



85 7th Place East, Suite 500, St. Paul, MN 55101-2198
main: 651.296.4026 tty: 651.296.2860 fax: 651.297.7891
www.commerce.state.mn.us

March 23, 2009

Arshia Javaherian
Alliant Energy / Wisconsin Power and Light Company
4902 North Biltmore Lane
Madison, WI 53718

Wayne Sorensen
Freeborn County Environmental Services
411 S. Broadway
PO Box 1147
Albert Lea, MN 56007

**Re: Bent Tree Wind Project 161 kV Radial Transmission Line – Local Review
PUC Docket Number: ET6657/LR-09-177**

Dear Mr. Javaherian and Mr. Sorensen,

This letter confirms that the Minnesota Public Utilities Commission (PUC or Commission) has received notification that Wisconsin Power and Light Company (WPL) intends to seek local review for construction of a 161 kilovolt (kV) transmission line and associated substation to connect the proposed Bent Tree Wind Project to the electrical transmission grid at the Hayward substation, near Albert Lea, MN. The transmission line would be approximately 16.3 miles long and located in Freeborn County, MN.

Under the Power Plant Siting Act, a permit from the Commission is required for transmission line projects over 100 kV (Minn. Stat. § 216E). However, local review and permitting is possible for eligible projects. For such projects, a utility may apply to a local unit of government instead of the Commission for a permit to build the project. This letter confirms that the proposed Bent Tree Wind Project 161 kV radial transmission line and associated substation is eligible for local review (Minn. Stat. § 216E.05).

Wisconsin Power and Light Company has indicated that Freeborn County is the local unit of government with jurisdiction to permit the project. A conditional use permit application was submitted to the county on February 12, 2009. A local unit of government may relinquish its jurisdiction by requesting the Commission to assume jurisdiction within 60 days of the filing of an application with the local unit of government (Minn. Rules 7849.6200, subp. 4).

An environmental review process, including the development of an environmental assessment, must be conducted by the local unit of government with jurisdiction over the project. This letter acknowledges that Freeborn County is the responsible governmental unit (RGU) for WPL's proposed project and associated environmental review.

Specific requirements with regard to the environmental review process include: (1) providing an opportunity for the public to participate in the development of the scope of the environmental assessment before it is prepared, (2) publishing notice in the EQB Monitor when the assessment is available for review and the procedure for commenting on the assessment, and (3) withholding a final decision on the project until at least ten days after the notice appears in the EQB Monitor. Freeborn County must also provide a copy of the environmental assessment to the Commission when it is completed (Minn. Rules 7849.6200, subp. 5). Electronic filing (eFiling) of the environmental assessment is encouraged; files of less than five megabytes (5 MB) in size are also encouraged.

This letter confirms that Wisconsin Power and Light Company has sent the required notice to those persons on the Commission's general notification list that a permit has been applied for from a local unit of government (Minn. Rules 7849.6200, subp. 3).

Finally, it should be noted that the proposed 161 kV radial transmission line and associated substation are currently being considered in a Commission Certificate of Need proceeding as part of the Bent Tree Wind Project (PUC Docket Number: CN-07-1425). Accordingly, it appears that permitting of the radial transmission line and substation is dependent upon a determination by the Commission that the wind project and associated facilities are needed by the State of Minnesota. Thus, though the environmental review process may proceed, Freeborn County may not issue a permit for the project prior to such a determination.

Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Kirsch". The signature is fluid and cursive, with a large loop at the end.

Ray Kirsch
Planner, Energy Facility Permitting
Office of Energy Security

cc: Burl Haar, PUC
Bob Cupit, PUC