

The Commission met on **Thursday, November 16, 2017**, with Chair Lange and Commissioners Lipschultz, Schuerger, Sieben, and Tuma present.

The following matters were taken up by the Commission:

ENERGY FACILITIES PERMITTING

IP-6496/TL-17-322

In the Matter of the Application of Freeborn Wind Energy, LLC for a Route Permit for the 161kV Freeborn Wind Farm Transmission Line and Associated Facilities in Freeborn County

Commissioner Lipschultz moved to take the following actions:

1. Accept the route permit application as complete.
2. Refer the matter to the Office of Administrative Hearings for a summary proceeding and request that the administrative law judge:
 - a. Encourage the parties to adhere to a schedule that conforms to the statutory time frame for the Commission's decision.
 - b. Ask the parties, participants and public to address whether the proposed project and any alternatives meet the selection criteria established in Minn. Stat. § 216E.03, subd. 7, and Minn. R. 7850.4100.
 - c. Prepare a report setting forth findings, conclusions, and recommendations on the merits of the proposed project and alternatives to the proposed project applying the criteria set forth in statute and rule; and provide comments and recommendations, if any, on the conditions and provisions of the proposed permit.
3. Delegate administrative authority to the Executive Secretary and include the following additional items in the appropriate orders issued in this matter:
 - a. Provide the name, telephone number, and email address of the staff person designated as Public Advisor to facilitate citizen participation in the process.
 - b. Request that EERA continue to study issues and indicate during the hearing process its position on the reasonableness of granting a route permit.
 - c. Require Freeborn Wind to facilitate in every reasonable way the continued examination of the issues by the EERA and Commission staff.
 - d. Require Freeborn Wind to place a copy of the application (printed or compact disc) for review in at least one government center or public library in each county where the proposed transmission line project is located.

- e. Direct Commission staff to work with the Administrative Law Judge and Department staff in selecting a suitable location for the public hearing on the application.
 - f. Direct Freeborn Wind to work with Commission staff to arrange for publication of the notice of public hearings in newspapers of general circulation at least ten days prior to the hearing(s). Such notice shall be in the form of visible display ads, and the applicant shall provide proof of publication.
4. Request that EERA present comments on the environmental assessment scope to the Commission for its input prior to the issuance of the final scoping decision by the Department of Commerce.
 5. Take no action on an advisory task force at this time.
 6. Vary the time period of Minn. R. 7850.3700, subp. 3, for good cause to extend the ten-day time limit for the Department to issue its scoping decision in order to allow for Commission review.

The motion passed 5–0.

ENERGY AGENDA

E-002/M-17-532

In the Matter of Petition for Approval of an Amendment to the Hennepin Energy Resource Co. (HERC) Power Purchase Agreement (PPA)

Commissioner Lipschultz moved to reject Amendment No. 1 to the HERC PPA because the price agreed to does not reflect a reasonable approximation of the current fair market value.

The motion passed 4–1. Chair Lange voted against the motion.

There being no further business, the meeting was concluded.

APPROVED BY THE COMMISSION: January 10, 2018



Daniel P. Wolf, Executive Secretary