

The Commission met on **Friday, January 3, 2020** with Chair Sieben and Commissioners Lipschultz, Means, and Tuma present.

The following matters were taken up by the Commission:

E-145,304/SA-19-698

In the Matter of the Joint Request of MiEnergy and the City of St. Charles for Approval to Update Electric Service Territory Boundaries

Commissioner Tuma moved that the Commission take the following actions:

1. Approve the permanent service territory transfer from MiEnergy to the City of St. Charles, Minnesota.
2. Request that the Minnesota Geospatial Information Office update the Commission's maps to reflect the service area designations as shown on the map in the petition.

The motion passed 4-0.

IP-6997/CN-18-699

IP-699/WS-18-700

IP-6997/RL-18-701

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

Commissioner Lipschultz moved that the Commission take the following actions:

1. Accept the certificate of need application as substantially complete;
2. Accept the site permit application as substantially complete;
3. Accept the route permit application as substantially complete;
4. Approve joint public meetings and hearings and combined environmental review of the certificate of need, site permit, and route permit applications to the extent practical;
5. Request DOC EERA to prepare an EIS in lieu of an ER;
6. Refer the route permit application to the OAH for a contested case hearing pursuant to the contested case procedures of chapter 14;

7. Refer the certificate of need and site permit applications to the OAH for a contested case hearing to be held jointly with the route permit application pursuant to chapter 14;
8. Direct that the certificate of need application be reviewed using the informal review process;
9. Take no action on an advisory task force at this time;

10. Procedural Guidance to OAH:

- A. Require a prehearing conference at a date, time, and place to be set by the ALJ in consultation with Commission staff;
 - B. Request that the ALJ prepare a report setting forth findings, conclusions, and recommendations on the merits of the proposed project, applying the routing criteria set forth in statute and rule; and provide comments and recommendations, if any, on the conditions and provisions of a route permit;
 - C. If the certificate of need application is referred to OAH for contested case hearing, request that the ALJ prepare a report setting forth findings, conclusions, and recommendations on the merits of the proposed project, applying the certificate of need criteria set forth in statute and rule;
 - D. If the LWECS site permit application is referred to OAH for contested case hearing, request that the ALJ prepare a report setting forth findings, conclusions, and recommendations on the merits of the proposed project, applying the siting criteria set forth in statute and rule; and provide comments and recommendations, if any, on the conditions and provisions of a site permit.
5. Take some other action deemed more appropriate;

11. Administrative Guidance:

- A. Delegate administrative authority, including timing issues, to the Executive Secretary;
- B. Identify Charley Bruce as the Commission's Public Advisor who will facilitate citizen participation in the process;
- C. Direct staff to contact state agency representatives regarding their participation in the review proceeding;
- D. Request that the Department of Commerce continue to study the issues and indicate during the hearing process through testimony or comment its position on the reasonableness of granting a certificate of need, site permit, and a route permit;

- E. Require the Applicant to facilitate in every reasonable way the continued examination of the issues'
 - F. Require the Applicant to place a print or electronic copy of the certificate of need, site permit, and route permit applications in a government center or public library located closest to the proposed project site;
 - G. Direct the Applicant to work with Commission staff to arrange for publication of the notices related to public information meetings and public hearings in newspapers of general circulation under the timelines prescribed in rule and statute, that such notice be in the form of visible display ads, and that proof of publication be obtained from the newspapers selected;
12. Vary Minn. R. 7849.0200, subp. 5, and extend the 30-day time frame for Commission decision on certificate of need application completeness;
13. Vary Minn. R. 7854.0600, subp. 1, and extend the 30-day time frame for Commission decision on LWECS site permit application completeness; and
14. Vary Minn. R. 7854.0800, subp. 1, and extend the 45-day time frame for Commission decision on the issuance of a draft site permit.

The motion passed 4-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: January 22, 2020



Ryan Barlow, Acting Executive Secretary