

NOTICE OF PUBLIC HEARING BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Wisconsin Power and Light Company for a Certificate of Need for the 200 MW Bent Tree Wind Generation Project and Associated Facilities in Freeborn County: Docket Number ET-6657/CN-07-1425; and

In the Matter of the Application of Wisconsin Power and Light Company for a Site Permit for up to 400 MW of Wind Energy Generation in Freeborn County: Docket Number ET-6657/WS-08-573

Topics of This Notice

This notice provides the date, starting times and locations for the public hearings for two matters over which the Minnesota Public Utilities Commission (MPUC) has jurisdiction. The hearings will address: (a) whether the proposed Bent Tree Project is needed and in the public interest, and (b) the costs, benefits and impacts of various site-related issues of the proposed location of the project. This notice also provides additional detail about the public hearings and the procedural practices of the Minnesota Office of Administrative Hearings for public hearings on large energy facilities.

General Information Regarding the Project

Wisconsin Power and Light Company (Applicant) has proposed to construct a large wind energy facility of up to 400 MW, expected to come online in two phases of 200 MW each. The Applicant currently proposes to construct the first 200 MW, comprising of 80-133 utility-scale wind turbine generators with a capacity between 1.5 and 2.5 MW each and associated facilities including access roads, meteorological towers, communications lines, and interconnection transmission facilities. The Project is located in northwest Freeborn County, in south central Minnesota, approximately 4 miles northwest of Albert Lea, Minnesota (see attached map). Electricity from the Project will be transported to the existing Hayward Substation located east of Albert Lea, Minnesota via a 161 kilovolt (kV) High Voltage Transmission Line, approximately 18-miles long. The project is intended to assist Wisconsin Power and Light in meeting the State of Wisconsin's renewable energy standard.

Authority and Statement of Issues to Be Decided

The MPUC is authorized by Minnesota Statute § 216B.243, Subd. 2, to issue a Certificate of Need for a large energy facility if the applicant can prove that there is a need for the project. A Certificate of Need is a state permit that is issued upon a determination that construction of an energy facility is in the public interest. The MPUC is authorized by Minnesota Statute §§ 216E.02, Subd. 2 and 216F.04, Subd. a, to designate sites and issue site permits for designated projects. When the MPUC designates a site, it issues a permit for the construction of the project specifying the design, location, preparation, and operation of the facility, along with any other appropriate conditions it deems necessary. The MPUC is required by Minnesota Statutes §§ 216B.243, subd. 4, and 216F.05, Subd. 3 to hold public hearings on such applications.

Public Hearings

An Administrative Law Judge (ALJ) from the Minnesota Office of Administrative Hearings will hold public hearings for the MPUC to establish a complete and accurate record for the two proceedings. Any person who would like to comment on the need for the project or the site proposed by the Applicant can do so at the scheduled public hearings or in writing to the ALJ (see below).

Administrative Law Judge

Judge Steve M. Mihalchick will preside at the hearings. Judge Mihalchick's address is: Office of Administrative Hearings, P.O. Box 64620, St. Paul, Minnesota 55164-0620; Fax: (651) 361-7936. Judge Mihalchick can be reached by telephone at (651) 361-7844 or by electronic mail at: steve.mihalchick@state.mn.us.

Public Hearing Schedule

Joint public hearings to receive public testimony on Need and Siting matters will be convened in two sessions at:

2 PM and 7 PM
Monday, June 29, 2009
Freemont County Government Center
411 South Broadway
Albert Lea, MN 56007

Each public hearing session will continue until all persons have had the opportunity to present evidence and question witnesses. If needed, the hearing may be recessed and continued by the ALJ, and additional hearing dates may be established by the ALJ in accordance with Minnesota Rules 1405.1400 to 1405.2300. Written comments on the proposals may be submitted to Judge Mihalchick, at the address listed above, or at any time before the hearings on June 29, 2009. After the close of written comment period, Judge Mihalchick will prepare a written summary of the comments received at the hearings and file it with the Commission which will consider them in its deliberations regarding the Bent Tree proposal.

Conduct of Hearing

During the public hearings, members of the public may offer either oral or written testimony, offer exhibits for inclusion in the public hearing record, and ask questions of the applicants. Members of the public need not become parties or formal participants in order to participate in the public hearings of either docket. Any person who wishes to ask questions but does not want to ask the questions personally may submit them in writing to the ALJ, who will then ask the question during the hearing.

For more information contact the MPUC's or the Minnesota Department of Commerce's Public Advisor: Certificate of Need, or if you need an accommodation for a disability or a language interpreter please contact Bret Eknes, Minnesota Public Utilities Commission, 121 7th Place E., Suite 350, St. Paul, MN 55101-2147, telephone: (651) 201-2236; email: bret.eknes@state.mn.us.

For additional information regarding the application for a Site Permit, please contact Larry Hartman, Project Manager, Minnesota Department of Commerce, 85 7th Place E., Suite 500, St. Paul, MN 55101-2198, telephone: (651) 296-5089; email: larry.hartman@state.mn.us; or Scott Ek, Public Advisor, also at the Department of Commerce, telephone: (651) 296-8813; email: scott.ek@state.mn.us.

A copy of the Certificate of Need Application and the Site Permit Application is available at the Freeborn County Government Center, 411 S. Broadway, Albert Lea, MN 56007; and at the Albert Lea Public Library, 211 E. Clark, Albert Lea, MN 56007, and online at <http://www.puc.state.mn.us/puc/energyfacilities/index.html>. You may register on this same web site to be added to the mailing list associated with this project and to receive copies of future notices.