

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

**ORDER ON PETITION TO INTERVENE
BY THE LABORERS DISTRICT
COUNCIL OF MINNESOTA AND NORTH
DAKOTA**

In the Matter of the Application of Big Bend Wind, LLC, for a Certificate of Need for the up to 308 MV Big Bend Wind Project in Cottonwood and Watonwan Counties, Minnesota.

Docket No. IP-7013/CN-19-408

In the Matter of the Application of Big Bend Wind, LLC, for a Large Wind Energy Conversion System Site Permit for the up to 308 MV Big Bend Wind Project in Cottonwood and Watonwan Counties, Minnesota.

Docket No. IP-7013/WS-19-619

In the Matter of the Application of Big Bend Wind, LLC for a Route Permit for a 161 kV High Voltage Transmission Line in Cottonwood, Watonwan and Martin Counties, Minnesota.

Docket No. IP-7013/TL-19-621

In the Matter of the Application of Red Rock Solar, LLC, for a Certificate of Need for the up to 60 MW Red Rock Solar Project in Cottonwood County, Minnesota.

Docket No. IP-7014/CN-19-486

In the Matter of the Application of Red Rock Solar, LLC, for a Site Permit for the up to 60 MW Red Rock Solar Project in Cottonwood County, Minnesota.

Docket No. IP-7014/GS-19-620

These matters are pending before Administrative Law Judge James E. LaFave.

Christina Brusven and Haley Waller-Pitts, Fredrickson & Byron, appeared on behalf of Big Bend Wind, LLC, and Red Rock Solar, LLC.

Valerie T. Herring, Taft, Stettinius, & Hollister, LLP, appeared on behalf of the Minnesota Historical Society.

Richard Dornfeld, Assistant Attorney General, appeared on behalf of the Department of Commerce Energy Environmental Review and Analysis Unit (DOC EERA).

Peter J. Rademacher, Hogan Adams, PLLC, appeared on behalf of the Lower Sioux Community in the State of Minnesota.

Leif Rasmussen, General Counsel, appeared on behalf of the Upper Sioux Community Tribal Historic Preservation Office.

Cezar Panait and Charley Bruce appeared on behalf of the Public Utilities Commission staff.

Kevin Pranis appeared on behalf of Laborers District Council of Minnesota and North Dakota.

To: All Persons on the Attached Service List.

On July 30, 2021, the Laborers District Council of Minnesota and North Dakota filed a Petition to Intervene. There were no objections to that Petition.

Based on all the files and proceedings of the matter, the Administrative Law Judge makes the following:

ORDER

The Laborers District Council of Minnesota and North Dakota is admitted to this proceeding as a full party.

Dated: August 18, 2021


JAMES E. LAFAVE
Administrative Law Judge

MEMORANDUM

The Laborers District Council of Minnesota and North Dakota petitioned to intervene in this case.

The standards for intervention are set out in Minn. Rules 1400.6200 (2021) and 1405.0900 (2021). The latter rule states in part:

Subp. 1. **Petition.** Any person desiring to intervene in the hearing as a party shall submit a timely petition to intervene to the administrative law judge and shall serve the petition upon all existing parties. Timeliness will be determined by the administrative law judge in each case based on the circumstances at the time of filing. The petition shall show how the petitioner's legal rights, duties, or privileges are not otherwise represented, and shall set forth the grounds and purposes for which intervention is sought and shall indicate petitioner's statutory or legal right to intervene, if one should exist. The administrative law judge, with the consent of all the parties, may waive the requirement that the petition be in writing.¹

The Laborers District Council of Minnesota and North Dakota identified interests that are not already represented in this proceeding. Admitting this group as a party to this matter will ensure that its interests are adequately represented in this contested case proceeding.

J. E. L.

¹ Minn. R. 1405.0900, subp. 1.

August 17, 2021

See Attached Service List

Re: In the Matter of the Application of Big Bend Wind, LLC for a Certificate of Need for the up to 308 MV Big Bend Wind Project in Cottonwood and Watonwan Counties, Minnesota.

In the Matter of the Application of Big Bend Wind, LLC for a Large Wind Energy Conversion System Site Permit for the up to 308 MV Big Bend Wind Project in Cotton Wood and Watonwan Counties, Minnesota.

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In the Matter of the Application of Red Rock Solar, LLC for a Certificate of Need for the up to 60 MW Red Rock Solar Project in Cotton Wood County, Minnesota.

In the Matter of the Application of Red Rock Solar, LLC for a Site Permit for the up to 60 MW Red Rock Solar Project in Cotton Wood County, Minnesota.

OAH 60-2500-37376
MPUC Docket No. IP-7013/CN-19-408
Docket No. IP-7013/WS-19-619
Docket No. IP-7013/TL-19-621
Docket No. IP-7014/CN-19-486
Docket No. IP-7014/GS-19-620

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **ORDER ON PETITION TO INTERVENE BY THE LABORERS DISTRICT COUNCIL OF MINNESOTA AND NORTH DAKOTA** in the above-entitled matter.

If you have any questions, please contact me at (651) 361-7874, michelle.severson@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,

A handwritten signature in black ink that reads "Michelle Severson". The script is fluid and cursive, with the first name "Michelle" and last name "Severson" clearly legible.

MICHELLE SEVERSON
Legal Assistant

Enclosure

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Application of Big Bend Wind, LLC for a Certificate of Need for the up to 308 MV Big Bend Wind Project in Cottonwood and Watonwan Counties, Minnesota.	OAH Docket No.: 60-2500-37376 Docket No. IP-7013/CN-19-408
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Michelle Severson certifies that on July 17, 2021, she served the true and correct

**ORDER ON PETITION TO INTERVENE BY THE LABORERS DISTRICT COUNCIL
OF MINNESOTA AND NORTH DAKOTA** by eService, and U.S. Mail, (in the manner
indicated below) to the following individuals:

First Name	Last Name	Email Address	Company/Firm Name
Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC
Kate	Fairman	kate.frantz@state.mn.us	Department of Natural Resources
Annie	Felix Gerth	annie.felix-gerth@state.mn.us	
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce
Lucas	Franco	lfranco@liunagroc.com	LIUNA
Brenna	Gunderson	Brenna.gunderson@apexcleanenergy.com	Apex Clean Eenergy
Kate M	Heins	kate.heins@apexcleanenergy.com	Apex Clean Energy
Kari	Howe	kari.howe@state.mn.us	DEED
Dylan	Ikkala	dylan.ikkala@apexcleanenergy.com	Apex Clean Energy
Amy	Kania	akania@hogenadams.com	Hogen Adams PLLC
Ray	Kirsch	Raymond.Kirsch@state.mn.us	Department of Commerce
Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency
Chris	Kunkle	chris.kunkle@apexcleanenergy.com	Apex Clean Energy
James	LaFave	james.lafave@state.mn.us	Office of Administrative Hearings
Kevin	Maijala	Kevin.Maijala@mnhs.org	Minnesota Historical Society
Samantha J	Odegard	samanthao@upperSiouxcommunity-nsn.gov	Upper Sioux Tribal Community
Kevin	Pranis	kpranis@liunagroc.com	Laborers' District Council of MN and ND
Peter	Rademacher	prademacher@hogenadams.com	
Leif	Rasmussen	leif@steffensandrasmussen.com	Steffens & Rasmussen
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD
Stephan	Roos	stephan.roos@state.mn.us	MN Department of Agriculture
Ronald C	Schirmer	ronald.schirmer@mnsu.edu	Department of Anthropology
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates
Cheyenne	St. John	cheyenne.stjohn@lowersioux.com	Lower Sioux Tribal Community
Haley	Waller Pitts	hwallerpitts@fredlaw.com	Fredrikson & Byron, P.A.
Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources
Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC
Kate	Fairman	kate.frantz@state.mn.us	Department of Natural Resources
Annie	Felix Gerth	annie.felix-gerth@state.mn.us	
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce