



BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

**COMMENTS AND RECOMMENDATIONS OF THE
MINNESOTA DEPARTMENT OF COMMERCE
ENERGY FACILITY PERMITTING STAFF**

DOCKET No. IP 6603/WS-06-1327

Meeting Date: February 15, 2007

Agenda Item # ____

Company: **Ridgewind Power Partners, LLC.**

Docket No. PUC Docket Number: IP 6603/WS-06-1327
In the Matter of a Site Permit for the Ridgewind Power Partners, LLC, for up to a 27-Megawatt Ridgewind Power Plant in the Minnesota Counties of Pipestone and Murray.

Issue(s): Should the Minnesota Public Utilities Commission issue Ridgewind Power Partners, LLC, a site permit under Minnesota Statutes Chapter 216F to construct up to a 27-Megawatt Large Wind Energy Conversion System and Associated Facilities in Pipestone and Murray counties, Minnesota?

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Relevant Documents

Site Permit Application

October 13, 2006

The enclosed materials are work papers of the Department of Commerce Energy Facility Permitting Staff. They are intended for use by the Public Utilities Commission and are based on information already in the record unless otherwise noted.

Documents Attached

Attachment A.	Findings of Fact and Conclusions
Attachment B.	Site Permit
Attachment C.	Exhibit List

Note: Relevant documents and additional information is available on eDockets (06-1327) or the PUC Facilities Permitting website <http://energyfacilities.puc.state.mn.us/Docket.html?Id=18865>

This document can be made available in alternative formats; i.e. large print or audio tape by calling (651) 201-2202 (Voice) or 1-800-627-3529 (TTY relay service).

Statement of the Issues

Should the Public Utilities Commission (the “PUC” or “Commission”) issue or deny a site permit to Ridgewind Power Partners, LLC, for up to a 27-Megawatt Large Wind Energy Conversion System (LWECS) and associated facilities in Pipestone and Murray counties, Minnesota?

Introduction and Background

The Applicant

The Applicant (Ridgewind Power Partners, LLC) will own the project including all equipment up to it’s interconnection with the Xcel Energy Chanarambie Substation. Ridgewind Power Partners, LLC, will be responsible for the project management, procurement, construction, commissioning, operation, and long-term ownership of the project.

Project Location

The proposed project site is located in Pipestone and Murray counties, just east of the town of Woodstock in Pipestone County. In Pipestone County, the turbines will be placed in the township of Burke (Section 1) and in Murray County, the turbines will be located in Cameron Township in the following sections (east half of 20, west half of 28, 29 and the west half of 33).

The proposed site is comprised primarily of agricultural lands. It is anticipated that the area of direct land use for the turbines and associated facilities would be approximately 60 acres.

Project Description

The proposed project may use 1.5 MW wind turbine generators (or comparable utility grade wind turbines). The final site layout and number of turbines will depend on the final project design and the model of turbines available and employed. The towers will be up to a maximum height of approximately 80 meters (262 feet) in height. The rotor diameter will be up to a maximum of approximately 77 meters (252 feet).

The electrical collector system will consist of underground 34.5 kV collection lines and facilities providing step-up transformation.

Other project components include: all-weather class 5 access roads of gravel or similar materials, pad-mounted step-up transformers, concrete and steel tower foundations, a supervisory control and data acquisition system, meteorological towers, and an operations and maintenance building.

Power from the project will be delivered to the Xcel Energy Chanarambie Substation.

The Applicant has easements or options on the land necessary within the site to build the project. Wind rights will encompass the proposed wind farm and all associated facilities, including but not limited to wind and buffer easements, wind turbines, access roads, electrical collection system, and transmission lines located on public roads when necessary.

A Certificate of Need from the Minnesota Public Utilities Commission (PUC) is not required because the project does not exceed the Certificate of Need project size threshold.

Regulatory Process and Procedures

On October 13, 2006, the PUC received the site permit application submitted by Project Resources Corporation on behalf of Ridgewind Power Partners, LLC. On November 2, 2006, the PUC accepted the application and made a preliminary determination to issue a draft site permit. Upon acceptance of the application DOC EFP staff initiated the review and notice requirements of Minnesota Rules Chapter 4401.

Site Permit Requirement

A site permit from the PUC is required to construct a 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. Minnesota Statutes Chapter 216F. The rules to implement the permitting requirements for LWECS are in Minnesota Rules Chapter 4401.

Public Participation Process

The rules provide opportunities for the public to participate in deliberations on the LWECS permit application. The public was advised of the submission of the permit application after the application was accepted, a draft site permit on the project was provided for the public and the applicants to review, the public was afforded a period of time to submit written comments, and a public meeting was held in Lake Wilson on November 21, 2006. About 20 people attended the public meeting.

During the public meeting, DOC staff reviewed the permitting process requirements and responded to questions about the draft site permit, and the permitting process. Representatives of the applicant were available to describe the project and answer questions. No adverse comments were registered at the public meeting.

Public Comments

One comment letter was received. On December 19, 2006, a letter from the U.S. Fish and Wildlife Service (FWS) commented on the site permit application and indicated that no known threatened or endangered species are present within the proposed project site. The FWS also recommended that the Applicant follow federal guidelines in siting the project to protect migratory bird species.

DOC EFP Staff Analysis and Comments

Based on the record, DOC EFP staff conclude that a the Ridgewind Power Partners, LLC, project meets the criteria and standards for permit issuance found in Minnesota Statutes and Minnesota Rules. No significant issues were identified during the course of this proceeding. The DOC EFP staff has prepared for the Commission’s consideration proposed Findings of Fact and Conclusions, a proposed Site Permit, and Exhibit List.

Findings of Fact

The staff has prepared proposed Findings of Fact and Conclusions for the project. See Attachment A. The proposed Findings address the procedural aspects of the process followed, describe the project, respond to the written comment, and address the environmental and other considerations of the project. The Findings of Fact are similar to findings made in several other LWECS projects. The following outline identifies the categories of the Findings.

<u>Category</u>	<u>Findings</u>
Background and Procedure	(Findings Nos. 1 – 11)
The Permittee	(Finding No. 12 - 14)
Project Description	(Findings Nos. 15 – 22)
Wind Resource Considerations	(Findings Nos. 23 – 27)
Land Rights and Easement Agreements	(Findings Nos. 28 – 31)
Written Comments	(Findings Nos. 32 – 34)
Site Criteria	(Findings Nos. 35 – 76)
Site Permit Conditions	(Findings Nos. 77– 79)

Record

An exhibit list of the written comments and other documents that are part of the record in this permit proceeding is included as Attachment C. The DOC staff can make any of these documents available to a PUC member upon request, and copies will be available at the PUC meeting.

Standards for Permit Issuance & Site Permit

The test for issuing a site permit for a Large Wind Energy Conversion System is to determine whether a project is compatible with environmental preservation, sustainable development, and the efficient use of resources. Minnesota Statutes, section 216F.03. The wind statutes incorporate certain portions of the Power Plant Siting Act, including the environmental considerations. The site criteria addressed in the Findings of Fact (such as human settlement, noise, community benefits, and surface water) track the factors described in the PUC’s rules for other types of power plants that are pertinent to wind projects. (Minnesota Rules part 4400.3310). Also, the law allows the PUC to place conditions in LWECS permits. Minnesota Statutes, section 216F.04 (d). The conditions in this proposed Site Permit are similar to those conditions included in other LWECS site permits issued by the Environmental Quality Board and the PUC. See Attachment B.

Commission Decision Options

- A.** Adopt the Findings of Fact and Conclusions and issue a Site Permit with the conditions proposed by EFP staff to Ridgewind Power Partners, LLC, for up to a 27-MW LWECS in Pipestone and Murray counties, Minnesota. The site permit issued by the PUC authorizes Ridgewind Power Partners, LLC, to construct and operate the proposed large wind energy conversion system and associated facilities in accordance with the conditions contained in the site permit and in compliance with Minnesota Statutes, section 216F.04 and with Minnesota Rules Chapter 4401.
- B.** Amend the Findings of Fact and Conclusions and Site Permit as deemed appropriate.
- C.** Deny the site permit.
- D.** Make some other decision deemed more appropriate.

EFP Staff Recommendation. The DOC staff recommends Option A.