

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

SECOND SCHEDULING ORDER

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 Cotton Wood 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, Wataonwan 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 Cotton Wood 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 Cotton Wood County, Minnesota.

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

This matter came before Administrative Law Judge James E. LaFave for a prehearing conference on October 15, 2021.

Christina Brusven and Haley Waller-Pitts, Fredrickson & Byron, represent Big Bend Wind, LLC, and Red Rock Solar, LLC.

Valerie T. Herring, Taft, Stettinius, & Hollister, LLP, represents the Minnesota Historical Society.

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

Peter J. Rademacher and Amy Kania, Hogan Adams, PLLC, represent the Lower Sioux Community in the State of Minnesota.

Leif Rasmussen, General Counsel, represents the Upper Sioux Community Tribal Historic Preservation Office.

Cezar Panait and Charley Bruce represent the Public Utilities Commission staff.

Kevin Pranis represents the Laborers District Council of Minnesota and North Dakota.

Prior to the prehearing conference the parties met and agreed on a revised schedule considering the DOC EERA's intent to revise and re-issue its scoping decision to reflect the revised project.

Based upon the submission of the parties and the hearing record,

IT IS HEREBY ORDERED THAT:

The following schedule is adopted in these proceedings:

Procedural Schedule

| Date | Milestone |
|--------------|---|
| May 5, 2021 | Applicant Comments on Suggested Alternate Routes |
| May 21, 2021 | Proposed EA Scope and Preliminary Draft Site Permit Submitted |
| June 3, 2021 | Commission Considers EA Scope and Preliminary Draft Site Permit |

| Date | Milestone |
|-------------------|---|
| June 23, 2021 | EA Scope and Draft Site Permit Order Issued |
| July 30, 2021 | Intervention Deadline |
| October 1, 2021 | Applicant's Direct Testimony Filed |
| October 15, 2021 | Notice of Substantial New Information and Comment Period on EA Scope Reevaluation |
| November 1, 2021 | Comment Period on Amended EA Scope Reopening Ends |
| November 8, 2021 | Amended EA Scope and Preliminary Draft Site Permit Submitted |
| November 10, 2021 | Intervenor Direct Testimony Filed |
| January 14, 2022 | EA and Notices of Public Comment Period and Hearing Issued |
| January 25, 2022 | Rebuttal Testimony Filed |
| February 1, 2022 | Surrebuttal Testimony Filed |
| February 1, 2022 | Evidentiary Hearing 1:00 p.m. (introduction of exhibits) |
| February 1, 2022 | Public Hearings (In-person) 2:00 p.m. and 6:00 p.m. (location to be determined) |
| February 2, 2022 | Public Hearing (Virtual) 6:00 p.m. |
| February 22, 2022 | Public/Contested Case Comment Period Closes |
| March 18, 2022 | All Parties File Initial Briefs and Applicant files Proposed Findings |
| April 1, 2022 | All Parties File Reply Briefs and Revised Findings Submitted by Intervening Parties |
| April 29, 2022 | Administrative Law Judge Report |
| May 16, 2022 | Exceptions to Administrative Law Judge Report |
| | Commission Decision |

Dated: October 20, 2021


 JAMES E. LAFAVE
 Administrative Law Judge

October 20, 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.

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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 **SECOND SCHEDULING ORDER** 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 cursive and fluid, 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 October 20, 2021, she served the true and correct **FIFTH PREHEARING ORDER** 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 |
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| 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 |
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| Annie | Felix Gerth | annie.felix-gerth@state.mn.us | |
| Sharon | Ferguson | sharon.ferguson@state.mn.us | Department of Commerce |