

April 28, 2022

Via Electronic Filing

Mr. Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101

Re: ***In the Matter of the Application of Buffalo Ridge Wind, LLC for a Site Permit for the 109 MW Large Wind Energy Conversion System in Lincoln and Pipestone Counties, Minnesota, Docket No. IP-7006/WS-19-394***

Reply Comments of Buffalo Ridge Wind, LLC

Dear Mr. Seuffert:

Buffalo Ridge Wind, LLC ("BRW") respectfully submits these brief Reply Comments in response to the Department of Commerce, Energy Environmental Review and Analysis' ("EERA") April 27 Comments in the above-referenced proceeding. In its Comments, EERA recommends that the Commission (1) treat BRW's request for a limited waiver of the Wind Access Buffer setback requirement in Section 4.1 of the Site Permit as a permit amendment request; and (2) approve an amendment to the Site Permit reflecting the limited exception to the Wind Access Buffer requirement. BRW appreciates EERA's thoughtful review and supports EERA's recommendation. BRW characterized its request as a waiver – rather than an amendment – due to the fact that the language of Section 4.1 of the Site Permit provides that Commission may approve an exception to the Wind Access Buffer. BRW recognizes, however, that there is merit to ensuring that a Site Permit fully sets forth the all rights and obligations of BRW in a single document available to all interested stakeholders.

Finally, EERA requests that BRW confirm EERA's understanding that granting the limited exception to the Wind Access Buffer will not result in environmental or human impacts. BRW confirms the same. As EERA notes, granting the waiver does not impact the location of any Project facilities. Further, as EERA notes, the Wind Access Buffer is intended to avoid infringing on the wind rights of non-participants. In this case, the owner of the subject parcel (Xcel Energy) has specifically noted its non-objection to the limited exception. Under these unique circumstances, BRW respectfully requests that the Commission grant the requested amendment.

Thank you for consideration of these brief Reply Comments. Please feel free to contact me with any questions regarding this request.

50 South Sixth Street, Suite 2600, Minneapolis, MN 55402

Mr. Will Seuffert
April 28, 2022
Page 2

Respectfully submitted,

/s/ Brian M. Meloy

Brian M. Meloy

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

In the Matter of the Application of Buffalo Ridge Wind, LLC for a Site Permit for the 109 MW Large Wind Energy Conversion System in Lincoln and Pipestone Counties, Minnesota) **Docket No. IP-7006/WS-19-394**
) **CERTIFICATE OF SERVICE**
)

The undersigned hereby certifies that a true and correct copy of **Buffalo Ridge Wind, LLC’s Reply Comments**, has been served today by e-mail to the following:

Name	Email/Address	Delivery Method
Barbara Case	barbara.case@state.mn.us	Electronic
Generic – Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Electronic
Sharon Ferguson	sharon.ferguson@state.mn.us	Electronic
Dannell Herzig	danell.herzig@nexteraenergy.com	Electronic
Stacy Kotch Egstad	stacy.kotch@state.mn.us	Electronic
Karen Kromar	karen.kromar@state.mn.us	Electronic
Brian Meloy	brian.meloy@stinson.com	Electronic
Brian J. Murphy	Brian.J.Murphy@nee.com	Electronic
Carol A. Overland	overland@legalelectric.org	Electronic
Kevin Pranis	kpranis@liunagro.com	Electronic
Generic – Residential Utilities	residential.utilities@ag.state.mn.us	Electronic
Will Seuffert	Will.Seuffert@state.mn.us	Electronic
Janet Shaddix Elling	jshaddix@janetshaddix.com	Electronic
Cynthia Warzecha	cynthiawarzecha@state.mn.us	Electronic

Dated this 28th day of April, 2022

/s/Nena L. Kuhnly

Nena L. Kuhnly