



Energy Facility Permitting
85 7th Place East, Ste 500
Saint Paul, MN 55155-2198
Minnesota Department of Commerce

August 1, 2007

Burl W. Haar
Executive Secretary
Minnesota Public Utilities Commission
127 7th Place East, Suite 30
St. Paul, MN 55101-2147

**Re: Comments and Recommendations of the Minnesota Department of Commerce
Energy Facility Permitting Staff
Docket No. IP6630/WS-07-318**

Dear Dr. Haar –

Attached are the comments and recommendations of the Minnesota Department of Commerce Energy Facility Permitting Staff in the following matter:

In the Matter of the Application of Comfrey Wind Energy, LLC, for a Large Wind Energy Conversion System Site Permit for the Comfrey Wind Project in Brown and Cottonwood counties.

The Department EFP staff recommends the Commission accept the Comfrey Wind Energy, LLC application for a site permit as complete and authorize the Department EFP staff to name a public advisor for this project.

Staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in cursive script that reads "Suzanne Lamb Steinhauer".

Suzanne Lamb Steinhauer
Project Manager
Energy Facilities Permitting
651-296-2888

Enclosure



BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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

DOCKET No. IP6630/WS-07-318

Meeting Date: August 9, 2007

Agenda Item # 3

Company: **Comfrey Wind Energy, LLC**

Docket No. **IP6630/WS-07-318**

In the Matter of the Application of Comfrey Wind Energy, LLC, for a Large Wind Energy Conversion System Site Permit for the Comfrey Wind Project in Brown and Cottonwood counties.

Issue(s): Should the Commission accept the Comfrey Wind Energy, LLC, application for a Large Wind Energy Conversion System (LWECS) site permit as complete?

DOC Staff: Suzanne Lamb Steinhauer651-296-2888

Relevant Documents (in Commission Packet)

Comfrey Wind Energy, LLC, LWECS Site Permit ApplicationJuly 20, 2007

The enclosed materials are the 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.

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).

See eDockets (07-318) or the PUC website at:
<http://energyfacilities.puc.state.mn.us/> for project related documents.

Statement of the Issues

1. Should the Public Utilities Commission (the PUC or Commission) accept, conditionally accept, or reject the application of Comfrey Wind Energy, LLC ?

If the Application is accepted, should the Commission:

2. Appoint a public advisor?

Introduction and Background

Comfrey Wind Energy, LLC (CWE) has submitted a site permit application for the proposed 31.5 megawatt (MW) Comfrey Wind Project (Project) in Brown and Cottonwood counties. CWE will own the Project including all equipment up to and including the new Comfrey Wind Substation, located south of Alliant Energy's existing Comfrey Substation.

The Project is a Community Based Energy (CBED) project. Project ownership will be structured so that no individual owns more than 15 percent of the project. Neither CWE nor its principals own or have a financial interest in any other LWECS in Minnesota.

Project Location

The Project is located in Brown and Cottonwood counties, approximately one mile west of the city of Comfrey and includes portions of Bashaw Township in Brown County and portions of Selma Township in Cottonwood County.

The Project is located in an agricultural area, used primarily for row crops such as corn and soybeans. CWE anticipates that approximately 15 acres out of the total project area of 3,940 acres will be removed from agricultural production for the lifetime of the Project. CWE has leases or options on the land and wind rights necessary within the site to build the Project. Land rights will encompass the proposed wind farm and all associated facilities, including but not limited to wind and buffer easements, wind turbines, access roads, meteorological towers, electrical collection system and electric lines located on or along public road rights-of-way.

Project Description

CWE proposes to use 15 Suzlon S-88 2.1 MW wind turbine generators for the Project. CWE proposes to use towers measuring 262 feet (80 meters) at hub height. The rotor diameter of the turbines will be 288 feet (88 meters), with a swept area of approximately 62,249 square feet. The maximum overall height of the wind turbines will be 397 feet (124 meters), when a turbine blade is fully extended. Rotor speeds would vary between 15.6 and 18.5 revolutions per minute, depending on wind speed.

The rotor consists of three blades mounted to a rotor hub. The hub is attached to the nacelle, which houses the gearbox, generator, brake, cooling system, and other electrical and mechanical systems. The electrical collector system will consist of underground 34.5 kilovolt (kV) collection lines routed to the project substation where it will be stepped up to 69 kV and connect with the grid.

Other associated facilities 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, and a permanent meteorological tower.

Energy from the Project will be delivered to the grid at the Project Substation under terms of an interconnection agreement, which is currently being negotiated. CWE anticipates an in-service date no later than December, 2008.

Regulatory Process and Procedures

A site permit from the PUC is required to construct a Large Wind Energy Conversion System (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. The Minnesota Wind Siting Act is found at Minnesota Statutes Chapter 216F. The rules to implement the permitting requirement for LWECS are in Minnesota Rules Chapter 4401.

Application Acceptance and Public Advisor

Minnesota Rule 4401.0460 states that: “Within 30 days after receipt of an application for a site permit, the PUC shall accept, conditionally accept, or reject the application.” On July 20, 2007, CWE filed the Application with the Public Utilities Commission. The required contents of a site permit application are specified in Minnesota Rule 4401.0450.

Minnesota Rule 4401.0470 states: “Upon acceptance of an application for a site permit, the PUC shall designate a staff person to act as the public advisor on the project.” The Commission can authorize the Department to name a staff member from the EFP staff as the public advisor or assign a PUC staff member.

Certificate of Need

The facility, as proposed, does not require a Certificate of Need from the Commission.

DOC EFP Staff Analysis and Comments

The Comfrey Wind Project site permit application (the Application) has been reviewed by DOC EFP staff pursuant to the requirements of Minnesota Rules Chapter 4401 (Wind Siting Rules). The Application provides all of the information required by Minnesota Rule 4401.0450. CWE has agreed to provide additional information as requested by EFP staff in its preparation of a draft permit. Acceptance of the Application will require the Applicant to provide notification of application acceptance to local units of government, to publish notice of the application in local newspapers, and to provide copies of the application to local units of government and landowners within the project area as required by Minnesota Rule 4401.0460.

Commission Decision Options

A. Application Acceptance

1. Accept the Comfrey Wind Energy, LLC, Application for up to a 31.5 Megawatt LWECS.
2. Reject the Application as incomplete and issue an order indicating the specific deficiencies to be remedied before the Application can be accepted.
3. Find the Application complete upon the submission of supplementary information.
4. Make another decision deemed more appropriate.

B. Public Advisor

1. Authorize the Minnesota Department of Commerce Energy Facilities Permitting staff to name a public advisor for this project.
2. Appoint a Commission staff person as the public advisor.
3. Make another decision deemed more appropriate.

DOC EFP Staff Recommendation: Staff recommends option A1 and B1.