

November 8, 2022

VIA eDOCKETS FILING

Mr. Will Seuffert
Executive Secretary
Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101

**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 Mr. Seuffert:

As requested by Commission Staff via email on November 7, 2022, Rose Creek Wind, LLC (“Rose Creek”) provides the following clarification regarding the total megawatt (“MW”) size of the Rose Creek Wind Project under the proposed turbine layout scenarios discussed in this record.

As discussed in Mr. Gokhan Andi’s Direct Testimony, Rose Creek has been unable to secure wind access buffer agreements for land near wind turbine T1.¹ Rose Creek has land control for the location of this wind turbine and associated facilities but has been unable to secure a wind access buffer agreement sufficient to comply with the 3 x 5 rotor diameter wind access buffer setback required by Section 4.1 of the Draft Site Permit. As stated in Mr. Andi’s testimony, if Rose Creek is unable to secure an agreement prior to construction, Rose Creek will not construct Turbine T1.

¹ Exs. RCW-100 and RCW-101 at 4:92-99 Prefiled Direct Testimony of Gokhan Andi (July 20, 2022) (eDocket Nos. [20227-187644-02](#), [20227-187644-03](#), [20227-187644-04](#), [20227-187644-05](#), 20227-187644-06).

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If Rose Creek secures the additional agreement, Rose Creek will construct up to seven turbine sites, using one of the two scenarios listed below:

| | GE 2.3-MW (No. of Turbines) | GE 2.82-MW (No. of Turbines) | Gamesa 2.0-MW (No. of Turbines) | Total Nameplate Capacity (MW) |
|------------|-----------------------------------|------------------------------------|---------------------------------------|----------------------------------|
| Scenario 1 | 1 | 5 | 0 | 16.4 |
| Scenario 2 | 1 | 2 | 4 | 15.94 |

If Rose Creek is unable to secure the additional agreement, Rose Creek will construct up to six turbine sites, using one of the two scenarios listed below:

| | GE 2.3-MW (No. of Turbines) | GE 2.82-MW (No. of Turbines) | Gamesa 2.0-MW (No. of Turbines) | Total Nameplate Capacity (MW) |
|------------|-----------------------------------|------------------------------------|---------------------------------------|----------------------------------|
| Scenario 1 | 1 | 5 | 0 | 16.4 |
| Scenario 2 | 1 | 1 | 4 | 13.12 |

Assuming the Commission issues a final site permit in substantially the same form as the Draft Site Permit, prior to the pre-construction meeting, Rose Creek will provide compliance filings pursuant to Sections 8.1 (Wind Rights) and 10.3 (Site Plan) indicating that Rose Creek has obtained the necessary wind rights to proceed with construction and provide a site plan showing which Turbine Layout Scenario it plans to construct.

Rose Creek will be available at the Commission meeting scheduled for Thursday, November 17, 2022 to answer any additional questions the Commission may have.

Sincerely,

FREDRIKSON & BYRON, P.A.

/s/Christina K. Brusven

Christina K. Brusven

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Attorney for Rose Creek Wind, LLC

**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**

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

CERTIFICATE OF SERVICE

Malinda M. Maier certifies that on the 8th day of November 2022, she e-filed true and correct copy the following documents on behalf of Rose Creek Wind, LLC via eDockets (www.edockets.state.mn.us).

1. Letter to PUC; and
2. Certificate of Service

Said documents were also served as designated on the Official Service Lists on file with the Minnesota Public Utilities Commission and as attached hereto.

Executed on: November 8, 2022

Signed: /s/ Malinda M. Maier _____

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 |
|----------------|--------------------------------|--------------------------------------|--|--|--------------------|-------------------|---|
| 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@liunagrocc.com | LIUNA | 81 Little Canada Rd E Little Canada, MN 55117 | Electronic Service | No | OFF_SL_21-643_Official CC Service List |
| Sue | Hansen | hansens@conedceb.com | ConEdison Development | 4301 W 57th St Ste 131 Sioux Falls, SD 57108 | 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@liunagrocc.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 |