



STATE OF MINNESOTA
Office of Energy Security



Issued: August 11, 2010

NOTICE OF PUBLIC HEARING,
NOTICE OF AVAILABILITY OF ENVIRONMENTAL REPORT,
AND
NOTICE OF AVAILABILITY OF DRAFT SITE PERMIT

**In the Matter of Paynesville Wind, LLC, Applications for a Certificate of Need and
Large Wind Energy Conversion System Site Permit
for the 95 MW Paynesville Wind Farm in Stearns County**

**Certificate of Need Application, PUC Docket Number: IP-6830/CN-09-1110
Site Permit Application, PUC Docket Number: IP-6830/WS-10-49**

PLEASE TAKE NOTICE that a public hearing will be held on behalf of the Minnesota Public Utilities Commission (Commission) on the applications of Paynesville Wind, LLC (Applicant), for a certificate of need and site permit for the proposed Paynesville Wind Farm (Project). The hearing will address: (1) whether the proposed Project is needed and in the public interest, and (2) issues related to the proposed siting of the Project. The hearing will be held at the times and location listed below. Ending times reflect the latest a public hearing will run. The hearing may conclude earlier if all attendees have had the opportunity to comment and all other business has been concluded.

HEARING DATE & LOCATION

August 25, 2010	3:00 p.m. – 5:30 p.m. & 7:00 p.m. – 10:30 p.m.	American Legion 770 West Highway 23 Paynesville, MN 56362
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Administrative Law Judge. Administrative Law Judge (ALJ) Krause from the Minnesota Office of Administrative Hearings will preside at the hearing. Any person who would like to comment on the need for the Project or the proposed siting can do so at the hearing or in writing to Judge Krause: Raymond Krause, Office of Administrative Hearings, P.O. Box 64620, St. Paul, MN 55164-0620; (fax) 651-361-7936; e-mail: ray.krause@state.mn.us.

Written Comments. Written comments should be submitted to Judge Krause at the address listed above. Comments will be accepted through **September 8, 2010**. Mailed comments must

be postmarked by this date. Faxed and delivered comments must be received by 4:30 p.m. on this date.

Purpose and Conduct of the Hearing. The purpose of the public hearing is to receive input about the Project. During the public hearing, 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 applicant and agency representatives. 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.

Interested persons may comment on the certificate of need and site permit applications, environmental report, draft site permit, or on the Project generally. The hearing will continue until all persons have had the opportunity to offer testimony and ask questions. If needed, the hearing may be recessed and continued by the ALJ. At the close of the written comment period, Judge Krause will prepare a written summary of the comments received at the hearing and file it with the Commission, which will consider them in its deliberations of the certificate of need and site permit applications.

Request for Accommodation. Any person who needs an accommodation for a disability in order to participate in the hearing, and any person who requires an interpreter, including a foreign language interpreter, should promptly notify the Office of Administrative Hearings, P.O. Box 64620, 600 North Robert Street, St. Paul, Minnesota 55164-0620, Phone: (651) 361-7900 (voice) or (651) 361-7878 (TDD).

Environmental Report. The Office of Energy Security, Energy Facility Permitting, has completed and issued an environmental report for the proposed Paynesville Wind Farm. The environmental report addresses potential human and environmental impacts of the proposed project and alternatives. For a copy of the environmental report, please see project contacts and information below.

Draft Site Permit. On June 4, 2010, the Commission issued an order approving a draft site permit for distribution and public comment. A Notice of Availability of Draft Site Permit was issued on June 16, 2010. For a copy of the draft site permit, please see project contacts and information below.

Project Description. The Applicant proposes a Large Wind Energy Conversion System (LWECS) of 95 megawatts (MW). Depending on which turbines are selected, the wind turbine layout will consist of 42 to 63 turbines with a hub height of 80 meters (263 feet) and a rotor diameter of 82.5 meters (270 feet) if the General Electric 1.5 MW wind turbines are selected, 90 meters (295 feet) if the Vestas 1.8 MW wind turbines are selected, or 101 meters (331 feet) if the Siemens 2.3 MW wind turbines are selected. In addition to the wind turbines, the Project would include access roads, a meteorological tower, a Sonic Detection and Ranging unit or Light Detection and Ranging unit, an electrical collection system, project substation, a metering yard, transmission line, and an operations and maintenance building. Power will ultimately be delivered to the existing Paynesville substation.

The Project area (shown in the accompanying map) consists of approximately 15,000 acres located in Stearns County in Zion, Paynesville, Spring Hill, and Lake Henry townships. The Project area is located north of Paynesville and southeast of Lake Henry. Approximately 11,500 acres are under the Applicant's control via wind easements.

Eminent Domain. The Applicant does not have the power of eminent domain to acquire the land or wind rights for the project. Wind and land rights necessary to build the facility must be in the form of voluntary easements or lease agreements between individual landowners and the applicant.

Authority and Statement of Issues to Be Decided. In order to proceed with this Project, the Applicant must obtain a certificate of need and a site permit from the Commission. The Commission is authorized by Minnesota Statutes section 216B.243, to issue a certificate of need for a large energy facility if the applicant can demonstrate 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 Commission is required by Minnesota Statutes section 216B.243, subdivision 4, to hold a hearing on an application for a certificate of need.

The Commission is authorized by Minnesota Statutes section 216F.04 to issue LWECS site permits for certain wind energy facilities. When the Commission designates a site, it issues a site permit for the construction of a facility specifying the design, location, preparation, and operation of the facility, along with any other appropriate conditions it deems necessary. The Commission is required by Minnesota Statutes section 216F.05 and Minnesota Rule 7854.0900 to hold a public meeting on an application for a site permit for an LWECS.

Contested Case Hearing Request. Any person may request a more formal contested case hearing on the site permit proceeding for the LWECS pursuant to Minnesota Rule 7854.0900. All contested case hearing requests must be filed with Judge Krause in writing by 4:30 p.m. on **September 8, 2010**. The person requesting the contested case hearing must list the issues sought to be addressed in the hearing and the reason why a contested case hearing is required to resolve those issues. The Commission shall order a contested case hearing if it finds that a material issue of fact has been raised and that the holding of the contested case hearing will aid it in making a final decision on whether to authorize construction of the Project.

Project Contacts and Information. For more information on the **Certificate of Need**, please contact:

Bret Eknes
Minnesota Public Utilities Commission,
121 7th Place E., Suite 350, St. Paul, MN 55101-2147,
(651) 201-2236
bret.eknes@state.mn.us.

For additional information regarding the **Site Permit** application, or to place your name on the project mailing list maintained for this project, please contact:

Ingrid Bjorklund, State Permit Manager
Minnesota Office of Energy Security
85 7th Place East, Suite 500
St. Paul, MN 55101
(651) 297-7039
Fax: 651-297-7891
ingrid.bjorklund@state.mn.us

Larry Hartman, Public Advisor
Minnesota Office of Energy Security
85 7th Place East, Suite 500
St. Paul, MN 55101
(651) 296-5089
Fax: 651-297-7891
larry.hartman@state.mn.us

The certificate of need application and environmental report can be found on the eDockets website: <https://www.edockets.state.mn.us/EFiling/search.jsp> (enter the year “09” and the number “1110”). The LW ECS site permit application and draft site permit can be found on the eDockets website (enter the year “10” and the number “49”).

The site permit application, draft site permit, environmental report, and other relevant documents, including Minnesota statutes and rules governing the site permitting process, are also available on the Commission’s energy facility permitting website at: <http://energyfacilities.puc.state.mn.us/Docket.html?Id=25836>. You can also place your name on the Project mailing list at this website.

Copies of the applications are also available for review at the: Auditor's Offices in Stearns County; City Offices in Paynesville and Lake Henry; Township Clerks of Paynesville, Zion, Spring Hill, and Lake Henry; and the Paynesville Public Library in Stearns County.

Questions about the Paynesville Wind Farm and its permit applications can also be directed to Paynesville Wind, LLC’s parent company, Geronimo Wind Energy, by contacting Justin Pickar by email at justin@geronimowind.com or Patrick Smith at patrick@geronimowind.com or by calling 952-988-9000. The address for Geronimo Wind Energy is 7650 Edinborough Way, Suite 725, Edina, MN 55435.

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).

Project Location

