

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

|                    |              |
|--------------------|--------------|
| Katie Sieben       | Chair        |
| Valerie Means      | Commissioner |
| Matthew Schuerger  | Commissioner |
| John Tuma          | Commissioner |
| Joseph K. Sullivan | Commissioner |

Docket No. IP7041/CN-20-764

**In the Matter of the Application of Byron Solar, LLC for a Certificate of Need for the up to 200 MW Byron Solar Project and 345 kV Transmission Line in Olmsted and Dodge Counties, Minnesota.**

**CERTIFICATE OF NEED NOTICE  
PLAN APPROVAL REQUEST**

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**Public Comments on this Notice Plan proposal can be submitted to  
the Minnesota Public Utilities Commission until  
November 2, 2020**

**Replies to Comments can be submitted to the  
Minnesota Public Utilities Commission until  
November 23, 2020**

**The Commission's address is: Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, Saint Paul, MN 55101-2147.**

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**INTRODUCTION**

Byron Solar, LLC ("Byron Solar") submits this notice plan for approval by the Minnesota Public Utilities Commission ("Commission") pursuant to Minn. R. 7829.2550. Byron Solar intends to file an application for a Certificate of Need ("CN") for a new 345 kilovolt ("kV") transmission line and associated facilities ("Transmission Line") to be located in Olmsted and Dodge Counties, Minnesota in the first quarter of 2021. The Transmission Line will be less than 5 miles long and will connect Byron Solar's up to 200 megawatt ("MW") photovoltaic solar-energy generating system located in Dodge County to the existing Byron Substation in Olmsted County, Minnesota. A project substation will be constructed to connect the Solar Farm to the proposed Transmission Line. A Certificate of Need and a Route Permit will be required for the Transmission Line.<sup>1</sup>

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<sup>1</sup> Byron Solar plans to file an application for a Site Permit for the solar energy generating facility and an application for a Route Permit for the Transmission Line.

The proposed route for the Transmission Line will start from the Solar Farm's project substation, approximately five miles southwest of the town of Byron, and terminate approximately one mile west of Byron. Byron Solar proposes to use 100- to 140-foot tall steel structures with spans of approximately 750 to 1,000 feet.

Byron Solar is planning to obtain a 150-foot wide permanent right-of-way, supporting the path of the 345 kV Transmission Line. Byron is currently acquiring easements from landowners in order to secure the right-of-way required for the Transmission Line.

The initial step in the Certificate of Need application process is approval of a Notice Plan to be implemented by Byron Solar. Through implementation of the Notice Plan, potentially interested persons will be notified of the opportunity to participate in the regulatory process.

### **NOTICE PLAN PROPOSAL**

Byron Solar proposes to provide notice to landowners within the corridor as required by Minn. R. 7829.2550.

As discussed in more detail below, Byron Solar's Notice Plan consists of four parts:

- Direct mail notice to landowners with property within or adjacent to the proposed transmission line corridor;
- Direct mail notice to others with mailing addresses within or adjacent to the proposed transmission line corridor;
- General notice by publishing ads in local newspapers serving those within or adjacent to the proposed transmission line corridor; and
- Direct mail notice to local units of government in and around the proposed transmission line corridor.

Included with this filing are examples of the notices Byron Solar plans to mail or publish.

- A. Direct Mail Notice to Landowners with Property in Proposed Corridor: Minn. R. 7829.2550, Subp. 3(A) requires that direct mail notice be provided to "landowners reasonably likely to be affected by the proposed transmission line." As required by Minn. R. 7829.2550, Subp. 3(A), Byron Solar plans to review the county tax assessment rolls and other relevant county records to determine the names and addresses of those landowners who own property within or adjacent to the proposed transmission line corridor.
- B. Direct Mail Notice to Mailing Addresses: Minn. R. 7829.2550, Subp. 3(B) requires that direct mail notice be provided to "all mailing addresses within the area reasonably likely to be affected by the proposed transmission line." Byron Solar intends to mail notice to all mailing addresses within or adjacent to the proposed transmission line corridor. The addresses will be gathered from mailing lists maintained by the United States Post Office or from bulk mailing firms. The list of landowners from part A above and the list of mailing

addresses generated for part B will be merged and notification letters will be sent to those persons on the resulting list.

- C. Direct Mail Notice to Local Governments: Minn. R. 7829.2550, Subp. 3(C) requires that direct mail notice be provided to “tribal governments and to the governments of towns, statutory cities, home rule charter cities, and counties whose jurisdictions are reasonably likely to be affected by the proposed transmission line.” Byron Solar proposes to provide direct mail notice to all tribal governments located in Minnesota.
- D. Newspaper Notice: Minn. R. 7829.2550, Subp. 3(D) requires that notice via newspapers be given to “members of the public in areas reasonably likely to be affected by the proposed transmission line.” Byron Solar plans to publish a notice in the following newspapers:

**Olmsted County**

Rochester Post Bulletin  
1700 Greenview Dr. SW  
Rochester, MN 55902

**Dodge County**

Dodge County Independent  
105 1st Ave. NW  
Kasson, MN 55944

The published notice will include a copy of the enclosed map depicting the proposed transmission line corridor.

- E. Notice Content: Minn. R. 7829.2550, Subp. 4, identifies the information that must be included in the notices. Byron Solar has incorporated the required information into draft direct mail notice letters and a newspaper ad copy, examples of which are enclosed. A copy of the enclosed map depicting the proposed transmission line corridor will be provided with each direct mail notice letter.
- F. Distribution of Notice Plan Filing: As required by Minn. R. 7829.2550, Subp. 1, Byron Solar served copies of its notice plan filing on the Department of Commerce, the Residential and Small Business Utilities Division of the Office of the Attorney General, and all persons on the “General List of Persons Interested in Power Plants and Transmission Lines” administered by the Department of Commerce (*see* enclosed Affidavit of Service).
- G. Compliance Filing: Within 30 days of the approval of the Notice Plan, Byron Solar will implement the plan. Byron Solar will then prepare and submit to the Commission a filing showing compliance with the Notice Plan. The compliance filing will provide sample copies of the materials distributed, copies of Affidavits of Publication, and copies of Affidavits of Service with accompanying lists of landowners/residents and local officials receiving direct mail notice letters.

**CONCLUSION**

Byron Solar respectfully requests that the Commission approve its Notice Plan, submitted in preparation for its filing of a Certificate of Need application for a 345 kV transmission line and associated facilities in Dodge and Olmsted Counties, Minnesota.

Dated: October 12, 2020

Respectfully submitted,

*/s/ Christina K. Brusven*

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Christina K. Brusven (# 0388226)  
**FREDRIKSON & BYRON, P.A.**  
200 South Sixth Street, Suite 4000  
Minneapolis, Minnesota 55402-1425  
Telephone: (612) 492-7000  
Fax: (612) 492-7077

**Attorney for Byron Solar, LLC**

October 12, 2020

«First\_Name» «Last\_Name»  
«Business\_Name»  
«Street\_Address\_1»  
«Street\_Address\_2»  
«City», «State\_» «Zip\_Code»

**RE: Notice of Certificate of Need Application for an up to 200 MW Solar Energy Generating Facility and 345 kV Transmission Line in Olmsted and Dodge Counties, Minnesota, MPUC Docket No. IP7041/CN-20-764**

Byron Solar, LLC (“Byron Solar”), an affiliate of EDF Renewables, Inc. (“EDF”), is currently developing an up to 200 megawatt (“MW”) photovoltaic (“PV”) solar generating facility (“Solar Farm”) in Dodge County, Minnesota and accompanying transmission line (collectively, the “Project”). You are receiving this letter because Byron Solar is proposing to build a new 345 kilovolt (“kV”) transmission line and associated facilities in Olmsted and Dodge Counties, Minnesota to connect the Solar Farm to the Byron Substation. This letter outlines the regulatory process involved in determining if the proposed transmission line is needed and, if so, where the line should be located. We welcome your involvement in this process and look forward to working with you.

Typically, 345 kV transmission lines are built using steel monopole structures, 100 to 140 feet in height and on a 150-foot wide right-of-way. Byron Solar will work with landowners to purchase property rights, called easements, along the transmission line route if the proposed line is approved by state permitting agencies.

We are providing this notice at an early stage in the permitting process so that those persons who may be affected have every opportunity to participate in meetings and hearings. We have not yet determined our proposed routes for the transmission line. Instead, we are notifying all potentially affected parties who are within or adjacent to the Transmission Line routing Area shown on the enclosed map.

Once a final route is identified, you may not be directly affected by the line. Nonetheless, we hope you will take the time to be involved in this process to examine the need and routing of our proposed line. Please do not rely on others to represent your interest.

Before the line can be built, the Minnesota Public Utilities Commission (“Commission”) must determine whether the Project is needed (Certificate of Need) and where the Project should be located (Route Permit). As part of the Certificate of Need and route Permit processes, the Minnesota Department of Commerce, Energy Environmental Review and Analysis unit, will prepare an Environmental Assessment. The routing process will consider environmental, land use, and other potential routing impacts. The Certificate of Need and Route Permit processes are governed by Minnesota law, including Minnesota Statutes, Section 216B.243 and Chapter 216E, and Minnesota Rules, Chapters 4410, 7829, 7849, and 7850.

Each of the permitting processes described above provides an opportunity for public input and comment, and you are encouraged to participate. You can get involved by submitting comments or attending public meetings and hearings. Watch local newspapers for notice of such opportunities. Please keep in mind that “need” issues should be raised in the Certificate of Need process, and issues concerning the route of the line should be raised during the routing process.

To learn more about the regulatory process or join the mailing lists regarding the proposed transmission line, you can contact:

Certificate of Need

TBD  
Minnesota Public Utilities Commission  
121 Seventh Place East, Suite 350  
St. Paul, MN 55101  
Phone:  
Email:  
Website: [www.mn.gov/puc](http://www.mn.gov/puc)

Charley Bruce  
Minnesota Public Utilities Commission  
121 Seventh Place East, Suite 350  
St. Paul MN 55101  
Phone: (651) 201-2251  
Email: [charley.bruce@state.mn.us](mailto:charley.bruce@state.mn.us)  
Website: [www.mn.gov/puc](http://www.mn.gov/puc)

Routing and Environmental Review

TBD  
Minnesota Department of Commerce  
Energy Environmental Review and Analysis  
85 7th Place East, Suite 280  
St. Paul, MN 55101  
Phone:  
Email:  
Website: [www.mn.gov/commerce](http://www.mn.gov/commerce)

We have sent a similar notice to residents and landowners within or adjacent to the corridor outlined in the enclosed map and have placed an ad in the local newspapers. As you can see from the map, notice is being provided to a broader group of individuals than may ultimately be affected by the final transmission line route. However, we have provided broad notice because it is important to use that all potentially affected parties have an opportunity to participate in the regulatory process.

If you or your constituents have any questions, we would be happy to meet with you and others to discuss our proposal.

Also, please feel free to contact Byron Solar with any questions. Questions can be sent to:

Scott Wentzell  
EDF Renewables  
10 NE 2nd Street, Suite 400  
Minneapolis, MN 55413  
(612) 746-0770

We encourage you to get involved in this process and look forward to working with you.

Sincerely,

Scott Wentzell  
Project Developer

Enclosure

October 12, 2020

«First\_Name» «Last\_Name»  
«Business\_Name»  
«Street\_Address\_1»  
«Street\_Address\_2»  
«City», «State\_» «Zip\_Code»

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Sincerely,

Scott Wentzell  
Project Developer

Enclosure

**-NOTICE-**

**Byron Solar, LLC Proposes to Build a New 200 Megawatt Solar Generating Facility and  
Accompanying 345 Kilovolt Transmission Line in Dodge and Olmsted Counties, Minnesota  
MPUC Docket No. IP7041/CN-20-764**

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Byron Solar has not yet determined our proposed routes for the transmission line, but the accompanying map shows the corridor in which it proposes that the routes be located.

**How to Get Involved**

Before the line can be built, the Minnesota Public Utilities Commission (“Commission”) must determine whether the Project is needed (Certificate of Need) and where the Project should be located (Route Permit). As part of the Certificate of Need and Route Permit processes, the Minnesota Department of Commerce, Energy Environmental Review and Analysis unit, will prepare an Environmental Assessment. The routing process will consider environmental, land use, and other potential routing impacts. The Certificate of Need and Route Permit processes are governed by Minnesota law, including Minnesota Statutes, Section 216B.243 and Chapter 216E, and Minnesota Rules, Chapters 4410, 7829, 7849, and 7850.

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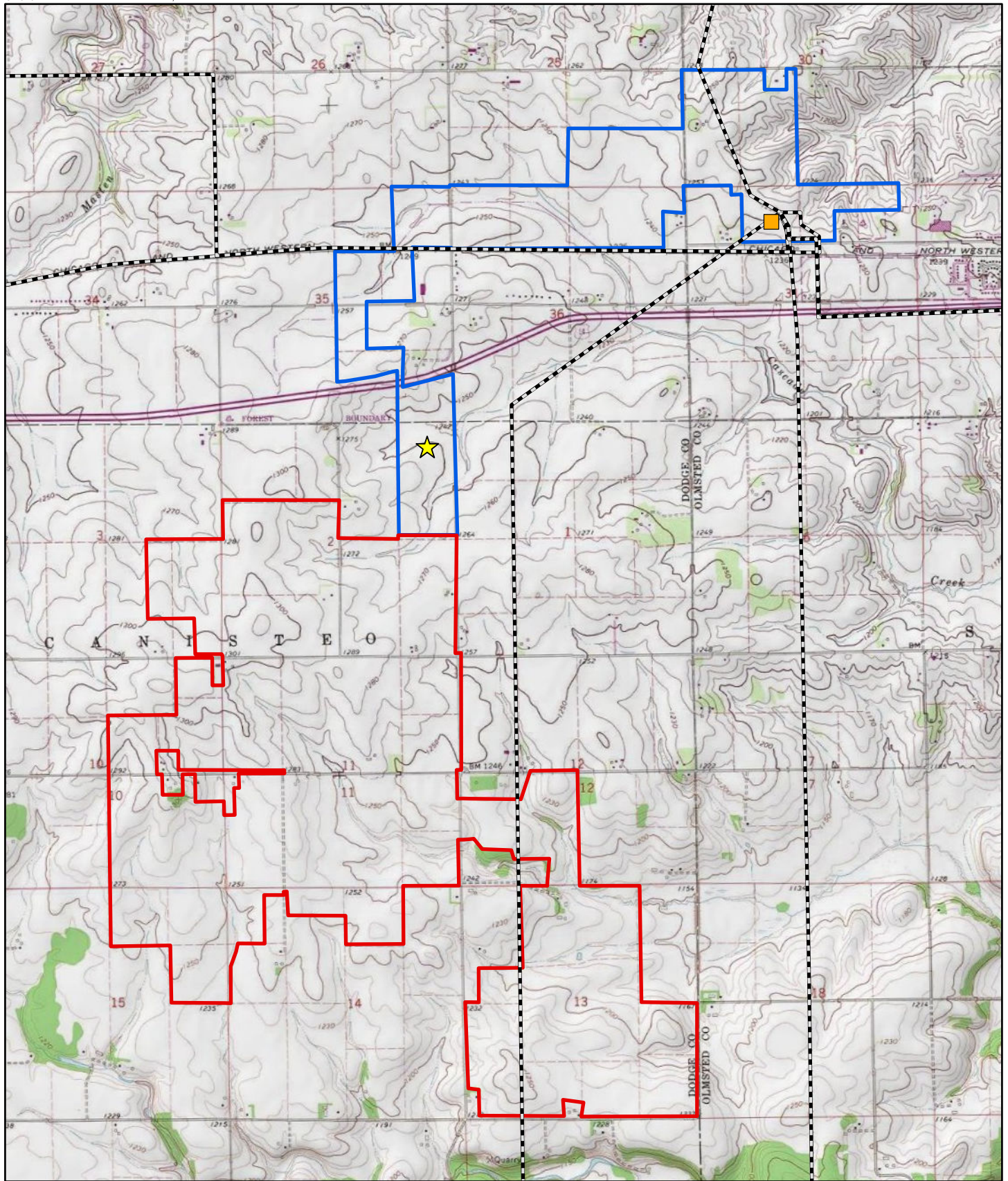
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Scott Wentzell  
Project Developer



Data Source(s): Westwood (2020); USGS Topo (Accessed 2020); Ventyx (Accessed 2020).

- Byron 345kV POI
- T-Line Notice Area
- ★ Proposed Project Substation (Approximate)
- Solar Project Boundary
- Existing Transmission Line

# Byron Solar Project

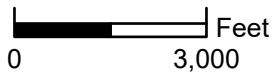
Dodge and Olmsted Counties, Minnesota

## Site Location Map

# Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.



October 12, 2020