

May 5, 2021

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

RE: EERA Comments and Recommendations on Proposed Site Permit Transfer
Mower County Wind Farm
Docket No. IP-6557/WS-06-91

Dear Mr. Seuffert,

Attached are comments and recommendations of Department of Commerce, Energy Environmental Review and Analysis (EERA) staff in the following matter:

In the Matter of Xcel Energy's Request to Transfer the Large Wind Energy Conversion System (LWECS) Site Permit for the 98.9 MW Mower County Wind Farm in Mower County, Minnesota.

The request was filed on April 16, 2021, by:

Mary Martinka
Xcel Energy
414 Nicollet Mall
Minneapolis, MN 55401

EERA staff is available to answer any questions the Commission may have.

Sincerely,



Ray Kirsch
Environmental Review Manager

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BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS COMMENTS AND RECOMMENDATIONS

MOWER COUNTY WIND FARM DOCKET No. IP-6557/WS-06-91

Date: May 5, 2021

EERA Staff: Ray Kirsch | 651-539-1841 | raymond.kirsch@state.mn.us

In the Matter of Xcel Energy’s Request to Transfer the Large Wind Energy Conversion System (LWECS) Site Permit for the 98.9 MW Mower County Wind Farm in Mower County, Minnesota.

Issues Addressed: These comments and recommendations address the proposed transfer of the site permit for the Mower County Wind Farm to Northern States Power Company (Xcel Energy).

Additional documents and information can be found on eDockets:
<https://www.edockets.state.mn.us/EFiling/search.jsp> (06-91).

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-296-0391 (voice).

Introduction and Background

On May 26, 2006, the Commission issued a site permit to High Prairie Wind Farm I, LLC to construct and operate a 98.9 megawatt (MW) wind farm in Mower County.¹ Subsequently, the Commission approved transfer of the site permit for the Mower County Wind Farm to FPL Energy Mower County Wind, LLC. After operating for about 12 years, and after approval of a site permit amendment, the wind farm was repowered with new wind turbine generating equipment.²

On August 30, 2019, Northern States Power Company (NSP) petitioned the Commission to acquire the Mower County Wind Farm from FPL Energy Mower County Wind, LLC.³ On November 5, 2020, the Commission approved NSP’s acquisition of the Mower County Wind Farm.⁴ On April 16, 2021, after

¹ Order Granting Site Permit, May 26, 2006, eDockets Number [171592](#).

² Order Approving Site Permit Amendment and Limited Modifications to Wind Access Buffer for Certain Turbines, August 14, 2020, eDockets Number [20208-165890-01](#) (hereinafter Site Permit).

³ Petition for Approval of the Acquisition of the Mower County Wind Facility, Northern States Power Company, August 30, 2009, eDockets Number [20198-155615-02](#).

⁴ Order Approving Acquisition of Mower County Wind Facility, Approving Variance, and Taking Other Action, November 5, 2020, eDockets Number [202011-168067-01](#).

close of the sale for the wind farm, NSP and FPL Energy Mower County Wind, LLC jointly requested transfer of the site permit for the Mower County Wind Farm to NSP.⁵

On April 21, 2021, the Commission issued a notice soliciting comments on the proposed transfer of the site permit to NSP.⁶

Regulatory Process and Procedures

To transfer a wind farm site permit, a permittee must provide the name and description of the entity to which the permit is to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer.⁷ The entity to which the permit is to be transferred must provide such information as the Commission shall require to determine whether the new permittee can comply with the conditions of the permit.⁸

The Commission must approve the permit transfer if the Commission determines that the new permittee will comply with the conditions of the permit.⁹ The Commission may impose reasonable conditions on the permit transfer.¹⁰

EERA Staff Analysis and Comments

The site permit for the Mower County Wind Farm contains several, on-going operational obligations for the permittee, including: monitoring avian and bat fatalities, monitoring project energy production, and planning for decommissioning of the project.¹¹

NSP has indicated that it will comply with the terms and conditions of the Mower County Wind Farm site permit.¹² Based on the record to date and EERA staff's experience with permits for other NSP projects, EERA staff has no reason to believe that NSP will not comply with the conditions of the site permit for the Mower County Wind Farm.

⁵ Request for Transfer of the Site Permit for the Large Wind Energy Conversion System for the 98.9 MW Mower County Wind Facility Repower Project, April 16, 2021, eDockets Number [20214-173027-01](#) (hereinafter Request for Permit Transfer).

⁶ Notice of Comment Period, April 21, 2021, eDockets Number [20214-173193-01](#).

⁷ Minnesota Rule 7854.1400; Site Permit, Section 14.

⁸ Id.

⁹ Minnesota Rule 7854.1400.

¹⁰ Minnesota Rule 7854.1400; Site Permit, Section 14.

¹¹ Site Permit, Section 7.5.2 (Avian and Bat Protection Plan), Section 10.8 (Project Energy Production), Section 11.1 (Decommissioning Plan).

¹² Request for Permit Transfer.

Decommissioning Plan

The decommissioning plan for the Mower County Wind Farm was updated by FPL Energy Mower County Wind, LLC during the 2020 repowering of the wind farm.¹³ As a reasonable condition on the permit transfer, EERA staff believes that the decommissioning plan should be reviewed and revised by NSP, and the revised plan filed with the Commission within three months of the permit transfer. Revision of the decommissioning plan will ensure that the assumptions, costs, and financial mechanisms in the plan remain relevant for project stakeholders (e.g., Mower County, landowners).

EERA Staff Recommendation

If the Commission determines that NSP will comply with the conditions of the Mower County Wind Farm site permit, EERA staff recommends that the Commission approve transfer of the site permit to NSP. EERA staff also recommends that NSP revise the decommissioning plan for the project and file the revised plan with the Commission within three months of the permit transfer.

¹³ Decommissioning Plan for Mower County Wind Farm, June 15, 2020, eDockets Humber [20206-163999-01](#).