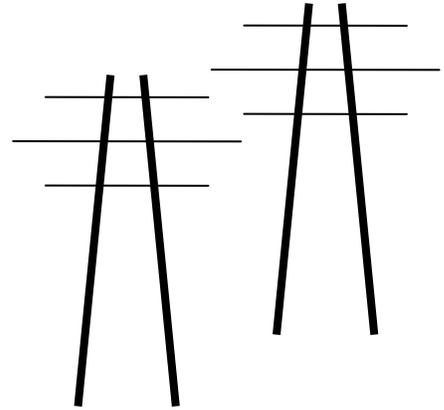


# Legalelectric, Inc.

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August 2, 2016

Dan Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 – 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101

RE: Petition for Rulemaking for Wind Turbine Noise Standards, Minn. R. Ch. 7030  
Bent Tree Wind Project - PUC Docket: ET-6657/WS-08-573  
Public Health Impacts of Wind Turbines – PUC Docket: CI-09-845

Dear Mr. Wolf:

Enclosed please find **Petition for Rulemaking** directed today to the Minnesota Pollution Control Agency regarding wind turbine infrasound noise standards, and also please find my January 30, 2010 correspondence on behalf of the Midwest Coalition for Sensible Siting.

Last week, I viewed the Commission's meeting and was struck by the Commission's acknowledgement and yet failure to address the recognized need for wind turbine noise standards. The lack of standards was specifically raised by Commissioners in the meeting, and the Commission can take up rulemaking on its own initiative. That did not happen. The Commission's rules in Chapter 7854 are inadequate, and must be amended, and that rulemaking process is overdue.

Regarding noise standards of the MPCA, those standards found in Minn. R. Ch. 7030 are also admittedly not applicable to wind turbines to the extent that they do not address infrasound. Please note the Petition for Rulemaking filed with the MPCA today.

Because the Public Utilities Commission has recently initiated wind turbine noise studies, those should be performed in conjunction with, and utilized by, the MPCA to develop wind turbine noise standards. The Commission should also avail itself of the opportunity to commence with updating the wind siting rules found in Minn. R. Ch. 7854. At this time, I request that

rulemaking commence and that a rulemaking advisory committee be appointed to address Minn. R. Ch. 7854, as provided by Minnesota statute. Minn. Stat. §14.101.

Wind noise and siting issues have been raised continuously since the Kenyon Wind Project in 2005, the first C-BED siting docket under Minn. Stat. §216F. Many concerned citizens have raised these issues at the Public Utilities Commission while participating in various siting dockets for projects in their communities and others, including the Power Plant Siting Act Annual Hearing.

Seven years ago, a docket was initiated by the Minnesota Department of Public Health (PUC Docket 09-845) based on the DoH report, "Public Health Impacts of Wind Turbines," but to date the Commission has taken no action to address siting standards.

It is the Commission's responsibility to oversee wind project siting. Respectful wind siting standards are needed. The Commission should do more than throw up its collective hands and say, "There are no standards." I've been told that Ch. 7854 rulemaking is next on the Commission's agenda. If a rulemaking petition is necessary to get this moving, that can be arranged.

If you have any questions or require anything further, please let me know.

Very truly yours,

A handwritten signature in cursive script that reads "Carol A. Overland".

Carol A. Overland  
Attorney at Law