

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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SERVICE DATE: July 6, 2022

DOCKET NO. IP-7065/WS-21-643

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In the Matter of the Application of Rose Creek Wind, LLC for a LWECS Site Permit for the 17.4 MW Rose Creek Wind Project in Mower County, Minnesota

The above-entitled matter was considered by the Commission on June 30, 2022 and the following disposition made:

Issued the draft site permit attached hereto and made a part hereof incorporating the modifications proposed by EERA.

The Commission agrees with and adopts the recommendations of the Department of Commerce, which are attached and hereby incorporated into the Order. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION



Will Seuffert
Executive Secretary



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STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

**DRAFT SITE PERMIT FOR A
LARGE WIND ENERGY CONVERSION SYSTEM**

**IN
MOWER COUNTY**

**ISSUED TO
ROSE CREEK WIND, LLC**

PUC DOCKET NO. IP-7065/WS-21-643

In accordance with the requirements of Minnesota Statutes Chapter 216F and Minnesota Rules Chapter 7854 this site permit is hereby issued to:

Rose Creek Wind, LLC

The Permittee is authorized by this site permit to construct and operate a Large Wind Energy Conversion System of up to 17.4 megawatts consisting of up to seven turbines. The Large Wind Energy Conversion System and associated facilities shall be built within the site identified in this permit and as portrayed on the site maps and in compliance with the conditions specified in this permit.

This site permit shall expire thirty (30) years from the date of this approval.

Approved and adopted this ____ day of _____

BY ORDER OF THE COMMISSION

Will Seuffert,
Executive Secretary

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ATTACHMENTS

Attachment 1 – Complaint Handling Procedures for Permitted Energy Facilities

Attachment 2 – Site Maps

DRAFT SITE PERMIT

1 SITE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this site permit to Rose Creek Wind, LLC (Permittee) pursuant to Minnesota Statutes Chapter 216F and Minnesota Rules Chapter 7854. This permit authorizes the Permittee to construct and operate the Rose Creek Wind facility, an up to 17.4-megawatt nameplate capacity Large Wind Energy Conversion System (LWECS) and associated facilities in Mower County. The LWECS and associated facilities shall be built within the site identified in this permit and as identified in the attached site maps, hereby incorporated into this document.

1.1 Preemption

Pursuant to Minn. Stat. § 216F.07, this permit shall be the sole site approval required for the location, construction, and operation of this project and this permit shall supersede and preempt all zoning, building, and land use rules, regulations, and ordinances adopted by regional, county, local, and special purpose governments.

2 PROJECT DESCRIPTION

The Rose Creek Wind facility will be an up to 17.4-megawatt nameplate capacity LWECS in Mower County, Minnesota. The LWECS will consist of up to seven wind turbines ranging in size from 2 to 2.82 megawatts and manufactured by Gamesa or General Electric. The Project will use one of two turbine layout scenarios with similar construction footprints.

Turbine Scenario 1 would use a combination of one General Electric 2.3-megawatt turbine and five General Electric 2.82-megawatt turbines for a total of six turbines and one alternate turbine location.

Turbine Scenario 2 would use four Gamesa 2.0 megawatt turbines, one General Electric 2.3-megawatt, and two General Electric 2.82-megawatt turbines for a total of seven turbines.

2.1 Associated Facilities

Associated facilities for the Project will include the following:

- Gravel access roads
- Temporary laydown yard
- Underground electric collection lines
- Underground communication lines
- Project substation facility
- Electrical switchyard

- A 65-foot-long 34.5-kilovolt transmission line from the Project substation to the point-of-interconnect.

Temporary disturbance areas to allow for the construction of the Project may include, crane paths, pull sites, and access roads.

2.2 Project Location

County	Township Name	Township	Range	Sections
Mower	Adams	101N	16W	13, 14, 15, 22, 23, 24, 25, 26, 27, 36
Mower	Lodi	101N	15W	18, 30, 31

3 DESIGNATED SITE

The site designated by the Commission for the Rose Creek Wind facility is the site depicted on the site maps attached to this permit. The project area encompasses approximately 5,258 acres. Upon completion, the project will occupy no more than five acres of land converted to wind turbines and associated facilities approved by this permit. Within the project boundary, the LWCS and associated facilities shall be located on lands for which the Permittee has obtained wind rights.

3.1 Turbine Layout

The preliminary wind turbine and associated facility layouts are shown on the site maps attached to this permit. The preliminary layout represents the approximate location of wind turbines and associated facilities within the project boundary and identifies a layout that seeks to minimize the overall potential human and environmental impacts of the project, which were evaluated in the permitting process.

The final layout depicting the location of each wind turbine and associated facility shall be located within the project boundary. The project boundary serves to provide the Permittee with the flexibility to make minor adjustments to the preliminary layout to accommodate requests by landowners, local government units, federal and state agency requirements, and unforeseen conditions encountered during the detailed engineering and design process. Any modification to the location of a wind turbine and associated facility depicted in the preliminary layout shall be done in such a manner to have comparable overall human and environmental impacts and shall be specifically identified in the site plan pursuant to Section 10.3.

4 SETBACKS AND SITE LAYOUT RESTRICTIONS

4.1 Wind Access Buffer

Wind turbine towers shall not be placed less than five rotor diameters on the prevailing wind directions and three rotor diameters on the non-prevailing wind directions from the perimeter of the property where the Permittee does not hold the wind rights, without the approval of the Commission. This section does not apply to public roads and trails.

4.2 Residences

Wind turbine towers shall not be located closer than 1,000 feet from all residences or the distance required to comply with the noise standards pursuant to Minn. R. 7030.0040, established by the Minnesota Pollution Control Agency (MPCA), whichever is greater.

4.3 Noise

The wind turbine towers shall be placed such that the Permittee shall, at all times, comply with noise standards established by the MPCA as of the date of this permit and at all appropriate locations. The noise standards are found in Minnesota Rules Chapter 7030. Turbine operation shall be modified, or turbines shall be removed from service if necessary to comply with these noise standards. The Permittee or its contractor may install and operate turbines as close as the minimum setback required in this permit, but in all cases shall comply with MPCA noise standards. The Permittee shall be required to comply with this condition with respect to all homes or other receptors in place as of the time of construction, but not with respect to such receptors built after construction of the towers.

4.4 Roads

Wind turbines and meteorological towers shall not be located closer than 250 feet from the edge of the nearest public road right-of-way.

4.5 Public Lands

Wind turbines and associated facilities including foundations, access roads, underground cable, and transformers, shall not be located in publicly-owned lands that have been designated for recreational or conservation purposes, including, but not limited to, Waterfowl Production Areas, State Wildlife Management Areas, Scientific and Natural Areas or county parks, except in the event that the public entity owning those lands enters into a land lease and easement with the Permittee. Wind turbines towers shall also comply with the setbacks of Section 4.1.

4.6 Wetlands

Wind turbines and associated facilities including foundations, access roads, underground cable and transformers, shall not be placed in public waters wetlands, as shown on the public water inventory maps prescribed by Minnesota Statutes Chapter 103G, except that electric collector or feeder lines may cross or be placed in public waters or public waters wetlands subject to permits and approvals by the Minnesota Department of Natural Resources (DNR) and the United States Army Corps of Engineers (USACE), and local units of government as implementers of the Minnesota Wetlands Conservation Act.

4.7 Native Prairie

Wind turbines and associated facilities including foundations, access roads, collector and feeder lines, underground cable, and transformers shall not be placed in native prairie, as defined in Minn. Stat. § 84.02, subd. 5, unless addressed in a prairie protection and management plan and shall not be located in areas enrolled in the Native Prairie Bank Program. Construction activities, as defined in Minn. Stat. § 216E.01, shall not impact native prairie unless addressed in a Prairie Protection and Management Plan.

The Permittee shall prepare a Prairie Protection and Management Plan in consultation with the DNR if native prairie, as defined in Minn. Stat. § 84.02, subd. 5, is identified within the site boundaries. The Permittee shall file the plan 30 days prior to submitting the site plan required by Section 10.3 of this permit. The plan shall address steps that will be taken to avoid impacts to native prairie and mitigation to unavoidable impacts to native prairie by restoration or management of other native prairie areas that are in degraded condition, by conveyance of conservation easements, or by other means agreed to by the Permittee, the DNR, and the Commission.

4.8 Sand and Gravel Operations

Wind turbines and all associated facilities, including foundations, access roads, underground cable, and transformers shall not be located within active sand and gravel operations, unless otherwise negotiated with the landowner.

4.9 Wind Turbine Towers

Structures for wind turbines shall be self-supporting tubular towers. The towers may be up to 100 meters (328.08 feet) above grade measured at hub height. The wind turbine specifications in the table below were provided in Rose Creek Wind's January 2022 Application for a Large Wind Energy Conversion System Site Permit.

Design Feature	Turbine		
	GE 2.3	GE 2.82	Gamesa 2.0
Capacity (megawatts)	2.3	2.82	2.0
Total Height (m)	138	152.5	168.5
Hub Height (m)	80	89	100
Rotor Diameter (m)	116	127	97
Cut-in Wind Speed (m/s)	3.0	3.0	3.0
Cut-out Wind Speed (m/s)	22	30 to 39	25
Rotor Swept Area (m ²)	10,568	12,704	7,389.8
Rotor Speed (rpm)	8 to 15.7	7.4 to 15.7	9 to 19
Primary Turbine Positions	1	0 or 4	2 or 5

4.10 Turbine Spacing

The turbine towers shall be constructed within the site boundary as shown on the site maps. The turbine towers shall be spaced no closer than three rotor diameters in the non-prevailing wind directions and five rotor diameters on the prevailing wind directions. If required, up to 20 percent of the towers may be sited closer than the above spacing, but the Permittee shall minimize the need to site the turbine towers closer.

4.11 Meteorological Towers

Permanent towers for meteorological equipment shall be free standing. Permanent meteorological towers shall not be placed less than 250 feet from the edge of the nearest public road right-of-way and from the boundary of the Permittee's site control, or in compliance with the county ordinance regulating meteorological towers in the county the tower is built, whichever is more restrictive. Meteorological towers shall be placed on property the Permittee holds the wind or other development rights.

Meteorological towers shall be marked as required by the Federal Aviation Administration (FAA). There shall be no lights on the meteorological towers other than what is required by the FAA. This restriction shall not apply to infrared heating devices used to protect the wind monitoring equipment.

4.12 Aviation

The Permittee shall not place wind turbines or associated facilities in a location that could create an obstruction to navigable airspace of private and public airports (as defined in Minn. R. 8800.0100, subp. 24(a) and 24(b)) in Minnesota, adjacent states, or provinces. The Permittee

shall apply the minimum obstruction clearance for private airports pursuant to Minn. R. 8800.1900, subp. 5. Setbacks or other limitations shall be followed in accordance with the Minnesota Department of Transportation (MnDOT), Department of Aviation, and the FAA. At least 14 days prior to the pre-construction meeting, the Permittee shall notify owners of all known airports within six miles of the project of the project's anticipated construction start date.

4.13 Footprint Minimization

The Permittee shall design and construct the LWECS so as to minimize the amount of land that is impacted by the LWECS. Associated facilities in the vicinity of turbines such as electrical/electronic boxes, transformers, and monitoring systems shall, to the greatest extent feasible, be mounted on the foundations used for turbine towers or inside the towers unless otherwise negotiated with the affected landowner.

5 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction and operation of the LWECS and associated facilities over the life of this permit.

5.1 Permit Distribution

Within 30 days of permit issuance, the Permittee shall send a copy of the permit and the complaint procedures to any regional development commission, county auditor and environmental office, and city and township clerk in which any part of the site is located.

Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this site permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the permitted site.

5.2 Access to Property

The Permittee shall contact landowners prior to entering private property or conducting maintenance within the project site, unless otherwise negotiated with the affected landowner.

5.3 Construction and Operation Practices

The Permittee shall comply with the construction practices, operation and maintenance practices, and material specifications described in its January 2022 Application for a Large Wind

Energy Conversion System Site Permit, and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail.

5.3.1 Field Representative

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to the pre-construction meeting. The Permittee shall provide the field representative's contact information to affected landowners, residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, local government units and other interested persons.

5.3.2 Site Manager

The Permittee shall designate a site manager responsible for overseeing compliance with the conditions of this permit during the commercial operation and decommissioning phases of the project. This person shall be accessible by telephone or other means during normal business hours for the life of this permit.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the site manager 14 days prior to the pre-operation meeting. The Permittee shall provide the site manager's contact information to affected landowners, residents, local government units and other interested persons 14 days prior to commercial operation of the facility. The Permittee may change the site manager at any time upon notice to the Commission, affected landowners, local government units and other interested persons.

5.3.3 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform and educate all employees, contractors, and other persons involved in the construction and ongoing operation of the LWECS of the terms and conditions of this permit.

5.3.4 Public Services and Public Utilities

During construction, the Permittee shall minimize any disruption to public services and public utilities. To the extent disruptions to public services or public utilities occur these will be temporary, and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to determine the most appropriate mitigation measures if not already considered as part of this permit.

5.3.5 Topsoil Protection

The Permittee shall implement measures to protect and segregate topsoil from subsoil on all lands unless otherwise negotiated with the affected landowner.

5.3.6 Soil Compaction

The Permittee shall implement measures to minimize soil compaction of all lands during all phases of the project's life and shall confine compaction to as small an area as practicable. Soil decompaction measures shall be utilized on all lands utilized for project construction and travelled on by heavy equipment (*e.g.*, cranes and heavy trucks); even when soil compaction minimization measures are used.

5.3.7 Soil Erosion and Sediment Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the MPCA Construction Stormwater Program. If construction of the facility disturbs more than one acre of land, or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan (SWPPP) that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

5.3.8 Wetlands and Water Resources

Construction in wetland areas shall occur during frozen ground conditions to minimize impacts, to the extent feasible. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and managed in accordance with all applicable wetland permits. Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts.

Wetland and water resource areas disturbed by construction activities shall be restored to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. All requirements of the USACE, DNR, Minnesota Board of Water and Soil Resources, and local units of government shall be met.

5.3.9 Vegetation Removal

The Permittee shall disturb or clear vegetation on the project site only to the extent necessary to assure suitable access for construction, and for safe operation and maintenance of the project. The Permittee shall minimize the number of trees removed in selecting the site layout specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and other vegetation, to the extent that such actions do not violate sound engineering principles.

5.3.10 Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture (MDA), DNR, and the U.S. Environmental Protection Agency (EPA). Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of pesticide at least 14 days prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the site within the landowner's property. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

5.3.11 Invasive Species

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by project construction activities. The Permittee shall develop an Invasive Species Prevention Plan to prevent the introduction and spread of

invasive species on lands disturbed by project construction activities and file with the Commission 14 days prior to the pre-construction meeting.

5.3.12 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil, the Permittee shall select site appropriate seed certified to be free of noxious weeds. The Permittee shall consult with landowners on the selection and use of seed for replanting. To the extent possible, the Permittee shall use native seed mixes.

5.3.13 Public Roads

At least 14 days prior to the pre-construction meeting, the Permittee shall identify all state, county, or township roads that will be used for the project and shall notify the Commission and the state, county, or township governing body having jurisdiction over the roads to determine if the governmental body needs to inspect the roads prior to use of these roads. Where practical, existing roadways shall be used for all activities associated with the project. Where practical, all-weather roads shall be used to deliver cement, turbines, towers, assembled nacelles, and all other heavy components to and from the turbine sites.

Prior to the use of such roads, the Permittee shall make satisfactory arrangements (*e.g.*, approved permits, written authorizations, road use agreements, or development agreements) with the appropriate state, county, or township governmental body having jurisdiction over roads to be used for construction of the project, for maintenance and repair of roads that may be subject to increased impacts due to transportation of equipment and project components. The Permittee shall notify the Commission of such arrangements upon request.

5.3.14 Turbine Access Roads

The Permittee shall construct the least number of turbine access roads necessary to safely and efficiently operate the project and satisfy landowner requests. Access roads shall be low profile roads so that farming equipment can cross them and shall be covered with Class 5 gravel or similar material. Access roads shall not be constructed across streams and drainage ditches without required permits and approvals. When access roads are constructed across streams, drainage ways, or drainage ditches, the access roads shall be designed and constructed in a manner so runoff from the upper portions of the watershed can readily flow to the lower portion of the watershed.

Any access roads that are constructed across streams or drainage ditches shall be designed and constructed in a manner that maintains existing fish passage. Access roads that are constructed

across grassed waterways, which provide drainage for surface waters that are ephemeral in nature, are not required to maintain or provide fish passage. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall provide the local soil and water conservation district (SWCD) and participating landowners an opportunity to review and comment on access road plans and all other infrastructure plans and designs in order to minimize the potential to pond and divert water creating gully erosion or the potential to cause damage or failure to existing conservation practices, such as terraces, sediment control basins or diversions prior to finalization and installation. The Permittee shall file documentation that this permit condition has been complied with at least 14 days prior to the pre-construction meeting.

5.3.15 Private Roads

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when obtaining access to the site, unless otherwise negotiated with the affected landowner.

5.3.16 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when constructing the facility. In the event that a resource is encountered, the Permittee shall consult with the State Historic Preservation Office (SHPO) and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with SHPO and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction at such location and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement and the State Archaeologist.

5.3.17 Interference

At least 14 days prior to the pre-construction meeting, the Permittee shall submit to the Commission an assessment of television and radio signal reception, microwave signal patterns, and telecommunications in the project area. The assessment shall be designed to provide data that can be used in the future to determine whether the turbines and associated facilities are the cause of disruption or interference of television or radio reception, microwave patterns, or telecommunications in the event residents should complain about such disruption or

interference after the turbines are placed in operation. The Permittee shall be responsible for alleviating any disruption or interference of these services caused by the turbines or any associated facilities.

The Permittee shall not operate the project so as to cause microwave, television, radio, telecommunications, or navigation interference in violation of Federal Communications Commission (FCC) regulations or other law. In the event the project or its operations cause such interference, the Permittee shall take timely measures necessary to correct the problem.

5.3.18 Livestock Protection

The Permittee shall take precautions to protect livestock during all phases of the project's life.

5.3.19 Fences

The Permittee shall promptly replace or repair all fences and gates removed or damaged during all phases of the project's life unless otherwise negotiated with the affected landowner. When the Permittee installs a gate where electric fences are present, the Permittee shall provide for continuity in the electric fence circuit.

5.3.20 Drainage Tiles

The Permittee shall take into account, avoid, promptly repair or replace all drainage tiles broken or damaged during all phases of project's life unless otherwise negotiated with the affected landowner.

5.3.21 Equipment Storage

The Permittee shall not locate temporary equipment staging areas on lands under its control unless negotiated with affected landowner. Temporary equipment staging areas shall not be located in wetlands or native prairie as defined in Sections 4.6 and 4.7.

5.3.22 Restoration

The Permittee shall, as soon as practical following construction of each turbine, restore the areas affected by construction to the condition that existed immediately before construction began, to the extent possible. The time period to complete restoration may be no longer than 12 months after the completion of construction, unless otherwise negotiated with the affected landowner. Restoration shall be compatible with the safe operation, maintenance and inspection of the project. Within 60 days after completion of all restoration activities, the Permittee shall advise the Commission in writing of the completion of such activities.

5.3.23 Cleanup

All waste and scrap that is the product of construction shall be removed from the site and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

5.3.24 Pollution and Hazardous Waste

All appropriate precautions to protect against pollution of the environment shall be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction, restoration, and operation of the facility.

5.3.25 Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

5.3.26 Public Safety

The Permittee shall provide educational materials to landowners adjacent to the site and, upon request, to interested persons about the project and any restrictions or dangers associated with the project. The Permittee shall also provide any necessary safety measures such as warning signs and gates for traffic control or to restrict public access. The Permittee shall submit the location of all underground facilities, as defined in Minn. Stat. § 216D.01, subd. 11, to Gopher State One Call following the completion of construction at the site.

5.3.27 Tower Identification

All turbine towers shall be marked with a visible identification number.

5.3.28 Federal Aviation Administration Lighting

Towers shall be marked as required by the FAA. There shall be no lights on the towers other than what is required by the FAA. This restriction shall not apply to infrared heating devices used to protect the wind monitoring equipment. The Permittee shall install and employ an FAA-approved lighting mitigation system, such as an aircraft detection lighting system (ADLS), light

intensity dimming solution (LIDS), or other FAA-approved mitigation method. The Permittee shall describe the lighting mitigation system used for the project in its site plan.

5.4 Communication Cables

The Permittee shall place all communication and supervisory control and data acquisition cables underground and within or adjacent to the land necessary for turbine access roads unless otherwise negotiated with the affected landowner.

5.5 Electrical Collector and Feeder Lines

Collector lines that carry electrical power from each individual transformer associated with a wind turbine to an internal project interconnection point shall be buried underground. Collector lines shall be placed within or adjacent to the land necessary for turbine access roads unless otherwise negotiated with the affected landowner.

Feeder lines that carry power from an internal project interconnection point to the project substation or interconnection point on the electrical grid may be overhead or underground. Feeder line locations shall be negotiated with the affected landowner. Any overhead or underground feeder lines that parallel public roads shall be placed within the public rights-of-way or on private land immediately adjacent to public roads. If overhead feeder lines are located within public rights-of-way, the Permittee shall obtain approval from the governmental unit responsible for the affected right-of-way.

Collector and feeder line locations shall be located in such a manner as to minimize interference with agricultural operations including, but not limited to, existing drainage patterns, drain tile, future tiling plans, and ditches. Safety shields shall be placed on all guy wires associated with overhead feeder lines. The Permittee shall submit the engineering drawings of all collector and feeder lines in the site plan pursuant to Section 10.3.

5.6 Other Requirements

5.6.1 Safety Codes and Design Requirements

The LWECs and associated facilities shall be designed to meet or exceed all relevant local and state codes, Institute of Electrical and Electronics Engineers, Inc. (IEEE) standards, the National Electric Safety Code (NESC), and North American Electric Reliability Corporation (NERC) requirements. The Permittee shall report to the Commission on compliance with these standards upon request.

5.6.2 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. A list of the permits known to be required is included in the permit application.

At least 14 days prior to the pre-construction meeting, the Permittee shall submit a filing with a detailed status update of all permits, authorizations, and approvals that have been applied for specific to the project. The detailed status update shall include the name of the permitting agency or authority; the name of the permit; a description of the authorization or approval being sought; the contact person or contact information for the permitting agency or authority; application submittal date; and the date the permit, authorization, or approval was issued or is anticipated to be issued.

The Permittee shall demonstrate that it has obtained all necessary permits, authorizations, and approvals by filing an affidavit stating as such, prior to commencing project construction. The Permittee shall provide a copy of any such permits, authorizations, and approvals upon Commission request.

The Permittee shall comply with all terms and conditions of permits or licenses issued by the counties, cities, and municipalities affected by the project that do not conflict with or are not preempted by federal or state permits and regulations.

6 SPECIAL CONDITIONS

The special conditions shall take precedence over other conditions of this permit should there be a conflict.

6.1 Decommissioning of the Existing Rose Wind Facility

The existing Rose Wind facility must be decommissioned and removed in accordance with all requirements set forth in the permits issued by Mower County and per any requirements deemed necessary by Mower County staff. Decommissioning of the existing Rose Wind facility must be completed prior to beginning construction of the Rose Creek Wind facility authorized by this permit.

6.2 Additional Erosion and Sediment Protection Measures

Unnamed creeks located within the project area have identified construction related impairments and the Permittee must implement additional erosion and sediment control BMPs should construction related stormwater have the potential to flow toward these unnamed

creeks. Additional erosion and sediment control BMPs will be specified in the MPCA National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit.

The Permittee must use redundant down gradient sediment controls if there are unavoidable disturbances that must occur within the existing 50-foot buffer of any wetlands or surface waters, private or public.

6.3 Bio-netting, Natural Netting, and Mulch Products

The Permittee shall use only “bio-netting” or “natural netting” types and mulch products without synthetic (plastic) fiber additives.

6.4 Project Substation Lighting

The Permittee must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the project substation. Downward facing lighting must be clearly visible on the plan and profile submitted for the project.

6.5 Dust Control

The Permittee shall minimize, and avoid, if possible, the use of chloride-based dust control chemicals (*i.e.*, calcium chloride and magnesium chloride).

6.6 Temporary Roadway Signage

The Permittee must use temporary roadway signage during project construction that is made of materials and placed in a manner that can withstand winter weather conditions.

7 SURVEYS AND REPORTING

7.1 Biological and Natural Resource Inventories

The Permittee, in consultation with the Commission and the DNR, shall design and conduct pre-construction desktop and field inventories of existing wildlife management areas, scientific and natural areas, recreation areas, native prairies and forests, wetlands, and any other biologically sensitive areas within the project site and assess the presence of state- or federally-listed or threatened species. The results of the inventories shall be filed with the Commission at least 30 days prior to the pre-construction meeting to confirm compliance of conditions in this permit. The Permittee shall file with the Commission, any biological surveys or studies conducted on this project, including those not required under this permit.

7.2 Shadow Flicker

At least 14 days prior to the pre-construction meeting, the Permittee shall provide data on shadow flicker for each residence of non-participating landowners and participating landowners within and outside of the project boundary potentially subject to turbine shadow flicker exposure. Information shall include the results of modeling used, assumptions made, and the anticipated levels of exposure from turbine shadow flicker for each residence. The Permittee shall provide documentation on its efforts to avoid, minimize and mitigate shadow flicker exposure. The results of any modeling shall be filed with the Commission at least 14 days prior to the pre-construction meeting to confirm compliance with conditions of this permit.

7.3 Wake Loss Studies

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission the pre-construction micro-siting analysis leading to the final tower locations and an estimate of total project wake losses. As part of the annual report on project energy production required under Section 10.9 of the permit the Permittee shall file with the Commission any operational wake loss studies conducted on this project during the calendar year preceding the report.

7.4 Noise Studies

The Permittee shall file a proposed methodology for the conduct of a post-construction noise study at least 14 days prior to the pre-construction meeting. The Permittee shall develop the post-construction noise study methodology in consultation with the Department of Commerce. The study must incorporate the Department of Commerce Noise Study Protocol to determine the operating LWECs noise levels at different frequencies and at various distances from the turbines at various wind directions and speeds. The Permittee must conduct the post-construction noise study and file with the Commission the completed post-construction noise study within 18 months of commencing commercial operation.

7.5 Avian and Bat Protection

7.5.1 Operational Phase Fatality Monitoring

The Permittee shall utilize a qualified third party to conduct a minimum of two full years of avian and bat fatality monitoring following the commencement of the operational phase of the facility. Monitoring activities and results will be coordinated directly with the DNR, the U.S. Fish and Wildlife Service (USFWS), the Department of Commerce, and the Commission. Detailed

monitoring protocols, agency coordination, and any avoidance and minimization measures will be detailed in the Avian and Bat Protection Plan (ABPP).

7.5.2 Avian and Bat Protection Plan

The Permittee shall comply with the provisions of the most recently filed and accepted version of the ABPP. The initial version of the ABPP submitted for this project as part of Rose Creek Wind's January 2022 Application for a Large Wind Energy Conversion System Site Permit, and all necessary revisions that occur during the permitting process will be incorporated into a permit version. The permit version of the ABPP shall be filed with the Commission 14 days before the pre-construction meeting, and revisions must include any updates associated with final construction plans and site plans.

The ABPP must address steps to be taken to identify and mitigate impacts to avian and bat species during the construction phase and the operation phase of the project. The ABPP shall also include formal and incidental post-construction fatality monitoring, training, wildlife handling, documentation (*e.g.*, photographs), and reporting protocols for each phase of the project.

The Permittee shall, by the 15th of March following each complete or partial calendar year of operation, file with the Commission an annual report detailing findings of its annual audit of ABPP practices. The annual report shall include summarized and raw data of bird and bat fatalities and injuries and shall include bird and bat fatality estimates for the project using agreed upon estimators from the prior calendar year. The annual report shall also identify any deficiencies or recommended changes in the operation of the project or in the ABPP to reduce avian and bat fatalities and shall provide a schedule for implementing the corrective or modified actions. The Permittee shall provide a copy of the report to the Department of Commerce, the DNR, and the USFWS at the time of filing with the Commission.

7.5.3 Quarterly Incident Reports

The Permittee shall submit quarterly avian and bat reports to the Commission. Quarterly reports are due by the 15th of January, April, July, and October commencing the day following commercial operation and terminating upon the expiration of this permit. Each report shall identify any dead or injured avian and bat species, location of find by turbine number, and date of find for the reporting period in accordance with the reporting protocols. If a dead or injured avian or bat species is found, the report shall describe the potential cause of the occurrence (if known) and the steps taken to address future occurrences. The Permittee shall provide a copy of the report to the Department of Commerce, DNR, and the USFWS at the time of filing with the Commission.

7.5.4 Immediate Incident Reports

The Permittee shall notify the Commission, the Department of Commerce, the USFWS, and the DNR within 24 hours of the discovery of any of the following:

- (a) five or more dead or injured birds or bats, at an individual turbine location, within a five-day reporting period;
- (b) twenty or more dead or injured birds or bats, across the entire facility, within a five-day reporting period;
- (c) one or more dead or injured state threatened, endangered, or species of special concern;
- (d) one or more dead or injured federally listed species, including species proposed for listing; or
- (e) one or more dead or injured bald or golden eagle(s).

In the event that one of the four discoveries listed above should be made, the Permittee must file with the Commission within seven days, a compliance report identifying the details of what was discovered, the turbine where the discovery was made, a detailed log of agencies and individuals contacted, and current plans being undertaken to address the issue.

7.5.5 Turbine Operational Curtailment

The Permittee shall operate all facility turbines so that all turbines are locked or feathered up to the manufacturer's standard cut-in speed from one-half hour before sunset to one-half hour after sunrise of the following day from April 1 to October 31 of each year of operation. All operating turbines at the facility must be equipped with operational software that is capable of allowing for adjustment of turbine cut-in speeds.

8 AUTHORITY TO CONSTRUCT LWECS

8.1 Wind Rights

At least 14 days prior to the pre-construction meeting, the Permittee shall demonstrate that it has obtained the wind rights and any other rights necessary to construct and operate the project within the boundaries authorized by this permit. Nothing in this permit shall be construed to preclude any other person from seeking a permit to construct a wind energy conversion system in any area within the boundaries of the project covered by this permit if the Permittee does not hold exclusive wind rights for such areas.

8.2 Power Purchase Agreement

In the event the Permittee does not have a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the project at the time this permit is issued, the Permittee shall provide notice to the Commission when it obtains a commitment for purchase of the power. This permit does not authorize construction of the project until the Permittee has obtained a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the project. In the event the Permittee does not obtain a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the project within two years of the issuance of this permit, the Permittee must advise the Commission of the reason for not having such commitment. In such event, the Commission may determine whether this permit should be amended or revoked. No amendment or revocation of this permit may be undertaken except in accordance with Minn. R. 7854.1300.

8.3 Failure to Commence Construction

If the Permittee has not completed the pre-construction surveys required under this permit and commenced construction of the project within two years of the issuance of this permit, the Permittee must advise the Commission of the reason construction has not commenced. In such event, the Commission shall make a determination as to whether this permit should be amended or revoked. No revocation of this permit may be undertaken except in accordance with applicable statutes and rules, including Minn. R. 7854.1300.

9 COMPLAINT PROCEDURES

At least 14 days prior to the pre-construction meeting, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

10 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

10.1 Pre-Construction Meeting

Prior to the start of any construction, the Permittee shall participate in a pre-construction meeting with the Department of Commerce and Commission staff to review pre-construction filing requirements, scheduling, and to coordinate monitoring of construction and site restoration activities. Within 14 days following the pre-construction meeting, the Permittee shall file with the Commission, a summary of the topics reviewed and discussed and a list of attendees. The Permittee shall indicate in the filing the construction start date.

10.2 Pre-Operation Meeting

At least 14 days prior to commercial operation of the facility, the Permittee shall participate in a pre-operation meeting with the Department of Commerce and Commission staff to coordinate field monitoring of operation activities for the project. Within 14 days following the pre-operation meeting, the Permittee shall file with the Commission, a summary of the topics reviewed and discussed and a list of attendees.

10.3 Site Plan

At least 14 days prior to the pre-construction meeting, the Permittee shall provide the Commission, the Department of Commerce, and the Mower County Environmental Services Department with a site plan that includes specifications and drawings for site preparation and grading; specifications and locations of all turbines and other structures to be constructed including all electrical equipment, collector and feeder lines, pollution control equipment, fencing, roads, and other associated facilities; and procedures for cleanup and restoration. The documentation shall include maps depicting the site boundary and layout in relation to that approved by this permit. The Permittee shall document, through GIS mapping, compliance with the setbacks and site layout restrictions required by this permit, including compliance with the noise standards pursuant to Minnesota Rules Chapter 7030. At the same time, the Permittee shall notify affected landowners and city and town clerks that the site plan is on file with the Commission and the Mower County Environmental Services Department. The Permittee may submit a site plan and engineering drawings for only a portion of the project if the Permittee intends to commence construction on certain parts of the project before completing the site plan and engineering drawings for other parts of the project.

The Permittee may not commence construction until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes to its site plan or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission, the Department of Commerce, the Mower County Environmental Services Department, city and town clerks, and the affected landowners at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

In the event that previously unidentified human and environmental conditions are discovered during construction that by law or pursuant to conditions outlined in this permit would preclude the use of that site as a turbine site, the Permittee shall have the right to move or relocate turbine site. Under these circumstances, the Permittee shall notify the Commission, the Department of Commerce, the MPCA, the DNR, the Mower County Environmental Services Department, city and town clerks, and the affected landowners of any turbines that are to be relocated, and provide the previously unidentified environmental conditions and how the movement of the turbine mitigates the human and environmental impact at least five days before implementing the changes. No changes shall be made that would be in violation of any terms of this permit.

10.4 Status Reports

The Permittee shall file status reports with the Commission on progress regarding site construction. The Permittee need not report more frequently than monthly. Reports shall begin with the commencement of site construction and continue until completion of restoration. Reports shall describe construction activities and progress and activities undertaken in compliance with this permit. Reports shall include text and photographs.

10.5 Labor Statistic Reporting

The Permittee shall file quarterly reports with the Commission within 45 days of the end of the quarter regarding construction workers that participated in the construction of the project. The reports shall (a) detail the Permittee's efforts and the site contractor's efforts to hire Minnesota workers, and (b) provide an account of: (i) the gross number of hours worked by or full-time equivalent workers who are Minnesota residents, as defined in Minn. Stat. § 290.01, subd. 7; (ii) the gross number of hours worked by or full-time equivalent workers who are residents of other states, but maintain a permanent residence within 150 miles of the project; and (iii) the total gross hours worked or total full-time equivalent workers. Permittee shall work with its contractor to determine the suitable reporting metric. The report may not include personally identifiable data.

10.6 In-Service Date

At least three days before the facility is to be placed into service, the Permittee shall notify the Commission of the date on which the facility will be placed into service and the date on which construction was completed.

10.7 As-Builts

Within 90 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

10.8 GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (*e.g.*, ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the LWECS.

10.9 Project Energy Production

The Permittee shall, by February 1st following each complete or partial year of project operation, file a report with the Commission on the monthly energy production of the project including:

- (a) the installed nameplate capacity of the permitted project;
- (b) the total monthly energy generated by the project in megawatt hours;
- (c) the monthly capacity factor of the project;
- (d) yearly energy production and capacity factor for the project;
- (e) the operational status of the project and any major outages, major repairs, or turbine performance improvements occurring in the previous year; and
- (f) any other information reasonably requested by the Commission.

The permittee shall file this information in a format recommended by the Department of Commerce. This information shall be considered public and must be filed electronically.

10.10 Wind Resource Use

The Permittee shall, by February 1st following each complete or partial calendar year of operation, file with the Commission the average monthly and average annual wind speed collected at one permanent meteorological tower during the preceding year or partial year of operation. This information shall be considered public and must be filed electronically.

10.11 Emergency Response

The Permittee shall prepare an Emergency Response Plan in consultation with the emergency responders having jurisdiction over the facility prior to project construction. The Permittee shall submit a copy of the plan, along with any comments from emergency responders, to the Commission at least 14 days prior to the pre-construction meeting and a revised plan, if any, at least 14 days prior to the pre-operation meeting. The Permittee shall provide as a compliance

filing confirmation that the Emergency Response Plan was provided to the emergency responders and Public Safety Answering Points (PSAP) with jurisdiction over the facility prior to commencement of construction. The Permittee shall obtain and register the facility address or other location indicators acceptable to the emergency responders and PSAP having jurisdiction over the facility.

10.12 Extraordinary Events

Within 24 hours of discovery of an occurrence, the Permittee shall notify the Commission of any extraordinary event. Extraordinary events include but shall not be limited to: fires, tower collapse, thrown blade, acts of sabotage, collector or feeder line failure, and injured worker or private person. The Permittee shall, within 30 days of the occurrence, file a report with the Commission describing the cause of the occurrence and the steps taken to avoid future occurrences.

11 DECOMMISSIONING, RESTORATION, AND ABANDONMENT

11.1 Decommissioning Plan

The Permittee shall comply with the provisions of the most recently filed and accepted decommissioning plan. The initial version of the decommissioning plan was submitted for this project as part of Rose Creek Wind's January 2022 Application for a Large Wind Energy Conversion System Site Permit. The Permittee shall file an updated decommissioning plan, incorporating comments and information from the permitting process and any updates associated with the final construction plans, with the Commission 14 days before the pre-construction meeting. The decommissioning plan shall be updated every five years following the commercial operation date.

The decommissioning plan shall provide information identifying all surety and financial securities established for decommissioning and site restoration of the project in accordance with the requirements of Minn. R. 7854.0500, subp. 13. The decommissioning plan shall provide an itemized breakdown of costs of decommissioning all project components, which shall include labor and equipment. The plan shall identify cost estimates for the removal of turbines, turbine foundations, underground collection cables, access roads, crane pads, substations, and other project components. The plan may also include anticipated costs for the replacement of turbines or repowering the project by upgrading equipment.

The Permittee shall also submit the decommissioning plan to the local unit of government having direct zoning authority over the area in which the project is located. The Permittee shall ensure that it carries out its obligations to provide for the resources necessary to fulfill its requirements to properly decommission the project at the appropriate time. The Commission

may at any time request the Permittee to file a report with the Commission describing how the Permittee is fulfilling this obligation.

11.2 Site Restoration

Upon expiration of this permit, or upon earlier termination of operation of the project, or any turbine within the project, the Permittee shall have the obligation to dismantle and remove from the site all towers, turbine generators, transformers, overhead and underground cables and lines, foundations, buildings, and ancillary equipment to a depth of four feet. Any agreement for removal to a lesser depth or no removal shall be recorded with the county and shall show the locations of all such foundations. To the extent feasible, the Permittee shall restore and reclaim the site to pre-project conditions, including topography and topsoil conditions. All access roads shall be removed unless written approval is given by the affected landowner requesting that one or more roads, or portions thereof, be retained. All such agreements between the Permittee and the affected landowner shall be submitted to the Commission prior to completion of restoration activities. The site shall be restored in accordance with the requirements of this condition within 18 months of termination.

11.3 Abandoned Turbines

The Permittee shall advise the Commission of any turbines that are abandoned prior to termination of operation of the project. The project, or any turbine within the project, shall be considered abandoned after one year without energy production and the land restored pursuant to Section 11.2 unless a plan is submitted to and approved by the Commission outlining the steps and schedule for returning the project, or any turbine within the project, to service.

12 COMMISSION AUTHORITY AFTER PERMIT ISSUANCE

12.1 Final Boundaries

After completion of construction, the Commission shall determine the need to adjust the final boundaries of the site required for this project in accordance with Minn. R. 7854.1300, subp. 1.

12.2 Expansion of Site Boundaries

No expansion of the site boundaries described in this permit shall be authorized without the approval of the Commission. The Permittee may submit to the Commission a request for a change in the boundaries of the site for the project. The Commission will respond to the requested change in accordance with applicable statutes and rules.

12.3 Periodic Review

The Commission shall initiate a review of this permit and the applicable conditions at least once every five years. The purpose of the periodic review is to allow the Commission, the Permittee, and other interested persons an opportunity to consider modifications in the conditions of this permit. No modification may be made except in accordance with applicable statutes and rules.

12.4 Modification of Conditions

After notice and opportunity for hearing, this permit may be modified or amended for cause, including but not limited to the following:

- (a) violation of any condition in this permit;
- (b) endangerment of human health or the environment by operation of the project; or
- (c) existence of other grounds established by rule.

12.5 More Stringent Rules

The issuance of this permit does not prevent the future adoption by the Commission of rules or orders more stringent than those now in existence and does not prevent the enforcement of these more stringent rules and orders against the Permittee.

12.6 Right of Entry

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards:

- (a) to enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations;
- (b) to bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations;
- (c) to sample and monitor upon the facilities easement of the property; or
- (d) to examine and copy any documents pertaining to compliance with the conditions of this permit.

12.7 Proprietary Information

Certain information required to be filed with the Commission under this permit may constitute trade secret information or other type of proprietary information under the Data Practices Act

or other law. The Permittee must satisfy requirements of applicable law to obtain the protection afforded by the law.

13 PERMIT AMENDMENT

This permit may be amended at any time by the Commission in accordance with Minn. R. 7854.1300, subp. 2. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

14 TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer. The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new permittee, and interested persons such process as is required. The Commission may impose additional conditions on any new permittee as part of the approval of the transfer.

At least 14 days prior to commercial operation, the Permittee shall file a notice describing its ownership structure, identifying, as applicable:

- (a) the owner(s) of the financial and governance interests of the Permittee;
- (b) the owner(s) of the majority financial and governance interests of the Permittee's owners; and
- (c) the Permittee's ultimate parent entity (meaning the entity which is not controlled by any other entity).

The Permittee shall request approval from the Commission to make any of the following changes :

- (a) a change in owner(s) of the majority* financial or governance interests in the Permittee;
- (b) a change in owner(s) of the majority* financial or governance interests of the Permittee's owners; or
- (c) a sale which changes the parent entity of the Permittee.

**When there are only co-equal 50/50 percent interests, any change shall be considered a change in majority interest.*

The Permittee shall notify the Commission of:

- (a) the sale of a parent entity or a majority interest in the Permittee;
- (b) the sale of a majority interest of the Permittee's owners or majority interest of the owners; or
- (c) a sale which changes the entity with ultimate control over the Permittee.

15 REVOCATION OR SUSPENSION OF PERMIT

The Commission may take action to suspend or revoke this permit upon the grounds that:

- (a) a false statement was knowingly made in the application or in accompanying statements or studies required of the Permittee, and a true statement would have warranted a change in the Commission's findings;
- (b) there has been a failure to comply with material conditions of this permit, or there has been a failure to maintain health and safety standards;
- (c) there has been a material violation of a provision of an applicable statute, rule, or an order of the Commission; or
- (d) the Permittee has filed a petition with the Commission requesting that the permit be revoked or terminated.

In the event the Commission determines that it is appropriate to consider revocation or suspension of this permit, the Commission shall proceed in accordance with the requirements of Minn. R. 7854.1300 to determine the appropriate action. Upon a finding of any of the above, the Commission may require the Permittee to undertake corrective measures in lieu of having this permit suspended or revoked.

16 EXPIRATION DATE

This permit shall expire 30 years after the date this permit was approved and adopted.

ATTACHMENT 1
Complaint Handling Procedures for Permitted Energy Facilities

**MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLAINT HANDLING PROCEDURES FOR
PERMITTED ENERGY FACILITIES**

A. Purpose

To establish a uniform and timely method of reporting and resolving complaints received by the permittee concerning permit conditions for site or route preparation, construction, cleanup, restoration, operation, and maintenance.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittee by a person expressing dissatisfaction or concern regarding site or route preparation, cleanup or restoration, or other permit conditions. Complaints do not include requests, inquiries, questions or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains unresolved or unsatisfactorily resolved to one or both of the parties.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private; however organized.

E. Complaint Documentation and Processing

1. The permittee shall designate a representative responsible for filing complaints to the Commission's eDocket system. This person's name, phone number and email address shall accompany all complaint submittals. The name and contact information for the representative shall be kept current in eDockets.
2. A person presenting the complaint should, to the extent possible, include the following information in their communications:
 - a. name, address, phone number, and email address;
 - b. initial date of the complaint;
 - c. tract, parcel number, or address of the complaint;
 - d. a summary of the complaint; and
 - e. whether the complaint relates to a permit violation, a construction practice issue, or other type of complaint.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
 - a. docket number and project name;
 - b. name of complainant, address, phone number and email address;
 - c. precise description of property or parcel number;
 - d. name of permittee representative receiving complaint and date of receipt;
 - e. nature of complaint and the applicable permit condition(s);
 - f. summary of activities undertaken to resolve the complaint; and
 - g. a statement on the final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit, unless otherwise required below. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Public Advisor at 1-800-657-3782 (voice messages are acceptable) or publicadvisor.puc@state.mn.us. For e-mail reporting, the email

subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

Monthly Reports: During project construction, restoration, and operation, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed by the 15th of each month to Will Seuffert, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>. If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

If a project has submitted twelve consecutive months of complaint reports with no complaints, monthly reports can terminate by a letter to eDockets notifying the Commission of such action. If a substantial complaint is received (by the company or the Commission) following termination of the monthly complaint report, as noted above, the monthly reporting should commence for a period of one year following the most recent complaint or upon resolution of all pending complaints.

If a permittee is found to be in violation of this section, the Commission may reinstate monthly complaint reporting for the remaining permit term or enact some other commensurate requirement via notification by the Executive Secretary or some other action as decided by the Commission.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding the permit or issues related to site or route preparation, construction, cleanup, restoration, or operation and maintenance will be promptly sent to the permittee.

The permittee shall notify the Commission when the issue has been resolved. The permittee will add the complaint to the monthly reports of all complaints. If the permittee is unable to find resolution, the Commission will use the process outlined in the Unresolved Complaints Section to process the issue.

H. Commission Process for Unresolved Complaints

Complaints raising substantial and unresolved permit issues will be investigated by the Commission. Staff will notify the permittee and appropriate persons if it determines that the

complaint is a substantial complaint. With respect to such complaints, the permittee and complainant shall be required to submit a written summary of the complaint and its current position on the issues to the Commission. Staff will set a deadline for comments. As necessary, the complaint will be presented to the Commission for consideration.

I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may be filed by mail or email to the permittee's designated complaint representative, or to the Commission's Public Advisor at 1-800-657-3782 or publicadvisor.puc@state.mn.us. The name and contact information for the permittee's designated complaint representative shall be kept current in the Commission's eDocket system.

DRAFT SITE PERMIT

DRAFT SITE PERMIT

ATTACHMENT 2
Site Maps



June 1, 2022

ELECTRONIC FILING

Will Seuffert, Executive Secretary
Public Utilities Commission
127 Seventh Place East, Suite 350
Saint Paul, MN 55101-2147

RE: **EERA Comments and Recommendations on a Draft Site Permit**
Rose Creek Wind Project
Docket No. IP7065/WS-21-643

Dear Mr. Seuffert:

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

In the Matter of the Application of Rose Creek Wind, LLC for a LWECS Site Permit
for the 17.4 MW Rose Creek Wind Project in Mower County, Minnesota

The authorized representatives for the Applicant are:

Mark Noyes
President and Chief Executive Officer
Rose Creek Wind, LLC
100 Summit Lake Dr, Suite 210
Valhalla, NY 10595

Gokhan Andi
Manager, Project Development
Consolidated Edison Clean Energy Businesses
4301 W 57th St, Suite 131
Sioux Falls, SD 57108
507-215-6301
Email: andig@conedceb.com

EERA staff recommends the Minnesota Public Utilities Commission (Commission) issue a draft site permit to Rose Creek Wind, LLC for the Rose Creek Wind Project. Staff has prepared a preliminary draft site permit for the Commission's consideration. Staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Davis". The signature is fluid and cursive, with the first name "Richard" and last name "Davis" clearly distinguishable.

Richard Davis
Environmental Review Manager
Enclosure

cc: Louise Miltich, Energy Environmental Review and Analysis

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BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS COMMENTS AND RECOMMENDATIONS

ROSE CREEK WIND PROJECT DOCKET No. IP7065/WS-21-643

Date: June 1, 2022

Staff: Richard Davis | 507-380-6859 | richard.davis@state.mn.us

In the Matter of the Application of Rose Creek Wind, LLC for a LWECS Site Permit for the 17.4 megawatts (MW) Rose Creek Wind Project in Mower County, Minnesota

Issues Addressed: These comments and recommendations address whether the Commission should issue a draft site permit for the Rose Creek Wind Project and what conditions are necessary and appropriate to be included in the draft site permit should the Commission decide to issue one for the project.

Documents Attached:

(1) Preliminary Draft Site Permit with Map of Proposed Turbines, Collection Lines, and Access Roads

Relevant documents and additional information can be found on the eDockets website at <https://www.edockets.state.mn.us/EFiling/search.jsp> (enter the year “21” and the number “643”), or on the EERA website at <https://apps.commerce.state.mn.us/eera/web/project/14792>.

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-539-1530 (voice).

Introduction and Background

Rose Creek Wind, LLC, a subsidiary owned by Rose Wind Holdings, LLC, which is owned by ConEdison Development (CED), filed an application for a LWECS site permit for the Rose Creek Wind Project in Mower County with the Commission on January 28, 2022.¹

¹ Rose Creek Wind, LLC. Initial Filing – Site Permit Application, Figures, and Appendices. January 28, 2022. eDocket ID # [20221-182146-01](#), [20221-182146-02](#), [20221-182146-03](#), [20221-182146-04](#), [20221-182146-05](#), [20221-182146-06](#), [20221-182146-07](#), [20221-182146-08](#), [20221-182150-01](#), [20221-182150-03](#), [20221-182150-04](#), [20221-182150-05](#), [20221-182150-06](#), [20221-182150-07](#), [20221-182150-08](#), [20221-182150-09](#), [20221-182150-10](#), [20221-182153-01](#), [20221-182153-02](#), [20221-182153-03](#), [20221-182153-04](#), [20221-182153-05](#), [20221-182153-06](#), [20221-182153-07](#), [20221-182153-08](#), [20221-182153-09](#)

The Rose Wind Project is currently operating and consists of 11 turbines that were previously permitted by Mower County, under seven separate limited liability companies. The Rose Wind Project will be repowered, renamed the Rose Creek Wind Project and operate under one company. Mower County does not permit wind energy facilities between 5 and 25 MW, so Rose Creek Wind, LLC (Rose Creek Wind or Applicant) applied for a LWECS site permit from the Commission.

The Commission subsequently accepted the site permit application as complete and issued their order on March 15, 2022.² On April 19, 2022, the Commission and the Minnesota Department of Commerce issued notice of a public meeting and public comment period to solicit comments regarding impacts and mitigation measures that should be addressed in a draft site permit for the Rose Creek Wind Project.³

Project Purpose

The currently operating Rose Wind Project currently sells its generated electricity to Dairyland Power Cooperative (Dairyland) under a Power Purchase Agreement (PPA), and the repowered Rose Creek Wind Project will continue to sell to Dairyland following repowering of the Project.⁴

Project Description

The Rose Wind Project is currently operating and consists of 11 turbines that were previously permitted by Mower County. The Rose Wind Project turbines will be decommissioned, and the Project will be completely repowered and operated as the Rose Creek Wind Project.⁵

The Rose Creek Wind Project will be located in portions of Lodi and Adams Townships in Mower County, Minnesota, with a Project footprint that spans 5,258 acres of land. The Project will have up to 17.4 MW of nameplate wind energy capacity. Rose Creek Wind continues to assess its turbine options and is currently evaluating two scenarios that would use a combination of two or three wind turbine models with rated nameplate power outputs ranging from 2.0 MW to 2.82 MW, which would result in the construction and operation of six or seven wind turbines.⁶

The turbine models currently under consideration do have slightly different characteristics.

- Gamesa 2.0 MW Turbine – Hub Height 100 m, Total Tip Height 168.5 m, Rotor Diameter 97 m
- GE 2.3 MW Turbine – Hub Height 80 m, Total Tip Height 138 m, Rotor Diameter 116 m
- GE 2.82 MW Turbine – Hub Height 89 m, Total Tip Height 152.5 m, Rotor Diameter 127 m

Turbine Scenario 1 would use a combination of one General Electric (GE) 2.3 MW turbine and five GE 2.82 MW turbines, for a total of six turbines and one alternate turbine location. Turbine Scenario 2 would use four Gamesa 2.0 MW turbines, one GE 2.3 MW, and two GE 2.82 MW turbines for a total of seven turbines. The two turbine scenarios have similar construction footprints, as the turbine layouts, collector line locations, access road/crane path locations are identical, and the environmental impacts are anticipated to be similar.⁷

² Commission, Order, March 15, 2022, eDocket # [20223-183769-01](#)

³ Commission, Notice – Notice of Public Information Meeting, April 19, 2022, eDocket # [20224-184887-01](#)

⁴ Site Permit Application, Section 1.0

⁵ Site Permit Application, Section 5.1

⁶ Site Permit Application, Section 4.0

⁷ Site Permit Application, Section 4.4

A number of facilities will be constructed to support the operation of the wind turbines and facilitate the delivery of the electricity to consumers. Rose Creek Wind is seeking approval from the Commission through the LWECS site permit for the following associated facilities: new gravel access roads, improvements to existing access roads, temporary widening of access roads to be used as crane paths, an upgraded project substation, underground and/or aboveground electrical collection and communication lines, a temporary construction laydown yard.⁸

At the time of the initial application filing, Rose Creek Wind stated it has acquired 95 percent of the land required for successful construction and operation of the Project. Easement negotiations are ongoing with four property owners to acquire good neighbor agreements for turbines T-1 and T-2 wind access buffers.⁹ Rose Creek Wind anticipates commencement of construction to begin in the third quarter of 2022 and to be completed in the third quarter of 2023. Rose Creek Wind has indicated they plan to begin commercial operation date (COD) in the third quarter of 2023.¹⁰

Regulatory Process and Procedures

The Rose Creek Wind Project is currently operating under conditional use permits issued by Mower County and does not currently have a site permit from the Commission. The Project requires review and approval of a Large Wind Energy Conversion System (LWECS) site permit from the Commission.

A site permit from the Commission is required to construct an LWECS, which is any combination of wind turbines and associated facilities with the capacity to generate five megawatts or more of electricity. This requirement became law in 1995. The Minnesota Wind Siting Act is found at Minnesota Statutes Chapter 216F. The rules to implement the permitting requirements for LWECS are in Minnesota Rule 7854.

Minnesota Rule 7854.0800 states, “Within 45 days after acceptance of the application by the Commission, the Commission shall make a preliminary determination whether a permit may be issued or should be denied. If the preliminary determination is to issue a permit, the Commission shall prepare a *draft site permit* for the project. The draft site permit must identify the permittee, the proposed LWECS, and proposed permit conditions.” Issuing a draft site permit does not confer an authority to construct an LWECS. The Commission may change, amend, or modify the draft site permit in any respect before final issuance, or may deny the site permit at a later date.

Per Commission practice, and for the Rose Creek Wind Project, the Commission extended the 45-day time limit for making a determination on a draft site permit in order to solicit public comments.¹¹ To aid public comment, the Commission issued a sample LWECS site permit.¹²

⁸ Site Permit Application, Section 6.0

⁹ Site Permit Application, Section 7.0

¹⁰ Site Permit Application, Section 10.8

¹¹ Commission, Order, March 15, 2022, eDocket # [20223-183769-01](#)

¹² Commission, Other – Sample Permit, March 17, 2022, eDocket # [20223-183918-01](#)

Comments Regarding a Draft Site Permit

Commission and Department of Commerce, Energy Environmental Review and Analysis (EERA) staff held a public information meeting regarding the Rose Creek Wind Project on May 4, 2022, in Austin, Minnesota. Seven persons attended this meeting; five of the attendees provided public comments.¹³ These comments and questions addressed topics, such as, turbine site layout, decommissioning of existing turbines, Aircraft Detection Lighting System (ADLS), turbine wind access buffer setbacks from property boundaries, potential project interference with television broadcast, internet, and cell phone service, lease agreements, and the project's importance for local economies and labor. The following evening, May 3, 2022, Commission and EERA staff held a virtual public meeting with remote access. Three people attended this meeting, and one attendee provided public comments regarding the importance of the project for local labor and the positive influence it will have on the local economy.¹⁴

Following the public meetings, a public comment period continued and closed on May 19, 2022. Six comment letters were received during the comment period; United States Fish and Wildlife Service (USFWS)¹⁵, Minnesota Pollution Control Agency (MPCA)¹⁶, International Union of Operating Engineers (IUOE) Local 49 and North Central States Regional Council of Carpenters (NCSRC)¹⁷, Minnesota Department of Natural Resources (DNR)¹⁸, Laborers' International Union of North America (LIUNA) Minnesota & North Dakota¹⁹, and Minnesota Department of Transportation (MnDOT)²⁰.

USFWS Comments

USFWS provided written comments to EERA in an email on April 29, 2022. USFWS recommended the Applicant follow the Final Land-Based Wind Energy Guidelines and the Eagle Conservation Plan (ECP) Guidance to minimize impacts to migratory birds, eagles, and federally listed species. USFWS also recommended that the Applicant follow these guidelines for post-construction mortality monitoring and necessary adaptive management.

USFWS comments indicated that the federally threatened northern long-eared bat has the potential to occur in Mower County, but there are no records of occurrence within the vicinity of the Project Area and there are no known hibernacula within Mower County. USFWS identified potential northern long-eared bat foraging habitat within the Project Area and recommended a 1,000-foot turbine setback from wooded areas where the species may be foraging. The northern long-eared bat is currently listed as a threatened species and under the Final 4(d) rule take of the species by wind facilities is not prohibited at this time. The USFWS comments indicated that the northern long-eared bat is currently being considered for reclassification as a federally

¹³ DOC-EERA, Minutes – Public Information Meeting Minutes, May 23, 2022, eDocket # [20225-185968-01](#)

¹⁴ DOC-EERA, Minutes – Virtual Public Information Meeting Minutes, May 23, 2022, eDocket # [20225-185969-01](#)

¹⁵ USFWS, Comments – Site Permit Application, April 29, 2022, eDocket # [20226-186246-01](#)

¹⁶ MPCA, Comments – On Site Permit Application, May 12, 2022, eDocket # [20226-186247-01](#)

¹⁷ IUOE Local 49 and NCSRC Carpenter, Comments, May 18, 2022, eDocket # [20225-185869-01](#)

¹⁸ Minnesota Department of Natural Resources, Comments, May 18, 2022, eDocket # [20225-185867-01](#)

¹⁹ LIUNA Minnesota & North Dakota, Comments, May 19, 2022, eDocket # [20225-185927-01](#)

²⁰ MnDOT, Comments, May 19, 2022, eDocket # [20225-185911-01](#)

endangered species, which would remove the current 4(d) rule and further coordination with USFWS may be necessary at that time.

USFWS comments indicate that the federally threatened prairie bush-clover has been documented in Mower County, but due to a lack of suitable habitat within the Project Area the species is likely not present.

The USFWS recommends that potential impacts to migratory birds be minimized, which include clearing forested habitat outside of nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings. The USFWS recommends that any lighting of buildings, turbines, and meteorological towers are compliant with the 2016 Federal Aviation Administration (FAA) guidance on tower lighting.

The USFWS comments indicate that the closest known bald eagle nest is approximately two miles from the Project Area, and there are no known bald eagle nests within the proposed Project Area. USFWS comments state that if the Applicant chooses to apply for an eagle take permit, pre-construction surveys should meet the data collection requirements under the 2016 Eagle Incidental Take Permit Regulations.

MPCA Comments

MPCA submitted their comment letter to EERA on May 12, 2022. MPCA comments specifically identifies unnamed creeks along the north of the Project Area that have construction related impairments to consider when constructing of the Project's proposed turbine location near those unnamed creeks. MPCA comments stated that if Project construction related stormwater has the ability to flow toward these unnamed creeks, the Applicant will need to implement additional erosion and sediment control BMPs per the MPCA National Pollutant Discharge Elimination System/State Disposal System General Construction Stormwater permit (CSW Permit). MPCA comments identify additional BMPs, which can include the immediate stabilization of disturbed soils that will not be worked for seven or more days and the use of a temporary sediment basin will be required if five or more acres of the site drains to a common location.

MPCA comments also identify the requirement for the use of redundant down gradient sediment controls if there is unavoidable disturbance to occur within the existing 50-foot buffer of any wetlands or surface waters, public or non-public. MPCA comments state that the Site Permit Application did not provide an anticipated total acreage of impervious surfaces that will be the result of the Proposed Project. MPCA stated that if the Proposed Project will have one or more acres of impervious surface, permanent stormwater management must be included in the Project plans and Stormwater Pollution Prevention Plan.

IUOE Local 49 and NCSRC of Carpenters Comments

IUOE Local 49 and NCSRC of Carpenters provided their comment letter on May 19, 2022. Generally, the comments were specific to the importance of, and consideration of the socioeconomic impacts associated with the construction jobs resulting from the proposed project.

DNR Comments

DNR submitted their comment letter on May 18, 2022, which highlighted several comments and issues to consider as the Project goes through the site permitting process. DNR stated that the Applicant should continue coordination with the agency with respect to potential impacts to native prairie areas and the development of a Native Prairie Protection Plan (NPPP). There are two proposed crossings of potentially undisturbed grassland by a proposed collection line. DNR also requested that the applicant provide them with a shapefile of the potentially undisturbed grassland within the project area.

The site permit application identifies tributaries to the Little Cedar River and the Wapsipinicon River within the project area, and there may be project construction activities that may involve waterway crossings and temporary surface water impacts caused by collector lines installed beneath waterbodies. DNR comments indicate that the Little Cedar River and the Wapsipinicon River are public waters, and the agency supports the use of best management practices (BMPs) to minimize erosion and sediment loads that could travel down the tributaries within the project area and affect the downstream public waters.

DNR comments identified that the site permit application indicates some project construction activities may require dewatering. DNR comments state that the Applicant would need to acquire a Water Appropriation Permit to withdraw more than 10,000 gallons of water per day or 1 million gallons of water per year.

The Applicant has indicated that one year of post-construction fatality monitoring will be conducted at the Rose Creek Wind Project. DNR comments recommend two years of post-construction fatality monitoring be conducted, which is in line with recently issued site permits from the Commission.

DNR comments identify concerns with small animal entanglement issues with plastic erosion control materials, and erosion control blankets should be limited to bio-netting or natural netting. Additionally, to increase matrix strength, some hydro-mulching products may contain small synthetic plastic fibers. DNR recommends the use of mulching products that do not contain synthetic plastic fiber strength additives. DNR recommended the addition of a special permit condition requiring the use of wildlife friendly erosion control materials similar to the condition included in the Louise Solar Project site permit.

DNR comments identify concerns with LED lighting at the project substation, which contains significant amounts of blue light and can be harmful to birds, insects, and other animals. DNR recommends minimizing these impacts by using shielded and downward facing lights that will minimize the blue hue at the substation. DNR recommended the addition of a special permit condition requiring the use of shielded and downward facing lights at the project substation, as was included in the Frazee to Erie 115 kV route permit.

DNR comments indicate that products used for dust control containing calcium chloride and magnesium chloride do not break down in the environment and can accumulate to levels that can be toxic to plants and wildlife. DNR recommended that a permit condition be added to the draft site permit that requires the applicant avoid the use of dust control chemicals that contain chlorides.

LIUNA Minnesota & North Dakota Comments

LIUNA Minnesota & North Dakota provided their comment letter on May 19, 2022. LIUNA's comments stress the importance of using skilled local workers for the construction of the proposed repowering project, and how hiring of local labor positively impacts other local businesses. The comments also indicated the importance of the repowering project because it uses an existing grid interconnection point and will avoid the current issue of grid congestion.

MnDOT Comments

MnDOT comments indicate that exact haul routes to and from the project area have yet to be identified, but the Applicant may use the State of Minnesota trunk highway system for the removal and delivery of project materials and construction equipment. MnDOT suggested the Applicant secure Over Size Over Weight (OSOW) permits to meet permitting requirements for hauling large materials and equipment associated with wind energy project construction.

MnDOT stated that no direct site access from nearby Trunk Highway 56 has been identified by the Applicant at this time, so no additional MnDOT access permitting is necessary at this time. Should access points or changes to road radii from the State trunk highway system be necessary, MnDOT staff should be contacted by the Applicant, as soon as possible, as certain access points may be prohibited.

MnDOT stated they appreciate the Applicant's turbine setback from public roads of 1.1 times the tip height.

MnDOT recommended that any temporary roadway signage used during construction should be made and placed in manner that can withstand winter wear. MnDOT comments instructed the Applicant to review the MnDOT District 6 construction projects that are scheduled and could impact the delivery of Project materials and equipment. MnDOT comments also reference the MnDOT Policy and Guidance – Utility Agreements and Permits, and recommends the Applicant utilize this guidance as they plan and coordinate aspects of the Proposed Project.

MnDOT comments indicate that MnDOT permits will not be issued until after the Commission issues an approved site permit for the Project. The agency comments also identify the MnDOT District 6 Engineering Specialist for the Applicant to coordinate with regarding permitting, traffic control, and construction coordination. MnDOT also requested that their District Specialists be given the opportunity to participate in pre-construction meetings if they apply to MnDOT properties.

EERA Staff Analysis and Comments

EERA staff has reviewed the comments received regarding a draft site permit (DSP) for the Project, and staff has prepared a preliminary DSP for the Commission's consideration (Attachment 1). EERA staff recommends the Commission issue a DSP for the Rose Creek Wind Project.

The map attached to the preliminary DSP shows the proposed turbine locations, including six or seven turbine locations, depending on the selected turbine model.

Modifications to the Sample Permit

EERA staff has modified the Commission's sample permit in developing its preliminary DSP. Modifications to the sample permits are indicated in the preliminary DSP by blue text and underline (additions), and red

text and strikethrough (deletions). The modifications are summarized in Table 1. Many of these modifications are minor in nature, such as adding project-specific information, clarifying where information can be found or when items must be filed. EERA staff provides no additional comments or information on these modifications. Other more substantial modifications to the sample permit are discussed further here.

Table 1. Modifications to Sample Permit

Section Title	Section Number	Proposed Modification
Cover Page	--	updates with project-specific information
Contents	--	updates with new conditions added
Site Permit	1	updates with project-specific information
Project Description	2	updates with project-specific information
Associated Facilities	2.1	updates with project-specific information
Project Location	2.2	updates with project-specific information
Designated Site	3	updates with project-specific information
Wind Turbine Towers	4.9	updates with project-specific information
Construction and Operation Practices	5.3	updates with project-specific information
Special Condition – Decommissioning of the Existing Rose Wind Project	6.1	requires the permittee to decommission the existing Rose Wind Project in accordance with Mower County requirements prior to constructing the proposed Rose Creek Wind Project.
Special Condition – Additional Stormwater and Sediment Protection Measures	6.2	requires the permittee to use additional erosion and sediment controls to protect the unnamed creeks in the north portion of the project area and requires redundant sediment protection measures when disturbance is anticipated within the existing 50-foot buffer adjacent to wetlands and surface waters.
Special Condition – Bio-netting, Natural Netting, and Mulch Products	6.3	requires the permittee to use bio-netting, natural netting, and mulch products that do not contain synthetic plastics.
Special Condition – Project Substation Lighting	6.4	requires the permittee to use shielded and downward facing lighting at the project substation.
Special Condition – Dust Control	6.5	requires the permittee to minimize, and avoid if possible, the use of chloride based dust control chemicals
Special Condition – Temporary Roadway Signage	6.6	requires the permittee to use temporary road signage that is made of materials and is placed in a manner that can withstand winter conditions.
Operational Phase Fatality Monitoring	7.5.1	added special condition, requires a minimum of two years of post-construction monitoring.
Avian and Bat Protection Plan	7.5.2	changed from special condition 7.5.1, references the draft Avian and Bat Protection Plan (ABPP) provided in the application and clarifies the ABPP revision process.

Section Title	Section Number	Proposed Modification
Quarterly Incident Reports	7.5.3	changed from special condition 7.5.2, adds Department to distribution list for quarterly wildlife reports.
Site Plan	10.3	updates with project-specific information.
Decommissioning	11.1	references the draft decommissioning plan provided in the application.
Change in Ownership	14	clarifies the permittee must request approval of the Commission to make changes in the project's ownership structure.

Decommission the Existing Rose Creek Wind Project

The existing Rose Wind Project is permitted through Mower County, and the existing project must be decommissioned within the requirements set forth by Mower County before the proposed Rose Creek Wind Project can be constructed.

Special condition 6.1 has been included in the preliminary DSP requiring the decommissioning of the existing project.

Aircraft Detection Lighting System

As EERA highlighted in our Comment and Recommendation Letter on Application Acceptance, Rose Creek is not considering the installation of an Aircraft Detection Lighting System (ADLS) at this time because: the Applicant has indicated the Project is small with only 6 or 7 turbines; the existing Rose Wind project does not use ADLS lighting; the Project is within an area that has a significant number of existing turbines, many of which do not have ADLS lighting systems; and finally, based on preliminary quotes provided by ADLS vendors, installing ADLS lighting at the Rose Creek Wind Project would be cost prohibitive. The costs for purchase and installation of an ADLS system would amount to approximately 2% of the total development costs of the Project, which does not include the lifetime costs to operate and maintain the ADLS system.

Given the new statutory language under 216F.084, the Commission must make the determination if the Applicant is exempt from needing to install ADLS. The Commission can only make the determination to exempt Rose Creek after properly noticing the ADLS issue and holding a public hearing. The Applicant must demonstrate to the Commission that ADLS is technically infeasible or "imposes a significant financial burden".

At this time EERA recommends the typical ADLS site permit condition remain in the DSP at this time, and once the record on the issue has been further developed the Commission can make the decision to maintain the typical ADLS condition or modify the ADLS condition prior to making a final site permit decision.

Responses to Comments Received

Verbal Comments

1. Turbine site layout
 - Addressed in part by preliminary Draft Site Permit conditions 2.2 Project Location, 3 Designated Site, and 3.1 Turbine Layout.

- Displayed in Attachment 3 – Site Maps to the preliminary Draft Site Permit.
- 2. Decommissioning of existing turbines
 - EERA added special conditions 6.1 Decommissioning of the Existing Rose Wind Facility.
- 3. Aircraft Detection Lighting System (ADLS)
 - Addressed by preliminary DSP condition 5.3.28 Federal Aviation Administration Lighting.
- 4. Turbine wind access buffer setbacks
 - Addressed by preliminary DSP condition 4.1 Wind Access Buffer.
- 5. Potential project interference with television broadcast, internet, and cell phone service
 - Addressed in preliminary DSP condition 5.3.17 Interference.
- 6. Lease agreements
 - In part addressed in preliminary DSP condition 5.2 Access to Property
 - In part addressed in preliminary DSP condition 8.1 Wind Rights

USFWS Comments

1. The Applicant should follow the Final Land-Based Wind Energy Guidelines and the Eagle Conservation Plan (ECP) Guidance to minimize impacts to migratory birds, eagles, and federally listed species.
 - Addressed in part by preliminary DSP condition 7.1 Biological and Natural Resource Inventory.
2. The Applicant follow these guidelines for post-construction mortality monitoring and necessary adaptive management.
 - Addressed in part by condition 7.5.1 Operational Phase Fatality Monitoring.
3. Potential impacts to migratory birds be minimized, which include clearing forested habitat outside of nesting season (generally March 1 to August 31) or conduct nest surveys prior to clearing to avoid injury to eggs or nestlings.
 - Addressed in part by preliminary DSP condition 5.3.9 Vegetation Removal.
4. The USFWS recommends that any lighting of buildings, turbines, and meteorological towers are compliant with the 2016 Federal Aviation Administration (FAA) guidance on tower lighting.

- Addressed in part by preliminary DSP condition 5.3.28 Federal Aviation Administration Lighting.

MPCA Comments

1. Unnamed creeks along the north of the Project Area have construction related impairments to consider when constructing the Project's proposed turbine location near those unnamed creeks.
- EERA added special condition 6.2 Additional Erosion and Sediment Protection Measures to the preliminary DSP
2. use of redundant down gradient sediment controls if there is unavoidable disturbance to occur within the existing 50-foot buffer of any wetlands or surface waters, public or non-public.
- EERA added special condition 6.2 Additional Erosion and Sediment Protection Measures to the preliminary DSP

IUOE Local 49 and NCSRC of Carpenters Comments

1. The importance of, and consideration of the socioeconomic impacts associated with the construction jobs resulting from the proposed project.
- This is addressed in preliminary DSP 10.5 Labor Statistics Reporting.

DNR Comments

1. The Applicant should continue coordination with the agency with respect to potential impacts to native prairie areas and the development of a Native Prairie Protection Plan (NPPP).
- This is addressed in preliminary DSP condition 4.7 Native Prairie.
2. The Little Cedar River and the Wapsipinicon River are public waters, and the DNR supports the use of best management practices (BMPs) to minimize erosion and sediment loads that could travel down the tributaries within the project area and affect the downstream public waters.
- This is addressed in preliminary DSP condition 5.3.7 Soil Erosion and Sediment Control.
 - EERA also added special condition 6.2 Additional Erosion and Sediment Protection Measures
3. The site permit application indicates some project construction activities may require dewatering, which may require a Water Appropriation Permit from DNR.
- This is addressed in preliminary DSP condition 5.6.2 Other Permits and Regulations.
4. DNR comments recommend two years of post-construction fatality monitoring be conducted, which is in line with recently issued site permits from the Commission.
- EERA included two years of post-construction fatality monitoring in special condition 7.5.1 of the preliminary DSP.

5. DNR recommended the use of wildlife friendly erosion control materials.
 - EERA has added special condition 6.3 to the preliminary DSP.
6. DNR recommends minimizing these impacts by using shielded and downward facing lights that will minimize the blue hue at the substation.
 - EERA has added special condition 6.4 to the preliminary DSP.
7. Recommended that a permit condition be added to the draft site permit that requires the applicant avoid the use of dust control chemicals that contain chlorides.
 - EERA has added special condition 6.5 to the preliminary DSP.

LIUNA Minnesota & North Dakota Comments

1. Using skilled local workers for the construction of the proposed repowering project, and how hiring of local labor positively impacts other local businesses.
 - This is addressed in preliminary DSP condition 10.5 Labor Statistics Reporting.

MnDOT Comments

1. MnDOT suggested the Applicant secure Over Size Over Weight (OSOW) permits to meet permitting requirements for hauling large materials and equipment associated with wind energy project construction.
 - This is addressed in preliminary DSP condition 5.6.2 Other Permits and Regulations.
2. Should access points or changes to road radii from the State trunk highway system be necessary, MnDOT staff should be contacted by the Applicant, as soon as possible, as certain access points may be prohibited.
 - This is addressed in preliminary DSP condition 5.6.2 Other Permits and Regulations.
3. MnDOT recommended that any temporary roadway signage used during construction should be made and placed in manner that can withstand winter wear.
 - EERA added special condition 6.6 to the preliminary DSP to address this comment.
4. Reference to the MnDOT Policy and Guidance – Utility Agreements and Permits, and recommends the Applicant utilize this guidance as they plan and coordinate aspects of the Proposed Project.
 - This is addressed in preliminary DSP condition 5.6.2 Other Permits and Regulations.

5. MnDOT comments indicate that MnDOT permits will not be issued until after the Commission issues an approved site permit for the Project.
 - Addressed in part in preliminary DSP condition 5.6.2 Other Permits and Regulations.
6. The agency comments also identify the MnDOT District 6 Engineering Specialist for the Applicant to coordinate with regarding permitting, traffic control, and construction coordination.
 - This is addressed in preliminary DSP condition 5.6.2 Other Permits and Regulations.
7. Requested that their District Specialists be given the opportunity to participate in pre-construction meetings if they apply to MnDOT properties.
 - Addressed in part in Preliminary DSP condition 10.1 Pre-Construction Meeting.

Mower County Standards

Mower County's ordinance does not take jurisdiction over wind projects between 5 and 25 MW in size, but the County does have some applicable setback standards that could be applied to the proposed Project. Minnesota counties may adopt regulations and standards for LWECS that are more stringent than those standards authorized by the Commission.²¹ The Commission must consider more stringent county standards in its consideration of whether to issue a permit for a LWECS and to apply those standards unless the Commission finds good cause not to apply the standards.²²

EERA staff believes that the Mower County setback standards have effectively been implemented by the Commission's standards and the preliminary DSP.

EERA Staff Recommendation

EERA staff recommends that the Commission issue a draft site permit for the Rose Creek Wind Project and submits the attached preliminary DSP for the Commission's consideration. The preliminary DSP includes a map depicting the anticipated location of project turbines, collection lines, and access roads.

If the Commission issues a draft site permit, a public hearing will be held for the project with an associated comment period. During the hearing and comment period, persons may propose changes to the draft site permit, including new or amended permit conditions. Such changes may be incorporated into a final site permit issued by the Commission for the Project.

²¹ Minnesota Statute 216F.081

²² Minnesota Statute 216F.081

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

SITE PERMIT FOR A
LARGE WIND ENERGY CONVERSION SYSTEM

IN

~~[COUNTY]~~ MOWER COUNTY

ISSUED TO

~~[PERMITTEE]~~ ROSE CREEK WIND, LLC

PUC DOCKET NO. ~~[Docket Number]~~ IP7065/WS-21-643

In accordance with the requirements of Minnesota Statutes Chapter 216F and Minnesota Rules Chapter 7854 this site permit is hereby issued to:

~~[Permittee]~~ Rose Creek Wind, LLC

The Permittee is authorized by this site permit to construct and operate a Large Wind Energy Conversion System of up to ~~[number]~~ 17.4 megawatts (MW) consisting of up to ~~[number]~~ seven turbines. The Large Wind Energy Conversion System and associated facilities shall be built within the site identified in this permit and as portrayed on the site maps and in compliance with the conditions specified in this permit.

This site permit shall expire thirty (30) years from the date of this approval.

Approved and adopted this ____ day of _____

BY ORDER OF THE COMMISSION

Will Seuffert,
Executive Secretary

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ATTACHMENTS

Attachment 1 – Complaint Handling Procedures for Permitted Energy Facilities

~~Attachment 2 – Compliance Filing Procedure for Permitted Energy Facilities~~

Attachment ~~2~~³ – Site Maps

Preliminary Draft

1 SITE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this site permit to ~~[Permittee]~~ Rose Creek Wind, LLC (Permittee) pursuant to Minnesota Statutes Chapter 216F and Minnesota Rules Chapter 7854. This permit authorizes the Permittee to construct and operate the ~~[Project Name]~~ Rose Creek Wind Project, a ~~[number]~~ 17.4 megawatt (MW) nameplate capacity Large Wind Energy Conversion System (LWECS) and associated facilities in ~~[County]~~ Mower County. The LWECS and associated facilities shall be built within the site identified in this permit and as identified in the attached site maps, hereby incorporated into this document.

1.1 Preemption

Pursuant to Minn. Stat. § 216F.07, this permit shall be the sole site approval required for the location, construction, and operation of this project and this permit shall supersede and preempt all zoning, building, and land use rules, regulations, and ordinances adopted by regional, county, local, and special purpose governments.

2 PROJECT DESCRIPTION

~~[Provide a description of the project as authorized by the Commission]~~

Example Language

The ~~[Project Name]~~ Rose Creek Wind Project will be an up to ~~[number]~~ 17.4 MW nameplate capacity LWECS in ~~[County]~~ Mower County, Minnesota. The LWECS will consist of up to ~~[number of turbines, turbine size, and turbine manufacturer]~~ seven wind turbines, ranging in size from 2 to 2.82 MW, and manufactured by Gamesa or General Electric (GE). The Project ~~also includes up to [number] alternate turbine locations that can be used should any of the primary turbine locations be determined to not be adequate for construction or operation~~ will use one of two turbine layout scenarios with similar construction footprints.

Turbine Scenario 1 would use a combination of one GE 2.3 MW turbine and five GE 2.82 MW turbines, for a total of six turbines and one alternate turbine location.

Turbine Scenario 2 would use four Gamesa 2.0 MW turbines, one GE 2.3 MW, and two GE 2.82 MW turbines for a total of seven turbines.

2.1 Associated Facilities

~~[Provide a description of the project as authorized by the Commission]~~

Example Language

Associated facilities for the Project will include the following:

- Gravel access roads
- Temporary Laydown Yard
- Underground electric collection lines
- Underground communication lines
- ~~Up to [number] permanent meteorological towers~~
- Project substation facility
- ~~Operations and maintenance facility~~
- ~~Lighting mitigation system~~
- Electrical switchyard
- ~~An [number] 65~~ foot long ~~[number] 34.5~~ kV transmission line from the Project substation to the point-of-interconnect.

Temporary disturbance areas to allow for the construction of the Project may include, crane paths, pull sites, access roads, and a laydown yard.

2.2 Project Location

The project is located in the following ~~[County and township]~~ Mower County, Lodi and Adams Townships:

County	Township Name	Township	Range	Sections
<u>Mower</u>	<u>Lodi</u>	<u>101 North</u>	<u>15 West</u>	<u>18, 30, and 31</u>
<u>Mower</u>	<u>Adams</u>	<u>101 North</u>	<u>16 West</u>	<u>13, 14, 15, 22, 23, 24, 25, 26, 27, and 36</u>

3 DESIGNATED SITE

The site designated by the Commission for the ~~[Project Name]~~ Rose Creek Wind Project is the site depicted on the site maps attached to this permit. The project area encompasses approximately ~~[number]~~ 5,258 acres. Upon completion, the project will occupy no more than ~~[number]~~ five acres of land converted to wind turbines and associated facilities approved by this permit. Within the project boundary, the LWECs and associated facilities shall be located on lands for which the Permittee has obtained wind rights.

3.1 Turbine Layout

The preliminary wind turbine and associated facility layouts are shown on the site maps attached to this permit. The preliminary layout represents the approximate location of wind turbines and associated facilities within the project boundary and identifies a layout that seeks to minimize the overall potential human and environmental impacts of the project, which were evaluated in the permitting process.

The final layout depicting the location of each wind turbine and associated facility shall be located within the project boundary. The project boundary serves to provide the Permittee with the flexibility to make minor adjustments to the preliminary layout to accommodate requests by landowners, local government units, federal and state agency requirements, and unforeseen conditions encountered during the detailed engineering and design process. Any modification to the location of a wind turbine and associated facility depicted in the preliminary layout shall be done in such a manner to have comparable overall human and environmental impacts and shall be specifically identified in the site plan pursuant to Section 10.3.

4 SETBACKS AND SITE LAYOUT RESTRICTIONS

4.1 Wind Access Buffer

Wind turbine towers shall not be placed less than five rotor diameters on the prevailing wind directions and three rotor diameters on the non-prevailing wind directions from the perimeter of the property where the Permittee does not hold the wind rights, without the approval of the Commission. This section does not apply to public roads and trails.

4.2 Residences

Wind turbine towers shall not be located closer than 1,000 feet from all residences or the distance required to comply with the noise standards pursuant to Minn. R. 7030.0040, established by the Minnesota Pollution Control Agency (MPCA), whichever is greater.

4.3 Noise

The wind turbine towers shall be placed such that the Permittee shall, at all times, comply with noise standards established by the MPCA as of the date of this permit and at all appropriate locations. The noise standards are found in Minnesota Rules Chapter 7030. Turbine operation shall be modified, or turbines shall be removed from service if necessary to comply with these noise standards. The Permittee or its contractor may install and operate turbines as close as the minimum setback required in this permit, but in all cases shall comply with MPCA noise standards. The Permittee shall be required to comply with this condition with respect to all

homes or other receptors in place as of the time of construction, but not with respect to such receptors built after construction of the towers.

4.4 Roads

Wind turbines and meteorological towers shall not be located closer than 250 feet from the edge of the nearest public road right-of-way.

4.5 Public Lands

Wind turbines and associated facilities including foundations, access roads, underground cable, and transformers, shall not be located in publicly-owned lands that have been designated for recreational or conservation purposes, including, but not limited to, Waterfowl Production Areas, State Wildlife Management Areas, Scientific and Natural Areas or county parks, except in the event that the public entity owning those lands enters into a land lease and easement with the Permittee. Wind turbines towers shall also comply with the setbacks of Section 4.1.

4.6 Wetlands

Wind turbines and associated facilities including foundations, access roads, underground cable and transformers, shall not be placed in public waters wetlands, as shown on the public water inventory maps prescribed by Minnesota Statutes Chapter 103G, except that electric collector or feeder lines may cross or be placed in public waters or public waters wetlands subject to permits and approvals by the Minnesota Department of Natural Resources (DNR) and the United States Army Corps of Engineers (USACE), and local units of government as implementers of the Minnesota Wetlands Conservation Act.

4.7 Native Prairie

Wind turbines and associated facilities including foundations, access roads, collector and feeder lines, underground cable, and transformers shall not be placed in native prairie, as defined in Minn. Stat. § 84.02, subd. 5, unless addressed in a prairie protection and management plan and shall not be located in areas enrolled in the Native Prairie Bank Program. Construction activities, as defined in Minn. Stat. § 216E.01, shall not impact native prairie unless addressed in a Prairie Protection and Management Plan.

The Permittee shall prepare a Prairie Protection and Management Plan in consultation with the DNR if native prairie, as defined in Minn. Stat. § 84.02, subd. 5, is identified within the site boundaries. The Permittee shall file the plan 30 days prior to submitting the site plan required by Section 10.3 of this permit. The plan shall address steps that will be taken to avoid impacts to native prairie and mitigation to unavoidable impacts to native prairie by restoration or

management of other native prairie areas that are in degraded condition, by conveyance of conservation easements, or by other means agreed to by the Permittee, the DNR, and the Commission.

4.8 Sand and Gravel Operations

Wind turbines and all associated facilities, including foundations, access roads, underground cable, and transformers shall not be located within active sand and gravel operations, unless otherwise negotiated with the landowner.

4.9 Wind Turbine Towers

Structures for wind turbines shall be self-supporting tubular towers. The towers may be up to ~~[number]~~ 100 meters (~~[number]~~ 328.08 feet) above grade measured at hub height. The wind turbine specifications in the table below were provided in the Permittee's ~~[date]~~ January 2022, Rose Creek Wind, LLC Site Permit Application ~~[Title of Site Permit Application]~~.

~~[Note: List of design features is for example and may differ from project to project]~~

Design Feature	Turbine		
	[Turbine Model 1] <u>GE 2.3 MW</u>	[Turbine Model 2] <u>GE 2.82 MW</u>	<u>Gamesa 2.0 MW</u>
Capacity (MW)	<u>2.3</u>	<u>2.82</u>	<u>2.0</u>
Total Height (m)	<u>138</u>	<u>152.5</u>	<u>168.5</u>
Hub Height (m)	<u>80</u>	<u>89</u>	<u>100</u>
Rotor Diameter (m)	<u>116</u>	<u>127</u>	<u>97</u>
Cut-in Wind Speed (m/s)	<u>3.0</u>	<u>3.0</u>	<u>3.0</u>
Rated Capacity Wind Speed (m/s)			
Cut-out Wind Speed (m/s)	<u>22</u>	<u>30-39 (varies by time interval)</u>	<u>25</u>
Maximum Sustained Wind Speed (m/s)			
Wind Rotor Swept Area (m ²)	<u>10,568</u>	<u>12,704</u>	<u>7,389.8</u>
Rotor Speed (rpm)	<u>8 to 15.7</u>	<u>7.4 to 15.7</u>	<u>9 to 19</u>
Primary Turbine Positions	<u>1</u>	<u>0 or 4</u>	<u>2 or 5</u>
Alternate Turbine Positions			

4.10 Turbine Spacing

The turbine towers shall be constructed within the site boundary as shown on the site maps. The turbine towers shall be spaced no closer than three rotor diameters in the non-prevailing wind directions and five rotor diameters on the prevailing wind directions. If required, up to 20 percent of the towers may be sited closer than the above spacing, but the Permittee shall minimize the need to site the turbine towers closer.

4.11 Meteorological Towers

Permanent towers for meteorological equipment shall be free standing. Permanent meteorological towers shall not be placed less than 250 feet from the edge of the nearest public road right-of-way and from the boundary of the Permittee's site control, or in compliance with the county ordinance regulating meteorological towers in the county the tower is built, whichever is more restrictive. Meteorological towers shall be placed on property the Permittee holds the wind or other development rights.

Meteorological towers shall be marked as required by the Federal Aviation Administration (FAA). There shall be no lights on the meteorological towers other than what is required by the FAA. This restriction shall not apply to infrared heating devices used to protect the wind monitoring equipment.

4.12 Aviation

The Permittee shall not place wind turbines or associated facilities in a location that could create an obstruction to navigable airspace of private and public airports (as defined in Minn. R. 8800.0100, subp. 24(a) and 24(b)) in Minnesota, adjacent states, or provinces. The Permittee shall apply the minimum obstruction clearance for private airports pursuant to Minn. R. 8800.1900, subp. 5. Setbacks or other limitations shall be followed in accordance with the Minnesota Department of Transportation (MnDOT), Department of Aviation, and the FAA. At least 14 days prior to the pre-construction meeting, the Permittee shall notify owners of all known airports within six miles of the project of the project's anticipated construction start date.

4.13 Footprint Minimization

The Permittee shall design and construct the LWECS so as to minimize the amount of land that is impacted by the LWECS. Associated facilities in the vicinity of turbines such as electrical/electronic boxes, transformers, and monitoring systems shall, to the greatest extent feasible, be mounted on the foundations used for turbine towers or inside the towers unless otherwise negotiated with the affected landowner.

5 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction and operation of the LWECS and associated facilities over the life of this permit.

5.1 Permit Distribution

Within 30 days of permit issuance, the Permittee shall send a copy of the permit and the complaint procedures to any regional development commission, county auditor and environmental office, and city and township clerk in which any part of the site is located.

Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this site permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the permitted site.

5.2 Access to Property

The Permittee shall contact landowners prior to entering private property or conducting maintenance within the project site, unless otherwise negotiated with the affected landowner.

5.3 Construction and Operation Practices

The Permittee shall comply with the construction practices, operation and maintenance practices, and material specifications described in the ~~[Site Permit Application date and title]~~
[January 2022 Rose Creek Wind Project Site Permit Application](#), and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail.

5.3.1 Field Representative

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to the pre-construction meeting. The Permittee shall provide the field representative's contact information to affected landowners, residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon

notice to the Commission, affected landowners, local government units and other interested persons.

5.3.2 Site Manager

The Permittee shall designate a site manager responsible for overseeing compliance with the conditions of this permit during the commercial operation and decommissioning phases of the project. This person shall be accessible by telephone or other means during normal business hours for the life of this permit.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the site manager 14 days prior to the pre-operation meeting. The Permittee shall provide the site manager's contact information to affected landowners, residents, local government units and other interested persons 14 days prior to commercial operation of the facility. The Permittee may change the site manager at any time upon notice to the Commission, affected landowners, local government units and other interested persons.

5.3.3 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform and educate all employees, contractors, and other persons involved in the construction and ongoing operation of the LWECS of the terms and conditions of this permit.

5.3.4 Public Services and Public Utilities

During construction, the Permittee shall minimize any disruption to public services and public utilities. To the extent disruptions to public services or public utilities occur these will be temporary, and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to determine the most appropriate mitigation measures if not already considered as part of this permit.

5.3.5 Topsoil Protection

The Permittee shall implement measures to protect and segregate topsoil from subsoil on all lands unless otherwise negotiated with the affected landowner.

5.3.6 Soil Compaction

The Permittee shall implement measures to minimize soil compaction of all lands during all phases of the project's life and shall confine compaction to as small an area as practicable. Soil

decompaction measures shall be utilized on all lands utilized for project construction and travelled on by heavy equipment (*e.g.*, cranes and heavy trucks); even when soil compaction minimization measures are used.

5.3.7 Soil Erosion and Sediment Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the MPCA Construction Stormwater Program. If construction of the facility disturbs more than one acre of land, or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan (SWPPP) that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

5.3.8 Wetlands and Water Resources

Construction in wetland areas shall occur during frozen ground conditions to minimize impacts, to the extent feasible. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and managed in accordance with all applicable wetland permits. Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts.

Wetland and water resource areas disturbed by construction activities shall be restored to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. All requirements of the USACE, DNR, Minnesota Board of Water and Soil Resources, and local units of government shall be met.

5.3.9 Vegetation Removal

The Permittee shall disturb or clear vegetation on the project site only to the extent necessary to assure suitable access for construction, and for safe operation and maintenance of the

project. The Permittee shall minimize the number of trees removed in selecting the site layout specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and other vegetation, to the extent that such actions do not violate sound engineering principles.

5.3.10 Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture (MDA), DNR, and the U.S. Environmental Protection Agency (EPA). Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of pesticide at least 14 days prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the site within the landowner's property. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

5.3.11 Invasive Species

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by project construction activities. The Permittee shall develop an Invasive Species Prevention Plan to prevent the introduction and spread of invasive species on lands disturbed by project construction activities and file with the Commission 14 days prior to the pre-construction meeting.

5.3.12 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil, the Permittee shall select site appropriate seed certified to be free of noxious weeds. The Permittee shall consult with landowners on the selection and use of seed for replanting. To the extent possible, the Permittee shall use native seed mixes.

5.3.13 Public Roads

At least 14 days prior to the pre-construction meeting, the Permittee shall identify all state, county, or township roads that will be used for the project and shall notify the Commission and the state, county, or township governing body having jurisdiction over the roads to determine if the governmental body needs to inspect the roads prior to use of these roads. Where practical,

existing roadways shall be used for all activities associated with the project. Where practical, all-weather roads shall be used to deliver cement, turbines, towers, assembled nacelles, and all other heavy components to and from the turbine sites.

Prior to the use of such roads, the Permittee shall make satisfactory arrangements (*e.g.*, approved permits, written authorizations, road use agreements, or development agreements) with the appropriate state, county, or township governmental body having jurisdiction over roads to be used for construction of the project, for maintenance and repair of roads that may be subject to increased impacts due to transportation of equipment and project components. The Permittee shall notify the Commission of such arrangements upon request.

5.3.14 Turbine Access Roads

The Permittee shall construct the least number of turbine access roads necessary to safely and efficiently operate the project and satisfy landowner requests. Access roads shall be low profile roads so that farming equipment can cross them and shall be covered with Class 5 gravel or similar material. Access roads shall not be constructed across streams and drainage ditches without required permits and approvals. When access roads are constructed across streams, drainage ways, or drainage ditches, the access roads shall be designed and constructed in a manner so runoff from the upper portions of the watershed can readily flow to the lower portion of the watershed.

Any access roads that are constructed across streams or drainage ditches shall be designed and constructed in a manner that maintains existing fish passage. Access roads that are constructed across grassed waterways, which provide drainage for surface waters that are ephemeral in nature, are not required to maintain or provide fish passage. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall provide the local soil and water conservation district (SWCD) and participating landowners an opportunity to review and comment on access road plans and all other infrastructure plans and designs in order to minimize the potential to pond and divert water creating gully erosion or the potential to cause damage or failure to existing conservation practices, such as terraces, sediment control basins or diversions prior to finalization and installation. The Permittee shall file documentation that this permit condition has been complied with at least 14 days prior to the pre-construction meeting.

5.3.15 Private Roads

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when obtaining access to the site, unless otherwise negotiated with the affected landowner.

5.3.16 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when constructing the facility. In the event that a resource is encountered, the Permittee shall consult with the State Historic Preservation Office (SHPO) and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with SHPO and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction at such location and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement and the State Archaeologist.

5.3.17 Interference

At least 14 days prior to the pre-construction meeting, the Permittee shall submit to the Commission an assessment of television and radio signal reception, microwave signal patterns, and telecommunications in the project area. The assessment shall be designed to provide data that can be used in the future to determine whether the turbines and associated facilities are the cause of disruption or interference of television or radio reception, microwave patterns, or telecommunications in the event residents should complain about such disruption or interference after the turbines are placed in operation. The Permittee shall be responsible for alleviating any disruption or interference of these services caused by the turbines or any associated facilities.

The Permittee shall not operate the project so as to cause microwave, television, radio, telecommunications, or navigation interference in violation of Federal Communications Commission (FCC) regulations or other law. In the event the project or its operations cause such interference, the Permittee shall take timely measures necessary to correct the problem.

5.3.18 Livestock Protection

The Permittee shall take precautions to protect livestock during all phases of the project's life.

5.3.19 Fences

The Permittee shall promptly replace or repair all fences and gates removed or damaged during all phases of the project's life unless otherwise negotiated with the affected landowner. When

the Permittee installs a gate where electric fences are present, the Permittee shall provide for continuity in the electric fence circuit.

5.3.20 Drainage Tiles

The Permittee shall take into account, avoid, promptly repair or replace all drainage tiles broken or damaged during all phases of project's life unless otherwise negotiated with the affected landowner.

5.3.21 Equipment Storage

The Permittee shall not locate temporary equipment staging areas on lands under its control unless negotiated with affected landowner. Temporary equipment staging areas shall not be located in wetlands or native prairie as defined in Sections 4.6 and 4.7.

5.3.22 Restoration

The Permittee shall, as soon as practical following construction of each turbine, restore the areas affected by construction to the condition that existed immediately before construction began, to the extent possible. The time period to complete restoration may be no longer than 12 months after the completion of construction, unless otherwise negotiated with the affected landowner. Restoration shall be compatible with the safe operation, maintenance and inspection of the project. Within 60 days after completion of all restoration activities, the Permittee shall advise the Commission in writing of the completion of such activities.

5.3.23 Cleanup

All waste and scrap that is the product of construction shall be removed from the site and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

5.3.24 Pollution and Hazardous Waste

All appropriate precautions to protect against pollution of the environment shall be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction, restoration, and operation of the facility.

5.3.25 Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

5.3.26 Public Safety

The Permittee shall provide educational materials to landowners adjacent to the site and, upon request, to interested persons about the project and any restrictions or dangers associated with the project. The Permittee shall also provide any necessary safety measures such as warning signs and gates for traffic control or to restrict public access. The Permittee shall submit the location of all underground facilities, as defined in Minn. Stat. § 216D.01, subd. 11, to Gopher State One Call following the completion of construction at the site.

5.3.27 Tower Identification

All turbine towers shall be marked with a visible identification number.

5.3.28 Federal Aviation Administration Lighting

Towers shall be marked as required by the FAA. There shall be no lights on the towers other than what is required by the FAA. This restriction shall not apply to infrared heating devices used to protect the wind monitoring equipment. The Permittee shall install and employ an FAA-approved lighting mitigation system, such as an aircraft detection lighting system (ADLS), light intensity dimming solution (LIDS), or other FAA-approved mitigation method. The Permittee shall describe the lighting mitigation system used for the project in its site plan.

5.4 Communication Cables

The Permittee shall place all communication and supervisory control and data acquisition cables underground and within or adjacent to the land necessary for turbine access roads unless otherwise negotiated with the affected landowner.

5.5 Electrical Collector and Feeder Lines

Collector lines that carry electrical power from each individual transformer associated with a wind turbine to an internal project interconnection point shall be buried underground. Collector lines shall be placed within or adjacent to the land necessary for turbine access roads unless otherwise negotiated with the affected landowner.

Feeder lines that carry power from an internal project interconnection point to the project substation or interconnection point on the electrical grid may be overhead or underground.

Feeder line locations shall be negotiated with the affected landowner. Any overhead or underground feeder lines that parallel public roads shall be placed within the public rights-of-way or on private land immediately adjacent to public roads. If overhead feeder lines are located within public rights-of-way, the Permittee shall obtain approval from the governmental unit responsible for the affected right-of-way.

Collector and feeder line locations shall be located in such a manner as to minimize interference with agricultural operations including, but not limited to, existing drainage patterns, drain tile, future tiling plans, and ditches. Safety shields shall be placed on all guy wires associated with overhead feeder lines. The Permittee shall submit the engineering drawings of all collector and feeder lines in the site plan pursuant to Section 10.3.

5.6 Other Requirements

5.6.1 Safety Codes and Design Requirements

The LWECs and associated facilities shall be designed to meet or exceed all relevant local and state codes, Institute of Electrical and Electronics Engineers, Inc. (IEEE) standards, the National Electric Safety Code (NESC), and North American Electric Reliability Corporation (NERC) requirements. The Permittee shall report to the Commission on compliance with these standards upon request.

5.6.2 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. A list of the permits known to be required is included in the permit application.

At least 14 days prior to the pre-construction meeting, the Permittee shall submit a filing with a detailed status update of all permits, authorizations, and approvals that have been applied for specific to the project. The detailed status update shall include the name of the permitting agency or authority; the name of the permit; a description of the authorization or approval being sought; the contact person or contact information for the permitting agency or authority; application submittal date; and the date the permit, authorization, or approval was issued or is anticipated to be issued.

The Permittee shall demonstrate that it has obtained all necessary permits, authorizations, and approvals by filing an affidavit stating as such, prior to commencing project construction. The Permittee shall provide a copy of any such permits, authorizations, and approvals upon Commission request.

The Permittee shall comply with all terms and conditions of permits or licenses issued by the counties, cities, and municipalities affected by the project that do not conflict with or are not preempted by federal or state permits and regulations.

6 SPECIAL CONDITIONS

The special conditions shall take precedence over other conditions of this permit should there be a conflict.

~~[Add Special Conditions in accordance with the record of the docket]~~

6.1 Decommissioning of the Existing Rose Wind Facility

The existing Rose Wind Facility must be decommissioned and removed within accordance of any requirements within the permits issued by Mower County, and per any requirements deemed necessary by Mower County staff.

Decommissioning of the existing Rose Wind Facility must be completed prior to beginning construction of the Rose Creek Wind Project authorized by this permit.

6.2 Additional Erosion and Sediment Protection Measures

Unnamed creeks located within the project area have identified construction related impairments, and the Permittee must implement additional erosion and sediment control BMPs should construction related stormwater have the potential to flow toward these unnamed creeks. Additional erosion and sediment control BMPs will be specified in the MPCA National Discharge Elimination System/State Disposal System General Construction Stormwater permit (CSW Permit).

The Permittee must use redundant down gradient sediment controls if there are unavoidable disturbances that must occur within the existing 50 foot buffer of any wetlands or surface waters, private or public.

6.3 Bio-netting, Natural Netting, and Mulch Products

The Permittee shall use only “bio-netting” or “natural netting” types and mulch products without synthetic (plastic) fiber additives.

6.4 Project Substation Lighting

The Permittee must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the project substation. Downward facing lighting must be clearly visible on the plan and profile submitted for the project.

6.5 Dust Control

The Permittee shall minimize, and avoid if possible, the use of chloride based dust control chemicals (i.e. calcium chloride, magnesium chloride).

6.6 Temporary Roadway Signage

The Permittee must use temporary roadway signage during project construction that is made of materials and placed in a manner that can withstand winter weather conditions.

7 SURVEYS AND REPORTING

7.1 Biological and Natural Resource Inventories

The Permittee, in consultation with the Commission and the DNR, shall design and conduct pre-construction desktop and field inventories of existing wildlife management areas, scientific and natural areas, recreation areas, native prairies and forests, wetlands, and any other biologically sensitive areas within the project site and assess the presence of state- or federally-listed or threatened species. The results of the inventories shall be filed with the Commission at least 30 days prior to the pre-construction meeting to confirm compliance of conditions in this permit. The Permittee shall file with the Commission, any biological surveys or studies conducted on this project, including those not required under this permit.

7.2 Shadow Flicker

At least 14 days prior to the pre-construction meeting, the Permittee shall provide data on shadow flicker for each residence of non-participating landowners and participating landowners within and outside of the project boundary potentially subject to turbine shadow flicker exposure. Information shall include the results of modeling used, assumptions made, and the anticipated levels of exposure from turbine shadow flicker for each residence. The Permittee shall provide documentation on its efforts to avoid, minimize and mitigate shadow flicker exposure. The results of any modeling shall be filed with the Commission at least 14 days prior to the pre-construction meeting to confirm compliance with conditions of this permit.

7.3 Wake Loss Studies

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission the pre-construction micro-siting analysis leading to the final tower locations and an estimate of total project wake losses. As part of the annual report on project energy production required under Section 10.8 of the permit the Permittee shall file with the Commission any operational wake loss studies conducted on this project during the calendar year preceding the report.

7.4 Noise Studies

The Permittee shall file a proposed methodology for the conduct of a post-construction noise study at least 14 days prior to the pre-construction meeting. The Permittee shall develop the post-construction noise study methodology in consultation with the Department of Commerce. The study must incorporate the Department of Commerce Noise Study Protocol to determine the operating LWECs noise levels at different frequencies and at various distances from the turbines at various wind directions and speeds. The Permittee must conduct the post-construction noise study and file with the Commission the completed post-construction noise study within 18 months of commencing commercial operation.

7.5 Avian and Bat Protection

7.5.1 Operational Phase Fatality Monitoring

The Permittee shall utilize a qualified third party to conduct a minimum of ~~number~~ two full years of avian and bat fatality monitoring following the commencement of the operational phase of the facility. Monitoring activities and results will be coordinated directly with the DNR, the U.S. Fish and Wildlife Service (USFWS), the Department of Commerce, and the Commission. Detailed monitoring protocols, agency coordination, and any avoidance and minimization measures will be detailed in the Avian and Bat Protection Plan (ABPP).

7.5.2 Avian and Bat Protection Plan

The Permittee shall comply with the provisions of the most recently filed and accepted version of the ABPP. The initial version of the ABPP submitted for this project as part of the ~~[Date and Title]~~ January 2022 Rose Creek Wind Project Site Permit Application, and all necessary revisions that occur during the permitting process will be incorporated into a permit version. The permit version of the ABPP shall be filed with the Commission 14 days before the pre-construction meeting, and revisions must include any updates associated with final construction plans and site plans.

The ABPP must address steps to be taken to identify and mitigate impacts to avian and bat species during the construction phase and the operation phase of the project. The ABPP shall also include formal and incidental post-construction fatality monitoring, training, wildlife handling, documentation (e.g., photographs), and reporting protocols for each phase of the project.

The Permittee shall, by the 15th of March following each complete or partial calendar year of operation, file with the Commission an annual report detailing findings of its annual audit of ABPP practices. The annual report shall include summarized and raw data of bird and bat fatalities and injuries and shall include bird and bat fatality estimates for the project using

agreed upon estimators from the prior calendar year. The annual report shall also identify any deficiencies or recommended changes in the operation of the project or in the ABPP to reduce avian and bat fatalities and shall provide a schedule for implementing the corrective or modified actions. The Permittee shall provide a copy of the report to the Department of Commerce, the DNR, and the USFWS at the time of filing with the Commission.

7.5.3 Quarterly Incident Reports

The Permittee shall submit quarterly avian and bat reports to the Commission. Quarterly reports are due by the 15th of January, April, July, and October commencing the day following commercial operation and terminating upon the expiration of this permit. Each report shall identify any dead or injured avian and bat species, location of find by turbine number, and date of find for the reporting period in accordance with the reporting protocols. If a dead or injured avian or bat species is found, the report shall describe the potential cause of the occurrence (if known) and the steps taken to address future occurrences. The Permittee shall provide a copy of the report to the [Department of Commerce – EERA](#), DNR, and to the USFWS at the time of filing with the Commission.

7.5.4 Immediate Incident Reports

The Permittee shall notify the Commission, the Department of Commerce, the USFWS, and the DNR within 24 hours of the discovery of any of the following:

- (a) five or more dead or injured birds or bats, at an individual turbine location, within a five-day reporting period;
- (b) twenty or more dead or injured birds or bats, across the entire facility, within a five-day reporting period;
- (c) one or more dead or injured state threatened, endangered, or species of special concern;
- (d) one or more dead or injured federally listed species, including species proposed for listing; or
- (e) one or more dead or injured bald or golden eagle(s).

In the event that one of the four discoveries listed above should be made, the Permittee must file with the Commission within seven days, a compliance report identifying the details of what was discovered, the turbine where the discovery was made, a detailed log of agencies and individuals contacted, and current plans being undertaken to address the issue.

7.5.5 Turbine Operational Curtailment

The Permittee shall operate all facility turbines so that all turbines are locked or feathered up to the manufacturer's standard cut-in speed from one-half hour before sunset to one-half hour after sunrise of the following day from April 1 to October 31 of each year of operation. All operating turbines at the facility must be equipped with operational software that is capable of allowing for adjustment of turbine cut-in speeds.

8 AUTHORITY TO CONSTRUCT LWECS

8.1 Wind Rights

At least 14 days prior to the pre-construction meeting, the Permittee shall demonstrate that it has obtained the wind rights and any other rights necessary to construct and operate the project within the boundaries authorized by this permit. Nothing in this permit shall be construed to preclude any other person from seeking a permit to construct a wind energy conversion system in any area within the boundaries of the project covered by this permit if the Permittee does not hold exclusive wind rights for such areas.

8.2 Power Purchase Agreement

In the event the Permittee does not have a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the project at the time this permit is issued, the Permittee shall provide notice to the Commission when it obtains a commitment for purchase of the power. This permit does not authorize construction of the project until the Permittee has obtained a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the project. In the event the Permittee does not obtain a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the project within two years of the issuance of this permit, the Permittee must advise the Commission of the reason for not having such commitment. In such event, the Commission may determine whether this permit should be amended or revoked. No amendment or revocation of this permit may be undertaken except in accordance with Minn. R. 7854.1300.

8.3 Failure to Commence Construction

If the Permittee has not completed the pre-construction surveys required under this permit and commenced construction of the project within two years of the issuance of this permit, the Permittee must advise the Commission of the reason construction has not commenced. In such event, the Commission shall make a determination as to whether this permit should be amended or revoked. No revocation of this permit may be undertaken except in accordance with applicable statutes and rules, including Minn. R. 7854.1300.

9 COMPLAINT PROCEDURES

At least 14 days prior to the pre-construction meeting, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

10 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

10.1 Pre-Construction Meeting

Prior to the start of any construction, the Permittee shall participate in a pre-construction meeting with the Department of Commerce and Commission staff to review pre-construction filing requirements, scheduling, and to coordinate monitoring of construction and site restoration activities. Within 14 days following the pre-construction meeting, the Permittee shall file with the Commission, a summary of the topics reviewed and discussed and a list of attendees. The Permittee shall indicate in the filing the construction start date.

10.2 Pre-Operation Meeting

At least 14 days prior to commercial operation of the facility, the Permittee shall participate in a pre-operation meeting with the Department of Commerce and Commission staff to coordinate field monitoring of operation activities for the project. Within 14 days following the pre-operation meeting, the Permittee shall file with the Commission, a summary of the topics reviewed and discussed and a list of attendees.

10.3 Site Plan

At least 14 days prior to the pre-construction meeting, the Permittee shall provide the Commission, the Department of Commerce, and the ~~[Environmental department of the county where the site is located]~~ [Mower County Environmental Services Department](#) with a site plan that includes specifications and drawings for site preparation and grading; specifications and locations of all turbines and other structures to be constructed including all electrical

equipment, collector and feeder lines, pollution control equipment, fencing, roads, and other associated facilities; and procedures for cleanup and restoration. The documentation shall include maps depicting the site boundary and layout in relation to that approved by this permit. The Permittee shall document, through GIS mapping, compliance with the setbacks and site layout restrictions required by this permit, including compliance with the noise standards pursuant to Minnesota Rules Chapter 7030. At the same time, the Permittee shall notify affected landowners and city and town clerks that the site plan is on file with the Commission and the ~~[Environmental department of the county where the site is located]~~ Mower County Environmental Services Department. The Permittee may submit a site plan and engineering drawings for only a portion of the project if the Permittee intends to commence construction on certain parts of the project before completing the site plan and engineering drawings for other parts of the project.

The Permittee may not commence construction until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes to its site plan or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission, the Department of Commerce, the ~~[Environmental department of the county where the site is located]~~ Mower County Environmental Services Department, city and town clerks, and the affected landowners at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

In the event that previously unidentified human and environmental conditions are discovered during construction that by law or pursuant to conditions outlined in this permit would preclude the use of that site as a turbine site, the Permittee shall have the right to move or relocate turbine site. Under these circumstances, the Permittee shall notify the Commission, the Department of Commerce, the MPCA, the DNR, the ~~[Environmental department of the county where the site is located]~~ Mower County Environmental Services Department, city and town clerks, and the affected landowners of any turbines that are to be relocated, and provide the previously unidentified environmental conditions and how the movement of the turbine mitigates the human and environmental impact at least five days before implementing the changes. No changes shall be made that would be in violation of any terms of this permit.

10.4 Status Reports

The Permittee shall file status reports with the Commission on progress regarding site construction. The Permittee need not report more frequently than monthly. Reports shall begin with the commencement of site construction and continue until completion of restoration. Reports shall describe construction activities and progress and activities undertaken in compliance with this permit. Reports shall include text and photographs.

10.5 Labor Statistic Reporting

The Permittee shall file quarterly reports with the Commission within 45 days of the end of the quarter regarding construction workers that participated in the construction of the project. The reports shall (a) detail the Permittee's efforts and the site contractor's efforts to hire Minnesota workers, and (b) provide an account of: (i) the gross number of hours worked by or full-time equivalent workers who are Minnesota residents, as defined in Minn. Stat. § 290.01, subd. 7; (ii) the gross number of hours worked by or full-time equivalent workers who are residents of other states, but maintain a permanent residence within 150 miles of the project; and (iii) the total gross hours worked or total full-time equivalent workers. Permittee shall work with its contractor to determine the suitable reporting metric. The report may not include personally identifiable data.

10.6 In-Service Date

At least three days before the facility is to be placed into service, the Permittee shall notify the Commission of the date on which the facility will be placed into service and the date on which construction was completed.

10.7 As-Builts

Within 90 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

10.8 GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (*e.g.*, ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the LWECs.

10.9 Project Energy Production

The Permittee shall, by February 1st following each complete or partial year of project operation, file a report with the Commission on the monthly energy production of the project including:

- (a) the installed nameplate capacity of the permitted project;
- (b) the total monthly energy generated by the project in MW hours;
- (c) the monthly capacity factor of the project;

- (d) yearly energy production and capacity factor for the project;
- (e) the operational status of the project and any major outages, major repairs, or turbine performance improvements occurring in the previous year; and
- (f) any other information reasonably requested by the Commission.

The permittee shall file this information in a format recommended by the Department of Commerce. This information shall be considered public and must be filed electronically.

10.10 Wind Resource Use

The Permittee shall, by February 1st following each complete or partial calendar year of operation, file with the Commission the average monthly and average annual wind speed collected at one permanent meteorological tower during the preceding year or partial year of operation. This information shall be considered public and must be filed electronically.

10.11 Emergency Response

The Permittee shall prepare an Emergency Response Plan in consultation with the emergency responders having jurisdiction over the facility prior to project construction. The Permittee shall submit a copy of the plan, along with any comments from emergency responders, to the Commission at least 14 days prior to the pre-construction meeting and a revised plan, if any, at least 14 days prior to the pre-operation meeting. The Permittee shall provide as a compliance filing confirmation that the Emergency Response Plan was provided to the emergency responders and Public Safety Answering Points (PSAP) with jurisdiction over the facility prior to commencement of construction. The Permittee shall obtain and register the facility address or other location indicators acceptable to the emergency responders and PSAP having jurisdiction over the facility.

10.12 Extraordinary Events

Within 24 hours of discovery of an occurrence, the Permittee shall notify the Commission of any extraordinary event. Extraordinary events include but shall not be limited to: fires, tower collapse, thrown blade, acts of sabotage, collector or feeder line failure, and injured worker or private person. The Permittee shall, within 30 days of the occurrence, file a report with the Commission describing the cause of the occurrence and the steps taken to avoid future occurrences.

11 DECOMMISSIONING, RESTORATION, AND ABANDONMENT

11.1 Decommissioning Plan

The Permittee shall comply with the provisions of the most recently filed and accepted decommissioning plan. The initial version of the decommissioning plan was submitted for this project as part of the ~~[Date and Site Permit Application Title]~~ January 2022 Rose Creek Wind Project Site Permit Application. The Permittee shall file an updated decommissioning plan, incorporating comments and information from the permitting process and any updates associated with the final construction plans, with the Commission 14 days before the pre-construction meeting. The decommissioning plan shall be updated every five years following the commercial operation date.

The decommissioning plan shall provide information identifying all surety and financial securities established for decommissioning and site restoration of the project in accordance with the requirements of Minn. R. 7854.0500, subp. 13. The decommissioning plan shall provide an itemized breakdown of costs of decommissioning all project components, which shall include labor and equipment. The plan shall identify cost estimates for the removal of turbines, turbine foundations, underground collection cables, access roads, crane pads, substations, and other project components. The plan may also include anticipated costs for the replacement of turbines or repowering the project by upgrading equipment.

The Permittee shall also submit the decommissioning plan to the local unit of government having direct zoning authority over the area in which the project is located. The Permittee shall ensure that it carries out its obligations to provide for the resources necessary to fulfill its requirements to properly decommission the project at the appropriate time. The Commission may at any time request the Permittee to file a report with the Commission describing how the Permittee is fulfilling this obligation.

11.2 Site Restoration

Upon expiration of this permit, or upon earlier termination of operation of the project, or any turbine within the project, the Permittee shall have the obligation to dismantle and remove from the site all towers, turbine generators, transformers, overhead and underground cables and lines, foundations, buildings, and ancillary equipment to a depth of four feet. Any agreement for removal to a lesser depth or no removal shall be recorded with the county and shall show the locations of all such foundations. To the extent feasible, the Permittee shall restore and reclaim the site to pre-project conditions, including topography and topsoil conditions. All access roads shall be removed unless written approval is given by the affected landowner requesting that one or more roads, or portions thereof, be retained. All such agreements between the Permittee and the affected landowner shall be submitted to the Commission prior to completion of restoration activities. The site shall be restored in accordance with the requirements of this condition within 18 months of termination.

11.3 Abandoned Turbines

The Permittee shall advise the Commission of any turbines that are abandoned prior to termination of operation of the project. The project, or any turbine within the project, shall be considered abandoned after one year without energy production and the land restored pursuant to Section 11.2 unless a plan is submitted to and approved by the Commission outlining the steps and schedule for returning the project, or any turbine within the project, to service.

12 COMMISSION AUTHORITY AFTER PERMIT ISSUANCE

12.1 Final Boundaries

After completion of construction, the Commission shall determine the need to adjust the final boundaries of the site required for this project in accordance with Minn. R. 7854.1300, subp. 1.

12.2 Expansion of Site Boundaries

No expansion of the site boundaries described in this permit shall be authorized without the approval of the Commission. The Permittee may submit to the Commission a request for a change in the boundaries of the site for the project. The Commission will respond to the requested change in accordance with applicable statutes and rules.

12.3 Periodic Review

The Commission shall initiate a review of this permit and the applicable conditions at least once every five years. The purpose of the periodic review is to allow the Commission, the Permittee, and other interested persons an opportunity to consider modifications in the conditions of this permit. No modification may be made except in accordance with applicable statutes and rules.

12.4 Modification of Conditions

After notice and opportunity for hearing, this permit may be modified or amended for cause, including but not limited to the following:

- (a) violation of any condition in this permit;
- (b) endangerment of human health or the environment by operation of the project; or
- (c) existence of other grounds established by rule.

12.5 More Stringent Rules

The issuance of this permit does not prevent the future adoption by the Commission of rules or orders more stringent than those now in existence and does not prevent the enforcement of these more stringent rules and orders against the Permittee.

12.6 Right of Entry

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards:

- (a) to enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations;
- (b) to bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations;
- (c) to sample and monitor upon the facilities easement of the property; or
- (d) to examine and copy any documents pertaining to compliance with the conditions of this permit.

12.7 Proprietary Information

Certain information required to be filed with the Commission under this permit may constitute trade secret information or other type of proprietary information under the Data Practices Act or other law. The Permittee must satisfy requirements of applicable law to obtain the protection afforded by the law.

13 PERMIT AMENDMENT

This permit may be amended at any time by the Commission in accordance with Minn. R. 7854.1300, subp. 2. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

14 TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity

to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer. The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new permittee, and interested persons such process as is required. The Commission may impose additional conditions on any new permittee as part of the approval of the transfer.

At least 14 days prior to commercial operation, the Permittee shall file a notice describing its ownership structure, identifying, as applicable:

- (a) the owner(s) of the financial and governance interests of the Permittee;
- (b) the owner(s) of the majority financial and governance interests of the Permittee's owners; and
- (c) the Permittee's ultimate parent entity (meaning the entity which is not controlled by any other entity).

The Permittee shall ~~immediately notify~~ request approval from the Commission ~~of~~ to make any of the following changes:

- (a) a change in owner(s) of the majority* financial or governance interests in the Permittee;
- (b) a change in owner(s) of the majority* financial or governance interests of the Permittee's owners; or
- (c) a sale which changes the parent entity of the Permittee.

**When there are only co-equal 50/50 percent interests, any change shall be considered a change in majority interest.*

The Permittee shall notify the Commission of:

- (a) the sale of a parent entity or a majority interest in the Permittee;
- (b) the sale of a majority interest of the Permittee's owners or majority interest of the owners; or
- (c) a sale which changes the entity with ultimate control over the Permittee.

15 REVOCATION OR SUSPENSION OF PERMIT

The Commission may take action to suspend or revoke this permit upon the grounds that:

- (a) a false statement was knowingly made in the application or in accompanying statements or studies required of the Permittee, and a true statement would have warranted a change in the Commission's findings;
- (b) there has been a failure to comply with material conditions of this permit, or there has been a failure to maintain health and safety standards;
- (c) there has been a material violation of a provision of an applicable statute, rule, or an order of the Commission; or
- (d) the Permittee has filed a petition with the Commission requesting that the permit be revoked or terminated.

In the event the Commission determines that it is appropriate to consider revocation or suspension of this permit, the Commission shall proceed in accordance with the requirements of Minn. R. 7854.1300 to determine the appropriate action. Upon a finding of any of the above, the Commission may require the Permittee to undertake corrective measures in lieu of having this permit suspended or revoked.

16 EXPIRATION DATE

This permit shall expire 30 years after the date this permit was approved and adopted.

ATTACHMENT 1

Complaint Handling Procedures for Permitted Energy Facilities

**MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLAINT HANDLING PROCEDURES FOR
PERMITTED ENERGY FACILITIES**

A. Purpose

To establish a uniform and timely method of reporting and resolving complaints received by the permittee concerning permit conditions for site or route preparation, construction, cleanup, restoration, operation, and maintenance.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittee by a person expressing dissatisfaction or concern regarding site or route preparation, cleanup or restoration, or other permit conditions. Complaints do not include requests, inquiries, questions or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains unresolved or unsatisfactorily resolved to one or both of the parties.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private; however organized.

E. Complaint Documentation and Processing

1. The permittee shall designate a representative responsible for filing complaints to the Commission's eDocket system. This person's name, phone number and email address shall accompany all complaint submittals. The name and contact information for the representative shall be kept current in eDockets.
2. A person presenting the complaint should, to the extent possible, include the following information in their communications:
 - a. name, address, phone number, and email address;
 - b. initial date of the complaint;
 - c. tract, parcel number, or address of the complaint;
 - d. a summary of the complaint; and
 - e. whether the complaint relates to a permit violation, a construction practice issue, or other type of complaint.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
 - a. docket number and project name;
 - b. name of complainant, address, phone number and email address;
 - c. precise description of property or parcel number;
 - d. name of permittee representative receiving complaint and date of receipt;
 - e. nature of complaint and the applicable permit condition(s);
 - f. summary of activities undertaken to resolve the complaint; and
 - g. a statement on the final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit, unless otherwise required below. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Public Advisor at 1-800-657-3782 (voice messages are acceptable) or publicadvisor.puc@state.mn.us. For e-mail reporting, the email

subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

Monthly Reports: During project construction, restoration, and operation, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed by the 15th of each month to Will Seuffert, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>. If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

If a project has submitted twelve consecutive months of complaint reports with no complaints, monthly reports can terminate by a letter to eDockets notifying the Commission of such action. If a substantial complaint is received (by the company or the Commission) following termination of the monthly complaint report, as noted above, the monthly reporting should commence for a period of one year following the most recent complaint or upon resolution of all pending complaints.

If a permittee is found to be in violation of this section, the Commission may reinstate monthly complaint reporting for the remaining permit term or enact some other commensurate requirement via notification by the Executive Secretary or some other action as decided by the Commission.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding the permit or issues related to site or route preparation, construction, cleanup, restoration, or operation and maintenance will be promptly sent to the permittee.

The permittee shall notify the Commission when the issue has been resolved. The permittee will add the complaint to the monthly reports of all complaints. If the permittee is unable to find resolution, the Commission will use the process outlined in the Unresolved Complaints Section to process the issue.

H. Commission Process for Unresolved Complaints

Complaints raising substantial and unresolved permit issues will be investigated by the Commission. Staff will notify the permittee and appropriate persons if it determines that the

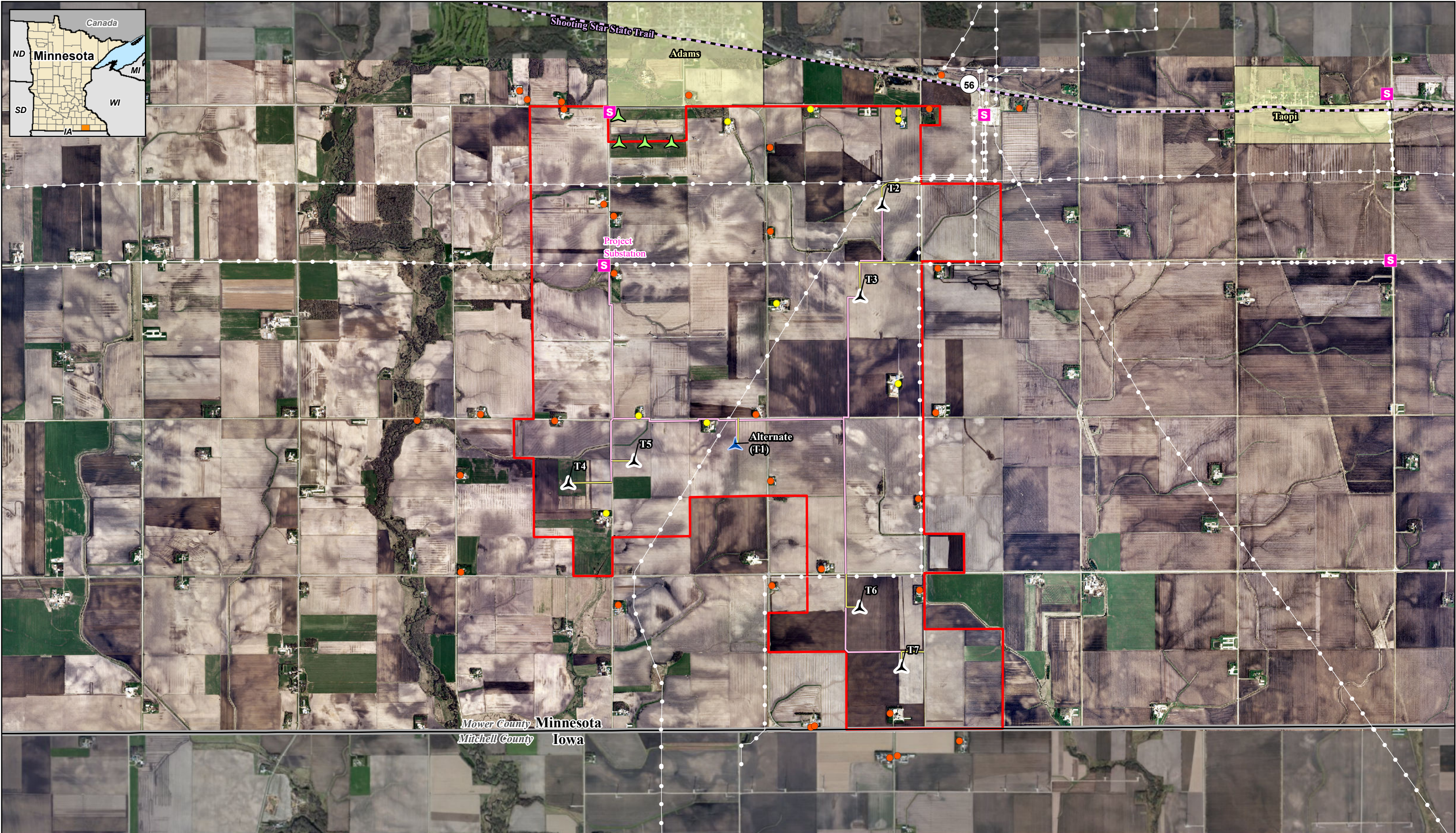
complaint is a substantial complaint. With respect to such complaints, the permittee and complainant shall be required to submit a written summary of the complaint and its current position on the issues to the Commission. Staff will set a deadline for comments. As necessary, the complaint will be presented to the Commission for consideration.


I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may be filed by mail or email to the permittee's designated complaint representative, or to the Commission's Public Advisor at 1-800-657-3782 or publicadvisor.puc@state.mn.us. The name and contact information for the permittee's designated complaint representative shall be kept current in the Commission's eDocket system.

Preliminary Draft

ATTACHMENT 2
Site Maps





01,5003,000

Feet

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E

S













W

Imagery Source: MnGeo High Res 2011; ESRI World Imagery

Data Source: ConEdison, MNDNR, MNDOT, Census, USGS

For Environmental Review Purposes Only

Figure 2c
Rose Creek Wind Project
Rose Creek Wind, LLC
Project Area and Proposed Facilities
Mower County, Minnesota

- | | | |
|---|--|--|
| S Existing Substation |  Proposed Primary Turbine |  Project |
|  Participating Residence |  Access Road |  County Boundary |
|  Non-Participating Residence |  Collector Line |  Municipal Boundary |
|  Adams Wind |  Existing Transmission Line | |
|  Proposed Alternate |  Minnesota State Trail | |
- *Turbines not to scale

CERTIFICATE OF SERVICE

I, Robin Benson, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

Minnesota Public Utilities Commission ORDER

Docket Numbers: **IP-7065/WS-21-643**

Dated this **6th** day of **July, 2022**

/s/ Robin Benson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Gokhan	Andi	andig@conedceb.com	Consolidated Edison Clean Energy Businesses.	4301 W 57th ST STE 131 Sioux Falls, SD 57108	Electronic Service	Yes	OFF_SL_21-643_Official CC Service List
Vernon	Archibald	archibaldv@conedceb.com	Rose Creek Wind, LLC	100 Summit Lake Dr Ste 210 Valhalla, NY 10595	Electronic Service	No	OFF_SL_21-643_Official CC Service List
Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron	200 S 6th St Ste 4000 Minneapolis, MN 554021425	Electronic Service	Yes	OFF_SL_21-643_Official CC Service List
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-643_Official CC Service List
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_21-643_Official CC Service List
Lucas	Franco	lfranco@liunagroce.com	LIUNA	81 Little Canada Rd E Little Canada, MN 55117	Electronic Service	No	OFF_SL_21-643_Official CC Service List
Stacy	Kotch Egstad	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd. St. Paul, MN 55155	Electronic Service	No	OFF_SL_21-643_Official CC Service List
Alicia	LaValla	alavalla@fredlaw.com	Fredrikson & Byron, P.A.	200 South Sixth St Ste 4000 Minneapolis, MN 55402-1425	Electronic Service	No	OFF_SL_21-643_Official CC Service List
Ann	O'Reilly	ann.oreilly@state.mn.us	Office of Administrative Hearings	PO Box 64620 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-643_Official CC Service List
Kevin	Pranis	kpranis@liunagroce.com	Laborers' District Council of MN and ND	81 E Little Canada Road St. Paul, Minnesota 55117	Electronic Service	No	OFF_SL_21-643_Official CC Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_21-643_Official CC Service List
Nathaniel	Runke	nrunke@local49.org		611 28th St. NW Rochester, MN 55901	Electronic Service	No	OFF_SL_21-643_Official CC Service List
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-643_Official CC Service List
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service	Yes	OFF_SL_21-643_Official CC Service List
Suzanne	Todnem	suzanne.todnem@state.mn.us	Office of Administrative Hearings	600 Robert St N PO Box 64620 St. Paul, Minnesota 55164	Electronic Service	Yes	OFF_SL_21-643_Official CC Service List