-sold by local investors to many neighbors. There is significant community support from those who live, recreate, or depend on the valuation and use of the land who are not in favor of building wind turbines. The planning process, discussions, and impact to the community have not been fairly addressed. Instead, the conversations and impact to the wildlife (protected and unprotected species), land valuation, and quality of life living in the area have been overlooked. The process has been unfairly expedited by those with financial motives without consideration of the broad majority living in the township who oppose building the turbines. A list of signatures of those living in the community has been sent to the Commission. The implementation plan has evolved over time, first by soft-selling to residents who were led to believe they were agreeing to a lesser plan but now are being force-fed a fluid plan without their feedback and approval. This is wrong and not in the spirit of fair business practices. This entire venture needs to be readdressed, fully vetted, and needs to be supported by the community before implemented, specifically with those directly affected by the turbines. The brazen actions of Geronimo Wind to force this venture without community support, assumes their unwillingness to listen or to partner with a community they wish to profit. I urge the Commission to take this back and examine the chain of events, process, and timeline as a whole. The facts are compelling. Please listen and investigate further. This initiative is wrong and not good for those who live in the area and actually have to "live" with the turbines so that a few can profit. Thank you for your consideration, Aaron Jennissen</p>	Aaron Jennissen	09-26- 2014 09:06 pm
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	<p>I live in Sec. 6 Getty Twp. I happen to live in the middle of these two farms. I have written comments before only to have the comments ignored by most parties involved, including the PUC or redirected to another party which also passed the buck. So here we go again! I received a call from a neighbor about a notice of comment which he had received. He had received the letter in the mail on the 25th of September and a comment is to be made by the 30th. This gives someone a short 5 days to comment on something that they fully do not understand. I receive no compensation for living next to these towers , and yet it is very probable that my property value is going to be effected. Furthermore there is now a change which could again effect on the property I live on, and I was NOT even notified by the PUC. In a letter I received from Lori Swanson, she stated the PUC has the authority and responsibility to determine the need and siting of large wind farms. So I believe that the PUC would have mailed a person like me a comment form. How many other people are there that did not receive this letter that may like to voice there complaint/comment? I believe this letter should be considered a complaint because I do not feel there is enough information sent to everyone by the PUC. I find it interesting that something this large could be modified without adequate information being sent to residents that live in the footprint. I am quite sure this comment will be ignored or redirected because of some reason or another.</p>	Jason Marthaler	09-28- 2014 09:04 pm
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	<p>No. I'm very much against the wind farm in this area. I also live very close to where the proposed wind turbines would be placed. We have never received written notifications of any meetings, proposals, sitings, etc. When we built our house, our neighbors were sent letters by the county to see if anyone had any opposition. Why isn't the county sending out letters on a project such as this? If we were to build anything on our property, the county would want to know exact dimensions and location. So why can the wind farm get away with size of turbines and locations "to be determined". They also should have to abide by the same laws we do. The whole project has been kept very secretive and those people who are affected the most by it have not had the chance to voice their concerns or be fairly represented. The only reason the wind turbines are being erected is due to the government subsidies placed on them, not because they are energy efficient. The wind companies are using Avian studies from other areas when clearly we have different endangered species in our own area. The Avian protection plan needs to be modified to be exclusive to our area. A project such as this needs to have the support of the community as a whole. Instead, this has pitted neighbor against neighbor. Geronimo has certainly taken unethical and possibly illegal actions to profit from this venture at our expense. We have starving people in the world and they want to take highly productive soil such as ours off the market to further their gains. Wind turbines don't belong in a highly populated agricultural community like ours - put them in wastelands where people don't live for miles around and it won't impact the wildlife like it would here. I too urge the Commission to take a second look at this project and not approve the modifications of the wind companies. I would be more welcome to a solar energy project in our area, something that would have less impact on the environment and our property!</p>	Janell Westerman	09-29-2014 02:26 pm
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	<p>Yes, they should approve. As a Stearns county resident living near Saint Cloud, I am concerned and interested in how we generate the counties and states electrical energy. While I understand the issues of property value, land use, bird migration and esthetic issues with wind turbines, I feel do to EPA regulations on fossil fuel emissions and in particular coal emissions, due do it's negative effect on public health and the environment, we need to find cleaner sources of energy. While we could import wind power from the Dakotas, it may cost more while not helping the local economy. In particular climate change is already having a negative effect on the counties agricultural weather and this will only accelerate. As the cost of CO2 emissions increase, the value of carbon free electrical generation such as wind power will only increase, having a very positive effect on the local economy as well as the county and state economy. Though I understand the quality of life issues when such things as feed lots, transmission lines , roads, gravel/sand mines, race tracks, shooting/trap ranges, etc. , the county tries to balance these sometimes competing land uses under local, state and federal law.</p>	lee klish	09-29-2014 04:12 pm
	<p>Lee, It is great that you understand the scope of the impact to individuals living under and around the turbines. For the most part, you support the cause to limit wind turbines as you agree with all of the issues. I only challenge you to think of how it affects others who live and spend time under the proposed turbines who don't want them. What if a turbine were to be put in your backyard? Would you support and take the income hit on your house, family, and property? Maybe you can afford it... my family cannot. This is disparaging to us, it will cost our small family significant value... Are you asking us to take it and live on for the sake of Stearns Co? Doesn't seem right. We all know that there are significant government subsidies that follow these projects. They are laughable and should not be funded. Until they can show that they do not require subsidization, they should be parked. Stearns Co people deserve better. Plain in and simple, they do not have whole support from the people and should retreat and find a county where people are open to sacrificing their lands, independent wealth, and property to this demise.</p>	Aaron Jennissen	09-29-2014 11:53 pm



	<p>No, I am very against the modification or amendment to black oak site permits or turbine model or turbine size. I own 98 acres of wetland and upland habitat in Getty township. I sit between two waterfowl production areas and this is a major flyway for both resident and migrating waterfowl. It is also a flyway for many other species of birds including bald eagles and hawks. These changes or amendments would have a negative effect, especially for species like the bald eagle that spends most of the year on our property. I was also not notified of the changes and was notified by a neighbor. The wildlife corridors are not large enough and the project will absolutely have a negative impact on the wildlife in the area. This project seems to be pushed through without the proper notification of residents and land owners. How can there be changes and modifications without notifying the people that are affected. The environmental impact of any modifications or amendments to the project are unacceptable. The impacts of this project to residents must be considered. A project of this magnitude cannot be rushed through. I feel that myself and many others have been very misrepresented by the black oak wind llc and Getty wind company llc.</p>	Matthew Staloch	09-29-2014 08:46 pm
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	<p>NO, the Commission should not approve any modifications or amendments to the Black Oak Wind and Getty Wind large wind energy conversion system site permits. They are wanting to change the number, the location, and the type? Are they starting over? If they do, we think they had better start with Geronimo Wind contacting residents who live here and see if they will still sign a lease. First of all, Black Oak Wind leases are largely controlled by non-resident landowners. Should we allow people who do NOT live with the turbines make the decisions for those who do? These non-resident landowners live as far away as Illinois and Arizona. We can't believe the Commission would be so negligent in their duty to protect the well being of Minnesota residents. Local residents who signed contracts have been asked to sign one amendment after the other and this was after the Commission okayed the permits. A hard copy of 65 petitioners opposing the construction AND LIVING IN THE AREA was submitted to the Commission. This is just a small sample of the opposition in the area which Geronimo Wind has refused to recognize. Getty Wind started as a C-BED project, neighbor asking neighbor. No one wanted to say NO to their neighbor. We understand that the Commission won't even approve C-BED projects at this time. The Getty Wind project quickly turned into a Geronimo Wind project. Again, we ask the Commission to look at the hard copy map of the area. Have you noticed how many small farms and residences are within the Getty Wind Farm? To place turbines in this area without endangering the well being of Getty Township residents today and in the future is impossible.</p>	Dave and Barb Jennissen	09-29-2014 08:57 pm
	<p>I also feel that the commission should not approve the petition. I feel that something as major as a different type of turbine and turbine layout would require more time than 11 days (date of petition filed September 19th- deadline of September 30th). What is the modified layout? Is it now closer to my house? Is the different type of generator going to make a different noise? Is it louder than the previous proposed generator?</p>	Jason Marthaler	09-28-2014 08:49 pm
	<p>comment...No; As a citizen of Getty Township, I am concerned about some of the things I am hearing about the placement of the Wind Turbines. I feel there are places for Wind Turbines but not in the fields of small farms where the roads to the turbines and the turbines are obstacles to the farmers. Many of the farmers received misleading information on how the turbines would effect them and the community. I am also very concerned about the causes to wildlife. Thank You for your consideration</p>	ken dold	09-29-2014 09:34 pm



	<p>No. The petition should not be approved and the project itself should be reconsidered. Public Utilities Commission ““ You are a consumer protection agency for the citizens of Minnesota charged with maintaining a regulatory environment that (as stated on your website) “ provides a forum for resolving disputes between the public and utilities; and considers the various viewpoints of interested parties, monitors utility operations, initiates investigations and deliberates in the public interest.”” Given the level of concern evident from the responses to this discussion topic, are you not obligated as an agent of the people to initiate an investigation in an effort to ensure that the rights of those directly affected by this project are upheld? Despite what our state’s energy needs are and how that energy is generated, your charter must be to uphold the rights of individuals, especially those directly affected by an intrusive, large-scale energy project funded by a government and individuals who, to a large extent, will not live in its shadow. We all want clean, renewable energy. It pains me to take a position against such an endeavor, but have you traveled to the site of this project? It’s in the middle of three wildlife management areas. You couldn’t design better waterfowl habitat. Not even the most climate conscious observer would sacrifice the natural beauty and habitat that this particular area provides, especially when many other more-suitable sites exist. Sixty-five petitioners living in the footprint of the project are opposed to its continuation. Multiple amendments to contracts. “ Secrecy”” clauses. A cookie cutter avian protection plan. The commission simply must find the courage to investigate and address these concerns before it is too late.</p>	Jason Jennissen	09-29- 2014 11:00 pm
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	<p>Yes, this petition should be approved. My name is Janet Lahr. I am an original member of Getty Wind and live on land within the project boundaries. I will not pretend to be something other than I am and I will not file comments under false pretenses. When this project began, our nation was facing higher energy costs due to our increasing dependence on foreign oil. I felt that as a nation, it was our responsibility to look for solutions. Investing in a wind farm empowered my family and I to be a part of a solution to our energy dependence. Always keeping my family in mind, it was clear to me that wind turbines were far preferable to coal plants or nuclear power. While their inconsistent energy production is often touted by opponents to wind turbines, I believe the consequences of emissions and possible dangers of handling and storing radioactive waste far outweigh the benefits of both of these products. I want my children to know that they can and should help others, our nation, and our world. Investing in clean and sustainable energy, like wind farms, can help steer the next generation in the right direction. It is not always easy to do the right thing, but I would like to think that I had the strength to help make the world better for the next generation, instead of saddling them with more difficulties. In a very small way, participating in this wind farm has given me the opportunity and challenge to do just that. As part of the Getty Wind project, I have witnessed the effort to bring all interested parties to a positive outcome. Landowner's needs and concerns are thoroughly addressed. It is truly disheartening to hear that there are some not involved in the project that feel otherwise; people that made a choice not to be involved, though they were presented with the opportunity. I can respect their choice, it is/was their decision to make. A consequence of that decision is that you should not expect to be treated like those who are a part of the project (re: communication and payment). I feel very strongly that our participating landowners have been treated well and object to the implication otherwise. This project has the potential to have a significant positive impact on our community. Let's take this opportunity to keep moving forward together. I encourage the commission to move forward with approval of the petition. Thank you for your consideration, Janet Lahr Member of Getty Wind & Landowner</p>	Janet Lahr	09-30-2014 12:44 pm
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	<p>Yes. The commission should approve the petition for modification or amendment to the Black Oak and Getty Wind large wind energy conversion system site permits to specify a different type of wind turbine model, a different total number of turbines, and a different preliminary turbine layout. I am a landowner who will have turbines on my land and transmission lines on my family's land. I am not just an interested family member, I make my living farming the land. Many landowner participants look forward to the building of this project, myself included. Many look forward to the benefits the projects have the potential to provide. One benefit of turbine roads is they will allow better access to fields and provides safe staging areas for today's larger machinery. Currently many field access roads are inadequate. Another benefit is the increased tax revenue that the townships will receive. This money will help to provide services and maintenance capabilities that are currently out of financial reach. I live and farm in an area with a strong demand for land and I am confident that my property values will not be diminished by the addition of turbines to my land. Not only because I am aware of the local land market but also because of the recent study done by the Ernest Orlando Lawrence Berkeley National Laboratory for the Office of Energy Efficiency and Renewable Energy Wind and Water Power Technologies Office. The study, A Spatial Hedonic Analysis of the Effects of Wind Energy Facilities on Surrounding Property Values in the United States concludes " we find no statistical evidence that home values near turbines were affected in the post-construction or post-announcement/pre-construction periods." I am aware of the petition that the project's detractors have posed to a number of community members both inside and outside of the project's boundaries and find it unfortunate that scare tactics and facts that are not capable of withstanding scrutiny are being used to get signatures, some of which are from minors who do not live in the immediate area. This fosters a not in my backyard attitude rather than working towards amenable solutions. It is interesting to note that the majority of complaints are coming from those who have very little direct involvement. I believe one of the primary reasons for the request for the petition to modify or amend is to allow the flexibility to make changes that will enable Black Oak and Getty Wind to further comply with landowner wishes as to turbine layouts. By not approving this request the commission would limit the ability of both Black Oak and Getty Wind to work towards the common goal of building a wind farm that takes into consideration the wants and desires of not only the parties that are involved but also those who surround the project. Detractors of this project have perhaps failed to consider that</p>	Kevin Lahr	09-30-2014 01:52 pm
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	by not approving this amendment the commission would in fact make it more difficult for Black Oak and Getty Wind to make accommodations that could potentially benefit landowners and surrounding neighbors alike.Thank you for your considerationKevin Lahr		
	No. The petition should not be approved and the project itself should be reconsidered. We need to have a public hearing to have all the community know what is happening and to be able to voice our concerns. We are the people that are going to have our community changed. I question that our roads will be unsafe. Will the reflection off the turbines "sun flicker" obstruct our view of road signs? What other problems are the project directors failing to inform us about? Our entire community will be changed with this project, so we need to be informed and voice our opinions!Thank you Carolyn Reitsma Dairy Farmer and landowner	Carolyn Reitsma Carolyn Reitsma	09-30-2014 02:21 pm
	No. The commission should not approve the petition. Geronimo Wind has understated the effects of wind turbines to those living in the township. These wind turbines will depreciate the value of the land (land that is the home and life blood for so many farmers), and negatively impact the wildlife in the area. Over 65 people who will be directly affected by these turbines have signed a petition stating they do not want them in their area. How many times do local land owners need to speak up in order to slow the expediting of this project? We all want to do what is right for the community and the environment, but this is not the right approach. This latest amendment is an opportune time to reconsider the project, share the detailed information with those in the township and the community, and allow time for everyone to be heard and share their thoughts.	Karlene Gilmore	09-30-2014 03:55 pm
If the modification or amendment is approved, should any conditions be required?	Answer	User ID	Time Posted



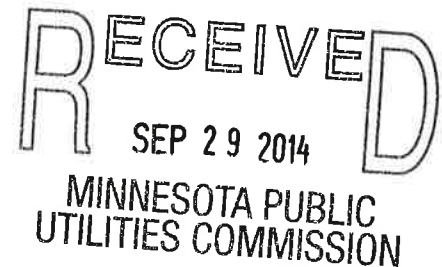
	If new layout of wind farm is different that what was already reviewed by MN DNR Wildlife, please make sure they are able to review the new layout and provide technical guidance before final approval of placements are allowed.	Nicholas Snavely	2014-09-30 21:29:58 UTC
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10-1240

11-831

September 27, 2014

Minnesota Public Utility Commission
Reference to Letter Received September 25, 2014
Docket Number IP-6853-WS-10-1240 Black Oak Wind
Docket Number IP-6866-WS-11-831 Getty Wind
Comment: (Disapprove) permit for 42 and 40 wind mills
Investigate Geronimo Wind procedures
Revoke entire permit for wind farm



After attending meetings the Environmental Board in St. Cloud approved a permit-Black Oak and Getty Wind told the Board 41 mills-later at same meeting Board approved 39 mills because they didn't remember there was to be 41 mills.

Later Geronimo-Black Oak and Getty Wind-came with 51 mills. I am not aware if this was approved by the Environmental Board.

Now they are wanting 42 for Black Oak and 40 for Getty Wind that is a total of 82 in 4 townships. The amount is too many in this small area, birds and all. Where is the Environmental Board now? (Not Right) The Board approved 39 mills not 82 mills.

Justin Pickar asked me three times to sign a contract without allowing me to read it (letter to attorney General July 11, 2014). (Bad again).

Geronimo had done gravel road testing in Raymond Township without permit 2 times (Bad again).

Geronimo wants to pour cement this fall during harvest. 2040 – 10 yard loads of concrete. It will interfere with Harvest of silage, beans and corn. (Bad again).

There is no regard for use of farm land-there are only 4 residents that live in the 4 townships, the rest a nonresidents. 3 land owners do not even live the state of Minnesota. (Bad again).

Now Geronimo wants more wind mills on the project. I believe the P.U.C have been lied to by Geronimo Getty wind. The permit for more wind mills must be denied. They have said one thing and done another over and over!

They hounded or terrorized a farm family during cancer treatment to get a signature. A week later the owner died. Later they terrorized the victims wife to get another signature till she would not come out of the house or answer the phone. (Bad again.)

I sent a letter to Attorney General. They told me to contact the P.U.C. Sending letter now because of more wind mills.

Geronimo needs to be investigated and held accountable for the way they progress and the tactics they use! Their request for more mills should be denied and permits for entire project be revoked because of the tactics and misleading people. They will say they don't recall or it didn't happen, obviously.

I would like to believe the P.U.C. would keep a better handle on the project and understand why the whole project-Black oak and Getty Wind- needs to be revoked because of ethics, tactics, misleading, use of farm land and disrespect for people in the community.

This project has been going on for 7 years and needs to be stopped period.

People don't call the P.U.C. because they feel hopeless. So you are left in the dark and that effects decisions.

Maybe P.U.C. just don't care what effect are. Makes me feel like we are being loaded into boxcars and sent to gas chambers.

If Geronimo can't get it done in 7 years they should not be doing it at all.

Sincerely,
David Wiener 37263 Co. Rd. 18,
Sauk Centre, Minnesota 56378

David Wiener

to

37263 County Road 18
Sauk Centre, MN 56378
July 11, 2014

Lori Swanson
Office of Minnesota Attorney General
1400 Bremer Tower
445 Minnesota Street
St. Paul, MN 55101

Dear Mrs. Swanson,

My wife and I are residents of Raymond Township in Stearns County Minnesota. We are filing a complaint about the immoral and misleading tactics that a wind company, Geronimo Wind, used to secure contracts from land owners to build a wind farm in our area.

From the onset, the Director of Development for the Black Oak Wind Project for Geronimo Wind, Justin Pickar, contacted landowners individually to secure lease agreements prior to having a single public informational meeting. By doing so, it was obvious Geronimo was prepared to mislead. In the subsequent paragraphs, these tactics will be evident to you.

Around 2008, Mr. Pickar approached me with a contract with a possibility of getting a wind tower placed on my land. He asked and expected me to sign a 1-inch thick contract without reading it. Within a 30-minute time period, he tried three separate times to get me to sign the contract without being given the opportunity to read it first. Each time he asked I responded with, "I want to read it first!" After the third request to sign, he left the contract, made a nasty remark, and left. I then read the contract, in full, and found out that Mr. Pickar's sales-pitch neglected to share any of the contingences that would essentially make them the governing body of the use of my land on my farm over to Geronimo Wind had I signed that day. Trying to get me to sign without the opportunity to read over the contract is wrong on all accounts and should be constituted as illegal.

In another instance, a resident signed the contract thinking it was for the wind rights only when in-fact it was a full contract giving Geronimo rights to do as they liked to with the land.

In 2013 and still this present day, community residents had gotten angry about the project. It wasn't until then that it was being talked about as a community for Geronimo Wind had a gag-order on the signed contracts prohibiting others from talking about it. Within the last month, over 60 residents signed petitions against the project.

I believe the Attorney General's purpose is to not allow such practices to occur and protect people from such tactics. Geronimo Wind also asked other residents to hurry and sign a

contract and return it as soon as possible. I have come to find out this was just another pressure tactic to get enough lease agreements signed to move to their project forward before the community found out what was truthfully going to happen.

I have called Geronimo Wind's office and told them what Justin Pickar had tried to pull on me by not allowing me to read the contract before signing. So they are aware of what he did. Later, in 2013, I confronted Pickar in front of his boss in a private meeting with four other residents of the community about his tactics to get me to sign. His answer was, "I don't recall." More recently at a township meeting on June 3rd, 2014, Pickar was there to show what will happen in Raymond Township now that they have convinced enough residents to sign contracts to move the project forward. I once again confronted Pickar in the same manner as in the private meeting and he responded, "I don't recall or have no recollection." This proves he did wrong, because the event did occur.

Because I was not allowed to read the contract first, I did not sign the contract for Geronimo Wind. This is why I am asking for your help by investigating Geronimo's practices and would like to see an injunction placed on the project. I am not writing this to you as a town board member but a concerned citizen of Minnesota, and I do not want to see the state being misled by them on any of their practices.

Below are a few other reasons why the Black Oak Wind Project is of great concern to me and other residents of Raymond Township. I also have a few questions that I would like to have answered.

1. I called the Minnesota Public Utilities Commission and told them what happened. They said they didn't care about the paper work. They said they already knew Geronimo would send out a deceptive salesman to try and get the project going.
2. Even upon request, there was no contact to the township regarding information about the project. Neither the neighbors nor Raymond Township were aware that a substation would be located near their residence. Geronimo Wind has over-ridden Raymond Township government to locate a substation within the township. The substation is located on property owned by a landowner in Illinois.
3. I am not aware of any contact to the township from the Minnesota Public Utilities Commission. Why?
4. If I were to sign Geronimo's setback contract, it would override our township's ordinances. If this is allowable, why do we even have a town board? This cannot be ethical either.
5. What is the setback distance from a property not signed in a contract?

6. We were told by Pickar in a private meeting with his boss and four residents that people who originally signed the contract, but will not sign the amendments to it will have their contracts eliminated from the wind project after construction is finished. Does Geronimo Wind have the right to use their land during construction and NOT honor setback requirements and not get paid? *We are asking your help in finding this out for we cannot trust Geronimo to give us an honest answer. They say one thing and do another.*
7. Geronimo does NOT have authority of eminent domain. Will the state or county force the township to do as Geronimo demands? How can a private company have so much power over residents and a township?
8. Why do you suppose Geronimo would use gag orders on their contracts so people would not talk to each other during sign-up? To us it looks like they did it so they could slip it under the residents' noses. That's not right!
9. At their project meeting in Sauk Centre, Geronimo claimed to have 12,000 acres signed into their footprint. Only those that were signed were given a notice for the meeting. I do not believe they have that many acres signed because there are acres that are not signed that are in their footprint. Using acres to sell a project to whomever and obtain permits from various state offices falsely is unethical. I believe they are not telling the truth to the state. I also cannot believe the commission and the state haven't watched for sales ethics of the sort being used.
10. Geronimo offered to pay for a fire hydrant and well for bulk water for fire trucks in the remote Raymond Township area. Does this get paid for through the electric bill? If so, we may be paying for other perks through the electric bill too.

If the above is the case, there seems to be no reason to have an Attorney General whose job it is to stop deceptive sales tactics. We know the Government wants renewable energy, but why do it the dirty way?

Others have written to you and have received a letter back advising them to get an attorney. Two different residents went to two different attorneys and none of them would take the case. This is why I am asking your office to explain why and do your investigation of Geronimo. It seems as though you and the state don't care or were not aware of Geronimo's contract and procedures prior to this letter.

Getty Wind is a part of Geronimo Wind's Black Oak Wind Project and seems to act the same and should be investigated as well. If the State feels there is wrong doing, their permit should be revoked. Please tell me why the State would allow such practices to occur. You have represented your position well, and I do not want to lose faith in our state government.

It would be good if Geronimo Wind lost the Black Oak Project because of their practices. It may teach them to be decent and honest. It would be better for all residents in the townships. Right now the community is torn apart.

Thank you for your time. Your office has helped me in the past. I cannot afford a lawsuit and neither can other residents. Geronimo has more money. I have included Geronimo Wind's address below and have inserted the footprint map for the Black Oak Project for your convenience. I have also included my phone number below if you need to get a hold of me for more clarification or are looking for any more details regarding this concern. I look forward to your response. It has been hard on the residents in the community.

Sincerely, *David Wiener*

David Wiener
(320)-352-3236

Geronimo Wind Energy
7650 Edinborough Way, Ste 725
Edina, MN 55435

Response



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

LORI SWANSON
ATTORNEY GENERAL

July 25, 2014

102 STATE CAPITOL
ST. PAUL, MN 55155
TELEPHONE: (651) 296-6196

Mr. David Wiener
37263 County Road 18
Sauk Centre, MN 56378-8102

Dear Mr. Wiener :

I thank you for your correspondence received July 17, 2014.

You are concerned about the activity of Geronimo Wind Energy ("Geronimo") and Getty Wind ("Getty") in connection with development of the Black Oak Wind Project in the Raymond Township of Stearns County. You enclose a map showing that you own a quarter section of farmland in Raymond Township. You explain your concerns first arose in 2008, when a Geronimo representative used pressure tactics to try to obtain your signature on a contract for Geronimo to build on your farmland. You indicate that, after you refused to sign unless you were allowed to read the contract, you learned that the contract granted rights to the company beyond those the representative described to you. You believe the company's claim to have 12,000 acres "signed into their footprint" is false. You are further concerned because public discussion of the project was suppressed because landowners who signed the contract during and after 2008 thereby agreed to not talk to others about the project. You suspect that the cost of "perks" offered by Geronimo to Raymond Township ultimately will be reflected in ratepayers' higher electric energy bills. You have questions about the setback distances not governed by a contract, the rights of landowners who signed the contract but declined to sign any amendment to it, the legal rights of the township relative to the developers, and why the Minnesota Public Utilities Commission (Commission) did not contact Raymond Township. You explain that this project has been hard on the community. You would like to see this developer investigated, and its Black Oak Wind Farm permit revoked if wrongdoing occurred. You have contacted the Commission with your concerns, but it has not acted. You are concerned that these developers' ongoing practices may continue to be inappropriate or misleading and want this Office to know of your concerns.

I appreciate your concerns and understand how worrisome this situation must be. I know that some wind projects may negatively impact the ability of nearby landowners to enjoy their property and that this is a very tough situation for the neighbors. It is important for citizens to exercise their rights under the regulatory scheme set up by the Minnesota Legislature so that their voices are heard in the matter. While this Office does not have authority over the siting of wind farms in Minnesota or over the agencies responsible to determine whether and how they are allowed to proceed, I can tell you the following, which I hope will be helpful:

First, you were correct to contact the Commission with your concerns about the developer, its misleading conduct, possible revocation of the permit, and the impact of the project on electric rates. The Commission is the State agency charged with deciding the need for, as well as the siting of, large wind farms developed in Minnesota, and to set electric rates of public utilities. This Office has no authority over the Commission. The Commission, on January 28, 2013, issued its "Findings of Fact, Conclusions of Law and Order Issuing a Site Permit to Black Oak Wind, LLC for the Black Oak Wind Farm" ("Order"), a copy of which I enclose; the Permit for the Black Oak Wind Farm is attached to the Order. The Commission alone has the authority to revoke a Permit it has issued. You may contact the Commission, as follows:

Minnesota Public Utilities Commission
121 East 7th Place
St. Paul, MN 55101
Telephone: 651-296-7124
Toll Free: 1-800-657-3782

Be sure to include the Commission docket number, WS-10-1240, on any written communications you send to the Commission regarding this matter.

Second, regarding setback rights of landowners who did not sign a contract, the Permit issued by the Commission states, at page 2:

Wind turbine towers shall not be located closer than 1,000 feet from any residence unless a waiver has been signed by the property owner(s), or the distance required to comply with the noise standards pursuant to Minnesota Rule 7030.0040 established by the Minnesota Pollution Control Agency (PCA), whichever is greater. In no case shall wind turbine towers be located closer than 500 feet from any residence.

Other provisions of section 4 contain additional setback requirements.

Third, regarding the present legal rights that other landowners may have relative to the developers, those landowners may wish to discuss this matter with a private attorney. I recognize that retaining a private attorney is not cheap. In this case, however, I believe that a private attorney may be able to provide advice as to legal rights and potential avenues of recourse. If a person cannot identify an attorney to advise them, the Minnesota State Bar Association's Attorney Referral Service is available on the Internet at www.mnfindalawyer.com. If you select an attorney through the referral service, you should ask about any initial consultation fee since the fees vary. I enclose our flyer, *Hiring an Attorney*, which has more information.

I thank you again for your correspondence.

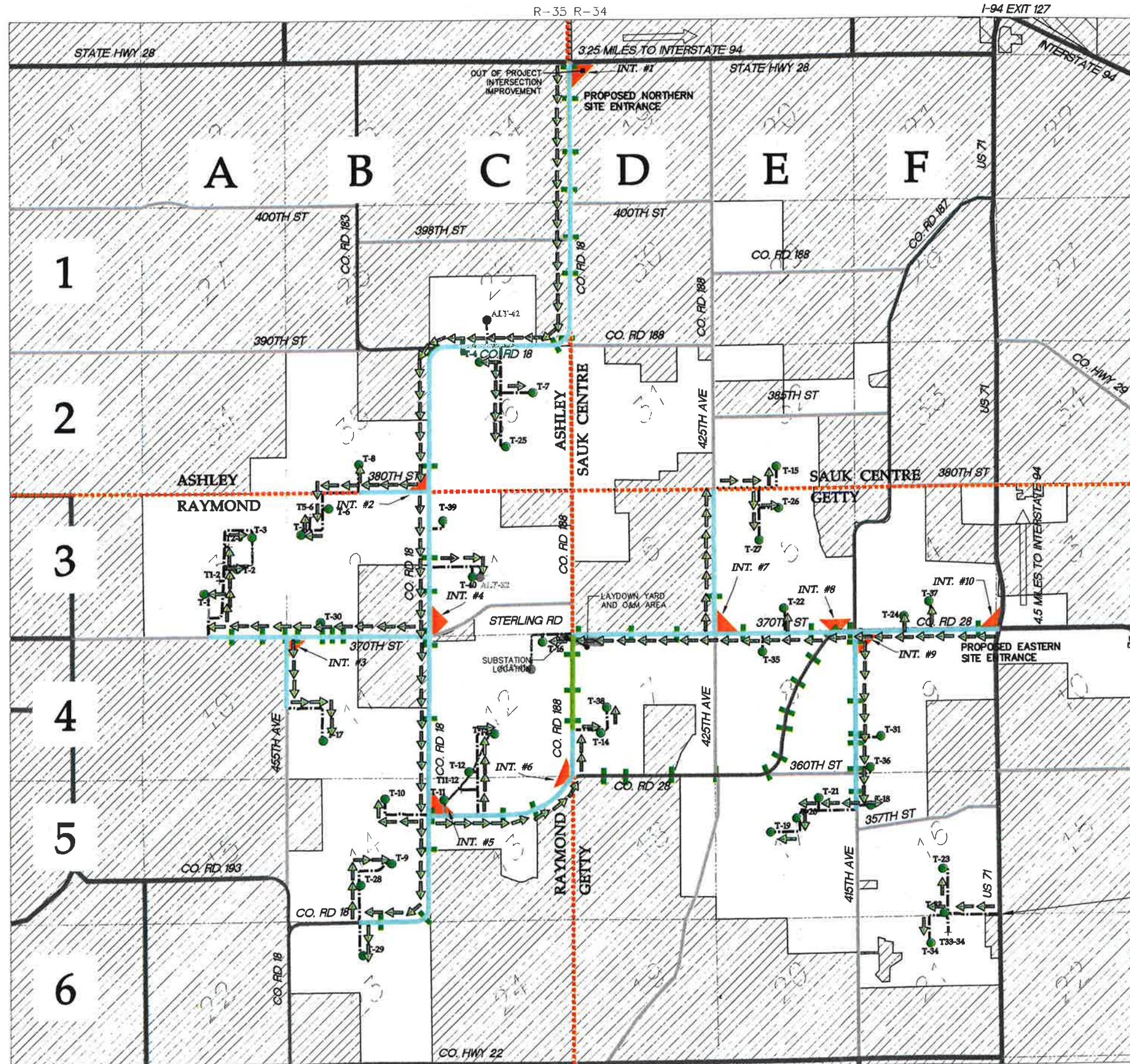
Sincerely,



LAURA FLANDERS
Legal Assistant

Enclosures: Findings of Fact, Conclusions of Law and Order Issuing a Site Permit to Black
Oak Wind, LLC for the Black Oak Wind Farm, MPUC Docket WS-10-1240
Hiring an Attorney


Exhibit B: Designated Haul Roads

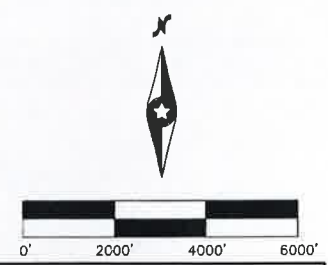


LEGEND:

- TURBINE LOCATION
- T-XX TURBINE NUMBER
- ALTERNATE TURBINE LOCATION
- ALT-X ALTERNATE TURBINE NUMBER
- OUTSIDE OF PROJECT BOUNDARY
- DENOTES SECTION NUMBER
- DELIVERY ROAD
- DELIVERY ROAD EMPTIES ONLY
- PROPOSED ACCESS ROAD
- ALTERNATE ACCESS ROAD
- EXISTING BITUMINOUS/CHIP SEAL ROAD
- EXISTING GRAVEL ROAD
- TOWNSHIP BOUNDARY
- SECTION LINE
- ▲ POTENTIAL INTERSECTION IMPROVEMENT
- ↕ EXISTING CULVERT
- ← DELIVERY INGRESS

- ASSUMPTIONS:**
- NO ONSITE BATCH PLANT
 - EASTERN PART OF SITE WILL BE DELIVERED FROM US HIGHWAY 71
 - WESTERN PART OF SITE WILL BE DELIVERED FROM S.H. 28.
 - CONCRETE DELIVERIES WILL FOLLOW FLOW PLAN FOR ALL OTHER TYPES OF DELIVERIES
 - CRANE ASSEMBLY ASSUMED ON EAST SIDE OF SITE
 - CRANE BREAKDOWN ASSUMED ON NORTH SIDE OF SITE
 - RT CRANE USE OF PUBLIC ROADS WILL BE LIMITED TO 4 PASSES PER ROAD
 - EMPTY TRUCK COUNTS ARE INCLUDED FOR CO RD 28-C & CO RD 188-4 BASED ON ALL DELIVERY TRUCKS FROM CO RD 28-C, CO RD 188-4 & 370TH ST-D POTENTIALLY USING THESE ROADS TO EXIT THE SITE TO THE NORTH. ALL OTHER ROADS ARE ASSUMED TO HAVE DOMINATE LOADING FROM DELIVERY TRAFFIC SO EMPTY LOAD ANALYSIS WAS NOT COMPLETED
 - REFER TO TRUCK COUNT SPREADSHEETS FOR ADDITIONAL ASSUMPTIONS
 - SEGMENT 370TH ST-D2 IS INCLUDED ON THE SPREADSHEET TO ADD AN ADDITIONAL FACILITY. TRUCK TRAFFIC FOR 370TH ST-D IS BASED ON THE CUMULATIVE LOADING BETWEEN D1 & D2 AND IS CALCULATED IN THE D1 FIELD

Designated	KLM
Checked	ISC
Drewn	ipf
Record Drawing by/date	
Revisions	
DATE	DESCRIPTION
Prepared for:	
	
7650 Edinborough Way, Suite 725, Edina, MN 55435	



Black Oak/Getty Wind Farm

Stearns County, Minnesota

US HWY 71 ACCESS LOCATION
SEE SHEET 38

**Delivery Flow Plan With
Township Boundaries**

ISSUED FOR PERMITTING
Turbine Array:
BOGY_39xV110-80mHH_20140718_s1
Date: 08/28/2014
Sheet: 1 OF 1