

COMMENTS RECEIVED

BY

OFFICE OF ENERGY SECURITY
ENERGY FACILITY PERMITTING

ON THE

OAK GLEN WIND FARM

IN

STEELE COUNTY

PUC DOCKET NO. IP-6839/WS-10-119

JUNE 18, 2010

Written Public Comments Received by June 18, 2010

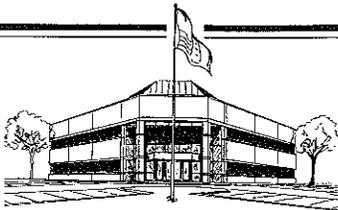
1. Steele County
2. The Applicant (MMPA)
3. Minnesota Department of Natural Resources
4. Minnesota Department of Transportation

STEELE COUNTY

Board of Commissioners

Administration Center
630 Florence Ave.
P.O. Box 890
Owatonna, MN 55060

507-444-7400



June 8, 2010

Bruce Kubicek - 1st District
Doug Johnson - 2nd District
Mark D. Schultz - 3rd District
James "Corky" Ebeling - 4th District
Tom Shea - 5th District

Ingrid Bjorklund, State Permit Manager
Minnesota Office of Energy Security
85 7th Place East, Suite 500
St. Paul, MN 55101

Dear Ms. Bjorklund:

On behalf of the Steele County Board of Commissioners, I am writing to inform you that the County Board is not opposed to the Minnesota Municipal Power Agency's proposed Oak Glen Wind Farm project.

The Steele County Planning and Zoning Director, Dale Oolman, wrote a letter to the wind farm in January, 2010, pointing out two Steele County setback requirements that exceed state standards: the 750 foot setback of wind turbines from dwellings and the minimum front yard setback from road rights-of-way equal to the height of the wind turbine measured to the top of the blade at its highest point. We have reviewed the Site Permit Application and the proposed turbine layout and we find that both of the above setbacks would be met or exceeded. Accordingly, we take no exception to the layout of the project as currently proposed.

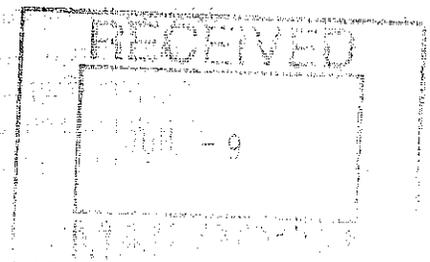
Steele County has a strong interest in supporting renewable energy. We look forward to the opportunity for our residents to learn about renewable energy. We recognize that the Oak Glen Wind Farm represents the prospect of construction and maintenance jobs in our region. The project will also afford an opportunity for area suppliers to furnish materials needed for the wind farm construction.

If there is any assistance our Board of Commissioners or county staff can provide, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Shea".

Tom Shea, Chair
Steele County Board of Commissioners



June 16, 2010
Document No.: OES-002-LTR

Ms. Ingrid Bjorklund
Permit Manager
Minnesota Office of Energy Security
85 7th Place East, Suite 500
St. Paul, MN 55101

Subject: Oak Glen Wind Farm LLC, MPUC Docket No.:IP-6839/WS-10-119

Reference: Minnesota Public Utilities Commission May 4, 2010 Draft Site Permit Order

Dear Ms. Bjorklund,

In the approval for preliminary determination to issues a draft site permit for the subject project, the Order from the Commission asked the Applicant to consider and address the potential impact of noise, sub-audible noise, and shadow flicker as those issues relate to setback requirements and other siting considerations. Additionally, the Commission asked the Applicant to consider and address the impact of the proposed project on non-participating landowners and on other non-participating persons likely to be affected.

We respectfully submit the following in response to the Commissions requests.

Shadow Flicker

Existing shadow flicker studies indicate potential turbine flicker is affected by both distance and bearing from the turbine to the receptor. Maximum potential flicker occurs to the northeast and northwest of a turbine, with potential for flicker rising as proximity to the turbine increases.

For Oak Glen Wind Farm (OGWF), we have worked to reduce the potential for shadow flicker from wind turbines by maximizing the distance between turbines and homes, whether participating or not, while still making efficient use of the wind resource in the area. In our current preliminary micrositing layout, the mean turbine-to-nearest-home distance, whether participating or not, is 1459 ft. The minimum distance from a turbine to a nonparticipating home is 1457 ft, and the mean distance from turbines to nonparticipating homes is 2430 ft. These longer setback distances to nonparticipating landowners serve to further minimize the potential for turbine shadowing.

In addition to maximizing the distance from turbines to both participating and nonparticipating homes, in the few instances where turbines are sited closest to homes (under 1200 feet) whether participating or not, the turbines were generally not sited to the south of the home. Because Minnesota is in the northern hemisphere, the sun is in the southern sky, which causes turbine shadows to occur mostly to the north of the unit. Siting turbines in this fashion works to minimize the potential for shadow flicker.

An October 1, 2008 DNV-GEC study for the Glacier Hills Wind Energy Project, which is located in Columbia County, Wisconsin and is geographically comparable to OGWF, projects a maximum of 63 hours per year of shadow flicker from a turbine to a home 1000 ft to the northeast of the turbine, which is the bearing of maximum potential impact. The study assumes the turbine is always spinning, and that it is always facing the sun, which is unlikely, but maximizes potential impact. A turbine facing the sun casts the largest shadow, while a turbine facing perpendicular to the sun casts the smallest shadow. In actual operation, a turbine will face into the wind, which may or may not also be into the sun. The predominant wind direction for Oak Glen is from the south, with a strong secondary component from the west by northwest. The study assumes half the days of the year are cloudy, which reduces the projected shadowing from 126 hours to 63. In our specific project area, annual cloud cover is estimated to be approximately 43%. We could therefore expect approximately 72 hours of potential shadow from a turbine to a house at 1000 ft to the northeast of a turbine assuming worst-case operating conditions. However, Oak Glen's closest proximity and bearing to a home, whether participating or not, is 931 ft to the southwest of a turbine. The aforementioned DNV-GEC study projects zero (0) total annual hours of shadow flicker at a home 1000 ft to the southwest of a turbine in an area geographically comparable to the OGWF project area. As previously described, homes to the south of turbines will receive minimal shadowing because the sun is in the southern sky and therefore casts the turbine's shadow to the north. By maintaining a mean distance from the wind turbines to nearest homes, whether participating or not, of 1459 ft and nonparticipating homes of 2430 ft, and siting turbines north of homes, OGWF has worked to minimize the potential impact of shadow flicker to both participating and nonparticipating landowners through siting awareness and by maximizing the distances between the wind turbines and homes.

In developing our proposed layouts, Oak Glen Wind Farm has strived to site the project and turbines carefully and responsibly. In the event circumstances should arise whereby unintended impacts to homes should occur, the turbine manufacturer Vestas has advised us that a shadow control feature will be available in late 2010 for units operating in North America which would be considered where necessary. This feature can be fitted to units already in service, and is intended to both monitor and mitigate this unlikely occurrence through controlled curtailment of a unit.

Audible / Sub-Audible Noise

Oak Glen Wind Farm has developed turbine locations that maximized the distance between turbines and sound receptors while still making efficient use of the wind resource in the area. During our wind turbine selection process, a due diligence review was performed for Oak Glen by an independent third party engineer (DNV-GEC) where a number of different manufacturers were considered. Sound performance ratings were reviewed as a competitive metric between the various manufacturers. The Vestas units were selected for this project, in part, based upon anticipated advantages with respect to noise performance. The manufacturer, Vestas, indicates that the low-frequency components of the overall noise spectrum produced by the wind turbines selected for this project are lower in amplitude than the other components of the noise spectrum generated by the units. Information provided to us by the manufacturer supports our understanding that the most effective mitigation measure regarding all aspects of sound generated by the units is to maximize distance between homes and the units, and to ensure the units are sited and installed in strict accordance with the manufacturer's requirements. During our initial micro-siting process, we have worked to site wind turbines carefully and responsibly to exceed the state noise standard. Additionally, the turbine supply agreement with Vestas includes provisions whereby sound level performance is guaranteed by the manufacturer, and if the performance

levels are not achieved, the manufacturer bears responsibility for any curtailment necessary to achieve the performance standards set forth in their agreement.

The Oak Glen Wind Farm proposed turbine locations exceed the state noise standard which is defined as a distance requirement of not less than 500 ft between a home and a turbine and also satisfy the 50 dB(A) noise standard in Minnesota Rule Ch. 7030, whichever results in a greater distance. Modeling results show the proposed turbine locations for the Oak Glen project exceed the noise standard requirement of 50dB(A) as well as the 500 ft distance requirement. The average distance from a turbine to the nearest home, whether participating or not, is 1459 ft. Only two participating homes are closer than 1000 ft, where the closest distance between a turbine and a participating home is 931 ft. The average distance from a turbine to the nearest non-participating home is 2430 ft, with a minimum distance of 1457 ft. The increased distances we have been able to provide in our siting efforts facilitates the dissipation of sound waves before reaching dwellings and approach the natural ambient noise levels of the area. Oak Glen Wind Farm will also be engaging the services of a qualified acoustical consultant to participate in the micrositing design phase and the post-construction performance evaluation phase of the project, including compliance with the provisions identified under section F.2 of the Draft Site Permit for a noise study proposal designed to determine the noise levels at different frequencies and at various distances from the turbines at various wind directions and speeds.

Impact of Project on Non-Participating Landowners and Other Non-Participating Persons Likely to be affected.

The Oak Glen Wind Farm is intended to have a positive impact on non-participating persons likely to be affected by this project. The local Steele County community, where the project is located, will realize benefits from the project and the Minnesota Municipal Power Agency member communities, which will own and operate the facility, will meet a significant portion of their state mandated renewable energy requirement from this project. In working to meet the State mandate for renewable energy, it is believed that the very intent of the state mandate and therefore this project is to provide an overall positive impact to the residents of Minnesota including but not limited to non-participating landowners and other non-participating persons who are likely to be affected by this project.

As noted by the Steele County Board of Commissioners in their June 8, 2010 correspondence to the Office of Energy Security, Steele County has a strong interest in supporting renewable energy. The residents of the County will have an opportunity to learn about renewable energy, and the project presents an opportunity for construction and maintenance jobs in the region. Local businesses and material suppliers will be utilized by the project wherever possible. The County will receive revenue from the project in the form of an annual Wind Energy Production Tax payment. Income provided to participating landowners where turbines are sited should also benefit non-participating entities through increased local spending as local incomes rise. Oak Glen has selected a Minnesota based construction contractor, Mortenson Construction as site manager for the construction and erection of the project, which contributes to Minnesota jobs for home office and administrative support positions held by non-participating persons likely to be affected by this project.

Many non-participating landowners in general proximity to the project have expressed an interest in becoming part of the project. This indicates a preference among some non-participating landowners to become project participants, and that their status as non-participants is a matter of project selection rather than non-participation because of opposition to the project.

During the project's construction, close coordination with local landowners, both participating and non-participating, will be necessary for the control and management of traffic. Permitted loads and other construction related activity will be carefully coordinated but will likely result in some level of temporary disruptions to routine travel in the project area. However, the project will need to make improvements on many local roads to accommodate project support vehicles. Some of those improvements will remain in place and benefit local residents after the construction project has been completed.

The project will have a positive impact that reaches beyond Minnesota as well. During our negotiations with the turbine manufacturer Vestas, we managed to ensure that the towers would be manufactured in the United States as opposed to the originally proposed source of Vietnam. We were also successful in negotiating that the nacelle units, hubs and blades would be assembled and shipped from manufacturing facilities in Colorado, instead of being shipped overseas from Denmark as originally proposed.

These measures have been intended to provide a positive benefit to a wide variety of non-participating persons likely to be affected by this project.

Thank you for the opportunity to provide further comment in support of our site permit application for the Oak Glen Wind Farm.

Sincerely,
Avant Energy Services
Agent for MMPA

A handwritten signature in black ink, appearing to be 'BF', with a long horizontal flourish extending to the right.

Bruce Freeman
Sr. Project Executive

Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-40



June 18, 2010

Ingrid Bjorklund, State Permit Manager
Minnesota Office of Energy Security
85 7th Place East, Suite 500
St. Paul, MN 55101

Re: Oak Glen Wind Farm Draft Site Permit [PUC Docket Number: IP-6839/WS-10-119]

Dear Ms. Bjorklund:

The Minnesota Department of Natural Resources (DNR) has reviewed the Draft Site Permit for the Oak Glen Wind Farm and provides the following comments.

The project proposer for the Oak Glen Wind Farm has responded to natural resource concerns expressed by agencies and identified by site surveys by adjusting the site layout and boundary to avoid rare species, possible flyways and other areas with risk for resource impacts. The DNR appreciates these efforts to develop renewable energy while working to avoid wildlife impacts. With the current information available, and due to the adjustments that have been made, the site is not considered a high risk site for wildlife impacts. Please consider the following comments based the revised project boundary.

Note that a State Game Refuge, with boundaries shown on the attached map, has been identified within the project area. State Game Refuges prohibit the hunting or trapping of some or all wild animals within the refuge (M.S. 97A.085). State Game Refuges are designated by the DNR Commissioner based on public support and public meetings, are often associated with Wildlife Management Areas or other high value habitats, and may attract concentrations of ducks or geese. For additional information please access the following link: <http://www.dnr.state.mn.us/wildlife/shallowlakes/refuges.html>. The DNR Area Wildlife Manger is aware of hundreds to thousands of ducks and geese feeding in agricultural areas within this State Game Refuge. The DNR suggests locating turbines outside of the State Game Refuge boundary if possible due to the use of the area by ducks and geese. If this is not possible, the applicant should notify the DNR for any additional coordination regarding this natural resource feature.

Page 13 of the Oak Glen Site Characterization Study by West, Inc. recommends acoustics to gauge bat activity and a mortality survey. The DNR encourages these studies and is available for coordination regarding study methods.

Thank-you for the opportunity to review the Oak Glen Wind Farm Draft Site Permit. Please contact me with any questions.

Sincerely,

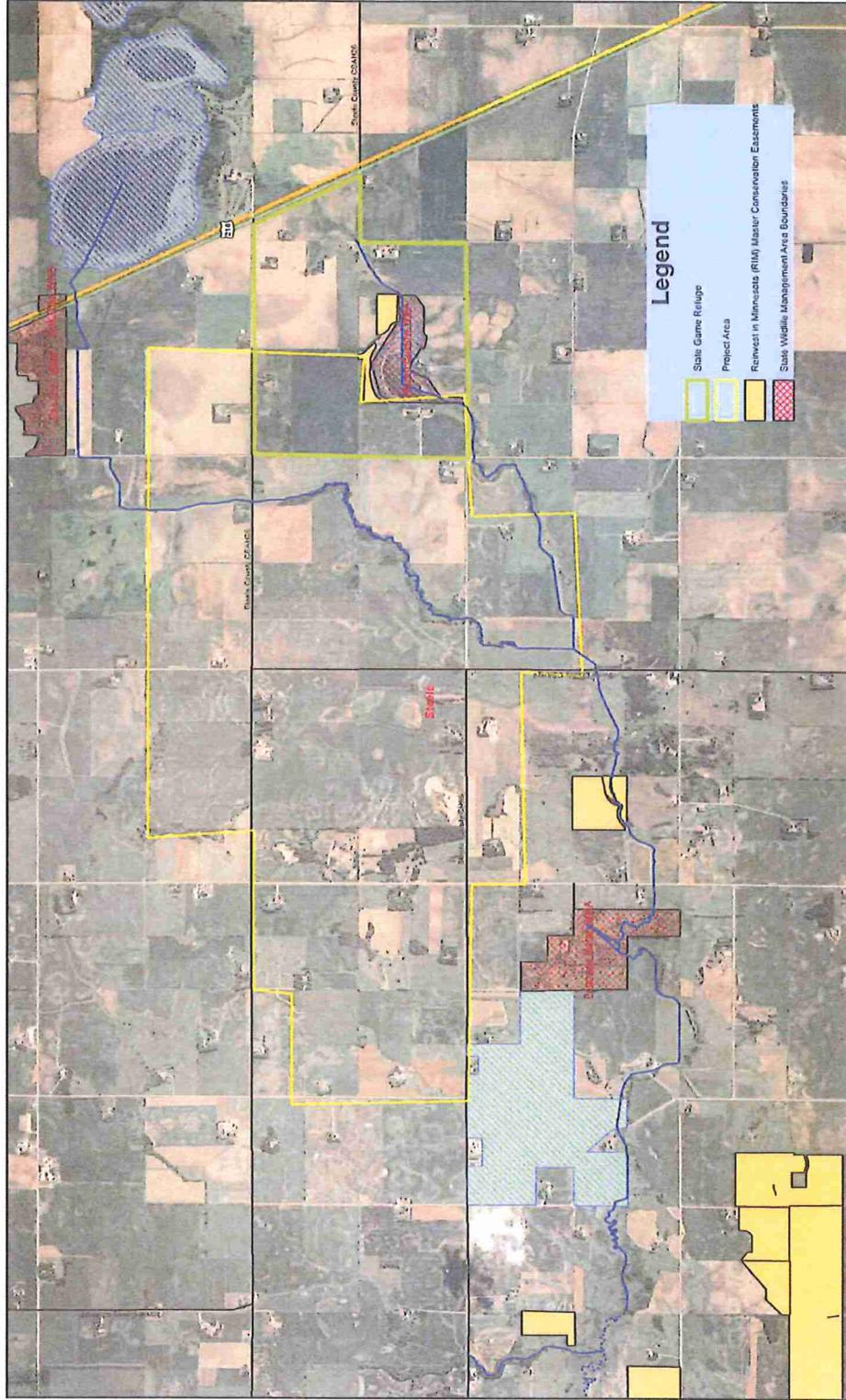
A handwritten signature in black ink that reads "Jamie Schrenzel".

Jamie Schrenzel
Principal Planner
Environmental Review Unit
(651) 259-5115

Enclosures: 1

Bjorklund 6/18/2010

Oak Glen LWECs





Minnesota Department of Transportation

Office of Technical Support

395 John Ireland Boulevard

Saint Paul, MN 55155

Phone: 651-366-4635

Fax: 651-366-4769

stacy.kotch@state.mn.us

Mailstop 678

Date: June 17, 2010

Ingrid Bjorklund
State Permit Manager
Minnesota Office of Energy Security
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

RE: In the Matter of Oak Glen Wind Farm, LLC. 44 MW Large Wind Energy Conversion System
PUC Docket Number: IP-6839/WS-10-119

Dear Ms. Bjorklund:

On May 12, 2010, the Minnesota Office of Energy Security (OES) issued a Notice of Draft Site Permit Issuance and Public Information Meeting, which includes a public comment period regarding the content of the Draft Site Permit with respect to the application by Oak Glen Wind Farm, LLC for a site permit for a 44 MW Large Wind Energy Conversion System (LWECS) located in Steele County. The Minnesota Department of Transportation (Mn/DOT) has reviewed the draft site permit regarding the proposed project and submits the following comments in response to the Notice.

Based on the information provided in the Oak Glen Wind Farm Draft Site Permit, it does not appear that the proposed wind farm project area, it's associated substation or 69kV line directly abut a state trunk highway. Therefore, the project's impact on the trunk highway system appears to be limited to the temporary activities associated with the construction process and the transport of materials to the constructions site.

Any HVTL construction work, including delivery or storage of structures, materials or equipment that may affect Mn/DOT right-of-way is of concern such that Mn/DOT should be involved in planning and coordinating such activities. In the summer of 2010, Mn/DOT District 6 plans to complete a crack seal maintenance project on US 218 from US 14 to Blooming Prairie. There are currently no other Mn/DOT highway projects planned or programmed for this area. Please note that if work is required within Mn/DOT right of way for temporary or permanent access, such work should be coordinated with Terry Condon in Mn/DOT's District 6B Utility Permits Office at 507-446-5505 or Terry.Condon@state.mn.us. The site permit should include language specifying that the Permittee shall obtain all relevant permits from road authorities relating to the transport of materials and equipment related to the project over public roads, such as oversize or overweight vehicles. To find out more information on applying for oversize/overweight permits,

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please contact Mn/DOT's Office of Freight and Commercial Vehicle Operations at 651-296-6000 or ofcvopermits.dot@state.mn.us.

Mn/DOT appreciates the opportunity to provide these comments.

Sincerely,



Stacy Kotch

Utility Transmission Route Coordinator

Minnesota Department of Transportation

395 John Ireland Blvd., Mailstop 678

St. Paul, MN 55155

cc: Bruce Freeman – Avant Energy

Mark Schoenfelder – District 6

Terry Condon – District 6

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