



March 8, 2011

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Burl W. Haar  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7th Place East  
Suite 350  
St. Paul, MN 55101

**VIA E-FILING AND U.S. MAIL**

RE: In the Matter of the Lakeswind Power Partners, LLC Application for a Large Wind  
Energy Conversion System Site Permit  
MPUC Docket No. IP-6603/WS-08-1449

Dear Dr. Haar:

Enclosed please find Lakeswind Power Partners, LLC Petition for Amendment to Site Permit in the above-referenced docket. The document has been filed with the E-Docket system and served on the attached service list. Also enclosed is our Affidavit of Service.

Sincerely,

WINTHROP & WEINSTINE, P.A.

/s/ Eric F. Swanson

Eric F. Swanson

Enclosures

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First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@state.mn.us	Office of the Attorney General-DOC	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	No	OFF_SL_8-1449_1
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Matthias	Weigel	matthias.weigel@prwind.com	Project Resources Corporation	618 Second Ave SE  Minneapolis, MN 55414	Paper Service	No	OFF_SL_8-1449_1

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION  
121 Seventh Place East, Suite 350  
St. Paul, Minnesota 55101-2147

Dr. David C. Boyd	Chair
J. Dennis O'Brien	Commissioner
Thomas Pugh	Commissioner
Phyllis Reha	Commissioner
Betsy L. Wergin	Commissioner

In the Matter of the Lakeswind Power Partners, LLC Application For a Large Wind Energy Conversion System Site Permit      MPUC Docket No. IP-6603/WS-08-1449

**PETITION FOR AMENDMENT TO  
SITE PERMIT**

Pursuant to Minnesota Rules 7854.1300, Lakeswind Power Partners, LLC (“Lakeswind”) respectfully files this Petition to amend the September 18, 2009 Site Permit (“Permit”) issued by the Minnesota Public Utilities Commission (“Commission” or “PUC”) in the above-captioned docket. The Permit currently provides, in part, that:

This Permit does not authorize construction of the Project until the Permittee has obtained a power purchase agreement with a Minnesota utility for the sale of electricity to be generated by the Project to assist said utility in meeting its renewable energy objective under section 216B.1691 or addressing its resource need identified in a current commission-approved or commission-reviewed resource plan under Section 216B.2422. In the event the Permittee does not obtain a power purchase agreement . . . within two years of the issuance of this Permit, the Permittee must advise the PUC of the reason for not having such power purchase agreement. (Permit, Section III, J,4).

While the two year time period set forth in the Permit will not expire until September 18, 2011, Lakeswind notes that by tying the permit exclusively to a power purchase agreement, the Permit is more restrictive than the governing rules. Specifically, Minnesota Rules 7854.1100, subp. 3 provides:

A site permit does not authorize construction of the project until the permittee has obtained a power purchase agreement or some other enforceable mechanism for sale of the power to be generated by the project. If the permittee does not have a power purchase agreement or other enforceable mechanism at the time the permit

is issued, the commission shall provide in the permit that the permittee shall advise the commission when it obtains a commitment for purchase of the power. The commission may establish as a condition in the permit a date by which the permittee must obtain a power purchase agreement or other enforceable mechanism or the site permit is null and void. (Emphasis added).

Therefore, in order to provide Lakeswind additional flexibility in meeting the condition for a commitment of the purchase of power from this project, Lakeswind respectfully requests that the Commission amend Section III, J, 4 so that it reads as follows:

This Permit does not authorize construction of the Project until the Permittee has obtained a power purchase agreement with a Minnesota utility for the sale of electricity to be generated by the Project to assist said utility in meeting its renewable energy objective under section 216B.1691 or addressing its resource need identified in a current commission-approved or commission-reviewed resource plan under Section 216B.2422, or some other enforceable mechanism for the sale of the power to be generated from the Project. In the event the Permittee does not obtain a power purchase agreement . . . , or some other enforceable mechanism for the sale of the power to be generated from the Project, within two years of the issuance of this Permit, the Permittee must advise the PUC of the reason for not having such power purchase agreement. (Permit, Section III, J,4).

Lakeswind seeks no other change to the Permit or Permit Conditions approved by the Commission in its September 18, 2009 Findings of Fact, Conclusions of Law and Order (“Order”) in this matter.

An amended Permit as requested herein would be fully consistent with Minnesota Rules and with Commission precedent for other Large Wind Energy Conversion System Site Permits. Moreover, such an amended Permit would allow Lakeswind additional flexibility in bringing this Project, and the attendant community benefits noted by the Commission to fruition. See Order, page 12. Lakeswind has been in discussions with potential financing sources that require this additional flexibility. As the Commission found, the Project brings these benefits in a manner consistent with environmental preservation, sustainable development and the efficient use of resources. See Order, page 18.

Respectfully submitted this 8<sup>th</sup> day of March, 2011.

/s/ Eric F. Swanson

Eric F. Swanson (# 188128)

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