

KENYON WIND LLC

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October 21, 2010

Mr. Burl A. Haar
Executive Secretary
Minnesota Public Utilities Commission
Suite 350, 121 Seventh Place East
St. Paul, MN 55101-2147

Re: Petition for Amendment to Site Permit, Goodhue County, Minnesota
MPUC Docket No. WS-06-1445

Gentlemen:

Enclosed for your review is our Petition to Amend State Site Permit.
Pursuant to Minnesota Rule 7836.1300, please find three (3) photocopies of the
Petition.

We have requested an amendment to the Site Permit language in the
Petition which covers this time issue.

Please contact me if you have any questions concerning the enclosed
Application.

Thank you for your assistance in this matter.

Very truly yours,

KENYON WIND LLC



By Todd D. Andrews
On behalf of Kenyon Wind, LLC

TDA/z
enclosures

**PETITION TO
AMEND STATE PERMIT**

**In the Matter of the State Permit of Kenyon
Wind, LLC, for a Large Wind Energy
Conversion System Site Permit for an 18.9
Megawatt Wind Farm in Goodhue County**

ISSUE DATE: July 18, 2007

DOCKET NO. IP 6605/WS-06-1445

PROCEDURAL HISTORY

On July 18, 2007 the Minnesota Public Utilities Commission issued a State Permit to Kenyon Wind, LLC to construct an 18.9 Megawatt wind farm in Goodhue County, Minnesota (the "Permit"). The Permit was amended on February 18, 2009.

AMENDMENT

Kenyon Wind has a new corporate partner with the requisite financial resources to complete the project. However, the continued state of the economy both nationally and in Minnesota for the development of wind power facilities and obtaining a power purchase agreement has been a challenge and is outside of Kenyon's control. Also, changes in Federal tax law are designed to create incentives to for new wind project construction.

Kenyon Wind, LLC petitions the Public Utilities Commission to amend its Permit by extending its time for completion. Below is listed the current language in the Permit as amended with suggested language to amend the Permit along with an explanation for the amendment. All references are to paragraphs in the Permit as amended.

1. Power Purchase Agreement. Paragraph J4.

Current language:

This Permit does not authorize construction of the project until the Permittee has obtained a power purchase agreement or some other enforceable mechanism for 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 the sale of electricity by December 31, 2010, this Permit shall be null and void.

Proposed amended language:

This Permit does not authorize construction of the project until the Permittee has obtained a power purchase agreement or some other enforceable mechanism for 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 the sale of electricity by December 31, 2012, this Permit shall be null and void.

Reason for amendment:

The current permit expires on 2/18/2011 if the permittee fails to start construction within 2 years from the permit amendment. This project is "shovel ready" as it has executed land owner options and has signed and recordable lease options, an inter-connection agreement with MISO, and a robust financial partner. Turbines suitable for the project have been made available to the project. All that prevents the project commencing construction is a power purchase agreement or other enforceable mechanism to sell electricity. In the current economy the demand for power loads has been substantially reduced and the volume of power purchase agreements offered by off takers has been curtailed throughout the industry.

We believe that an off taker can be located as the economy improves due to the favorable aspects of the project which include a suitable location adjacent to a 69 KV line and commercial viable wind resource.

2. Failure to Commence Construction. Paragraph K2.

Current Language:

If the Permittee has not completed pre-construction surveys required in paragraph III.D. and commenced construction of the LWECs within two years of the issuance of this Amended Permit, the Permittee must advise the PUC of the reason construction has not commenced. In such event, the PUC may determine whether this Permit should be revoked. No revocation of this Permit may be undertaken except in accordance with applicable statutes and rules, including Minnesota Statute 216E.14.

Proposed amended language:

If the Permittee has not completed pre-construction surveys required in paragraph III.D. and commenced construction of the LWECs by February 18, 2013, the Permittee must advise the PUC of the reason construction has not commenced. In such event, the PUC may determine whether this Permit should be revoked. No revocation of this Permit may be undertaken except in accordance with applicable statutes and rules, including Minnesota Statute 216E.14.

Reason for the amendment:

Again, the current economic conditions have slowed wind development as stated above. Construction is tied directly to obtaining a power purchase agreement. Thus, the planned commencement of construction of the project is also delayed until a PPA is obtained. Once a PPA is obtained the Kenyon Wind project is ready to commence construction.

Dated: October 21, 2010

Kenyon Wind, LLC

By 

Todd D. Andrews
on behalf of Kenyon Wind, LLC