

August 19, 2022

**VIA E-FILING**

Mr. William  
Seuffert Executive Secretary  
Minnesota Public Utilities Commission  
1221 Seventh Place East, Suite 350  
Saint Paul, MN 55101-2147

The Honorable Suzanne Todnem  
Office of Administrative Hearings  
600 North Robert Street  
P.O. Box 64620  
Saint Paul, MN 55164-0620

**Re: In the Matter of the Application of Rose Creek Wind, LLC for a LWECS Site Permit  
for the up to 17.4 MW Rose Creek Wind Project in Mower County, Minnesota  
OAH Docket 23-2500-38341  
MPUC Docket IP-7065/WS-21-643**

Dear Judge Todnem and Mr. Seuffert:

Rose Creek Wind, LLC (“Rose Creek”) made an additional project review request with the Minnesota State Historic Preservation Office (“SHPO”) in July 2022 concerning an addendum survey report that covers areas that were not accessible during the previous survey efforts and a revised project layout. Rose Creek received comments directly from the SHPO concerning the Project on August 17, 2022. It does not appear SHPO’s letter was efiled. Accordingly, Rose Creek is enclosing for filing the correspondence from the SHPO dated August 17, 2022.

This correspondence and enclosures have been e-filed today through <https://efiling.web.commerce.state.mn.us>. A copy of this filing is also being served upon the persons on the Official Service List of record. Please let me know if you have any questions regarding this filing.

Sincerely,

FREDRIKSON & BYRON, P.A.

*/s/ Christina K. Brusven*

Christina K. Brusven  
**Direct Dial:** 612.492.7412  
**Email:** [cbrusven@fredlaw.com](mailto:cbrusven@fredlaw.com)

Enclosures

August 17, 2022

Pamela Flynn  
Merjent Inc.  
1 Main Street SE, Suite 300  
Minneapolis, MN 55414

RE: Rose Creek Wind Repower Project  
Mower County  
SHPO Number: 2021-1247

Dear Pamela Flynn:

Thank you for continuing consultation on the above referenced project. Information received on July 20, 2022, has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (Minn. Stat. 138.665-666).

ConEdison Development, operating as Rose Creek, LLC, is proposing to repower an existing wind farm in Mower County. The proposed project includes the decommissioning of 11 existing wind turbines, constructing up to 7 new, larger wind turbines, and installing new collector lines, staging areas, and construction access roads.

We previously provided comments on this project in a letter dated May 18, 2022, following our review of the April 2022 archaeological survey report and architecture-history analysis that were completed for this project. No archaeological resources were identified as a result of the previous survey efforts and we agreed that the project, as proposed at that time, would have no adverse effect on the National Register listed Adams State Bank.

You have now submitted an addendum survey report that covers areas that were not accessible during the previous survey efforts and also covers the revised project layout. We have reviewed the addendum report titled *Phase I Archaeological Survey, Rose Creek Repower Project, Mower County, Minnesota, Addendum I* (July 2022) as prepared by Merjent. Our comments are provided below.

#### **Archaeological Resources**

According to the July 2022 Phase I archaeological survey report, there were no archaeological sites identified within the revised project area. Therefore, we conclude that there are no known or suspected archaeological sites that will be affected by the project as it is currently proposed.

#### **History/Architecture Projects**

As stated previously, there is one historic property located within ½ mile of the project area, the **Adams State Bank**, which is listed in the National Register of Historic Places. We agree with your determination that the project, as currently proposed, will have **no adverse effect** on the Adams State Bank.

**Tribal Consultation**

According to your correspondence, eleven (11) federally recognized Tribes that share a common geography with the State of Minnesota have been notified of this project. The Lower Sioux Indian Community, the Upper Sioux Community, and the Shakopee Mdewakanton Sioux Community responded that they have an interest in receiving further correspondence on this project. We understand that Merjent and Rose Creek will continue to consult with these Tribes as the design for the project proceeds. Please keep our office informed if any Tribes express concerns or disagreement with efforts to identify historic properties and/or the assessment of effects for this project.

If you have any questions regarding our comments, please contact Kelly Gragg-Johnson, Environmental Review Program Specialist, at [kelly.graggjohnson@state.mn.us](mailto:kelly.graggjohnson@state.mn.us).

Sincerely,



Sarah J. Beimers  
Environmental Review Program Manager

cc: Gokhan Andi, ConEdison Development

## CERTIFICATE OF SERVICE

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

**OAH Docket 23-2500-38341  
MPUC Docket IP-7065/WS-21-643**

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I, Maia Martinez, hereby certify that on the August 19, 2022, I have efiled, on behalf of Rose Creek Wind, LLC, a true and correct copy of the following documents with the Minnesota Public Utilities Commission:

1. Comments Letter;
2. SHPO Letter dated August 17, 2022; and
3. Certificate of Service.

A copy has also been served in accordance with the service list of record in this docket.

Executed on: August 19, 2022

Signed: /s/ Maia M. Martinez  
Fredrikson & Byron, P.A.  
200 South Sixth Street  
Suite 4000  
Minneapolis, MN 55402

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@liunagroccom.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
Kevin	Pranis	kpranis@liunagroccom.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
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

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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 Pl 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