

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Elm Creek Wind, LLC, for a Certificate of Need for a Large Energy Facility, the Elm Creek Wind Project in Jackson and Martin Counties

**SUMMARY OF PUBLIC COMMENTS
RECEIVED**

On June 21, 2007, Elm Creek Wind LLC (Elm Creek or the Applicant) filed an application for a certificate of need and, simultaneously, a request for an exemption from certain certificate of need filing requirements and a variance to the timing of an exemption request. On August 1, 2007, the Commission issued its Order granting exemptions proposed by the Applicants and referring the matter to the Office of Administrative Hearings to conduct a public hearing and provide a summary of the public comments received. Administrative Law Judge Steve M. Mihalchick conducted the public hearing the evening of November 27, 2007, at the AmericInn, Jackson, Minnesota.

The Applicant is a wholly-owned subsidiary of PPM Energy, Inc. It will construct, own, and operate the Elm Creek Wind Project in partnership with landowners in and near the project area, who are organized as Kimball Wind, LLC.

The project is located primarily in eastern Jackson County and extends slightly into western Martin County. The project will have a nameplate capacity of up to 100 MW and consist of up to 66 wind turbine generators. Assuming net capacity factors between 35 and 45 percent, projected average annual output will be between about 306,000 and 393,500 MWh. The power generated by the project will be offered for sale to wholesale customers, including Minnesota utilities and cooperatives that have a need for additional renewable energy, particularly, wind energy.

Elm Creek is planning to have the project constructed and in service by December 31, 2008. This is necessary to take advantage of the federal Production Tax Credit, which is set to expire on that date.

Notice of the public hearing was filed and posted on the Commission's Edocket system on November 13, 2007. It was also mailed to interested persons on November 13, 2007. The notice was published in the Jackson County Pilot on November 15,

2007. It was posted at 32 State Register 910 and on page 5 of the EQB Monitor of November 19, 2007.

Approximately seven members of the public attended the public hearing. In addition, approximately six people were present on behalf of the Applicant and two people were present on behalf of the Department of Commerce. They described the application process, the nature of the project, the participation and support of the landowner group, and the role of the Department and its recommendation for approval of the project.

After the presentations by the Applicant and Department, members of the public were invited to ask questions or make comments. None did. The Administrative Law Judge invited the public to submit written comments within a week and then adjourned the hearing at approximately 6:32 p.m. Several individual conversations then took place among the members of the public and the Applicant's and Department's personnel.

No public comments have been received by the Administrative Law Judge. If any are, they will be submitted to the Commission.

Dated: December 3, 2007

/s/ Steve M. Mihalchick
STEVE M. MIHALCHICK
Administrative Law Judge

Reported: Digitally recorded; no transcript prepared.