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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT

Date Received: February 7, 2011

Response Date: February 17, 2011

GENERAL OBJECTIONS

1. AWA Goodhue objects to each information request to the extent that it seeks information that is subject to the attorney-client privilege, work product privilege or other privilege on the ground that privileged matter is exempt from discovery.

2. AWA Goodhue objects to any and all instructions or definitions beyond the requirements imposed or permitted by the Minnesota Rules of Civil Procedure or Minnesota Rules Parts 1400 and 1405.

3. AWA Goodhue does not waive any of their general or particular objections in the event it furnishes information or documents coming within the scope of any such objections.

Without waiving the foregoing general objections, and pursuant to the Minnesota Rules of Civil Procedure and Minnesota Rules Parts 1400 and 1405, AWA Goodhue has enclosed responses to GWT's Information Request Nos. 13 – 35.

Response by: Mark Ward

List sources of information:

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 13

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
13.	<p>Please provide copies of all notes and internal memoranda you referred to in preparing your testimony.</p> <p>Response: AWA Goodhue objects to this information request to the extent it seeks information that is protected by the attorney-client privilege or work product protection.</p> <p>Without waiving the foregoing objection, notes and memoranda are included on the enclosed CD.</p>

Response by: Mark Ward

List sources of information: _____

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 14

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
14.	<p>Direct Testimony, p. 3, line 20-21. Provide citation in the PUC’s approval of PPA “as being consistent with the public interest.”</p> <p>Response: <i>MPUC Order Approving PPAs, Approving Contract Amendments and Requiring Further Filings</i>, Dockets No. E002/M-09-1349 and E002/M-09-1350, (April 28, 2010) p. 8-9.</p>

Response by: Mark Ward

List sources of information:

Title: Chief Manager

Docket Nos. E002/M-09-1349 and E002/M-09-1350

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT

Information Request No. 15

Date Received: February 7, 2011

Response Date: February 17, 2011

Request
No.

15.

Direct Testimony, p. 3, line 22-p. 4, line 2.

- a. Identify “qualifying owners” of this project as currently organized.
- b. Identify “local entities” receiving gross revenues flowing from the project and percentages expected to be received.
- c. Please provide documentation of statement that 51% of project’s gross revenues will flow to Minnesota residents.
- d. What percentage of the project’s gross revenues will flow to individual Goodhue county residents?
- e. Without identifying specific residents, please provide supporting documentation sufficient for us to verify your response.

Response: AWA Goodhue objects to this information request because it seeks information that is not relevant and is not reasonably calculated to lead to relevant information. The MPUC specifically considered and decided not to include issues related to the project’s C-BED designation as part of this ALJ proceeding. (Audio Recording of MPUC Hearing, October 21, 2010, available on the MPUC website and MPUC Notice and Order for Hearing IP6701/WS-08-1233 (Nov. 2, 2010)). Subject to the foregoing, see Comments of the Minnesota Office of Energy Security in Docket Nos. E002/M-09-1349 and E002/M-09-1350 (February 12, 2010).

Response by: Mark Ward

List sources of information:

Title: Chief Manager

Company: AWA Goodhue, LLC

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 16

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
16.	<p>Direct Testimony, p. 4, line 1-2. Provide documentation that “this project is intended to help Xcel Energy fulfill its obligations under Minnesota’s renewable energy policies,” i.e., citation to Integrated Resource Plan or Renewable Energy Plan filings.</p> <p>Response: See Xcel Energy’s 2010 Resource Plan, Docket No. E002/RP-10-825, (August 2, 2010) p. 5-1.</p>

Response by: Mark Ward

List sources of information:

Title: Chief Manager

MPUC Docket No. E002/RP-10-825

Company: AWA Goodhue, LLC

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT

Information Request No. 17

Date Received: February 7, 2011

Response Date: February 17, 2011

Request No.	
17.	<p>Direct Testimony, page 4, line 10-12.</p> <p>Response: AWA Goodhue objects to this information request because it seeks information that is not relevant and is not reasonably calculated to lead to relevant information. The MPUC specifically considered and decided not to include issues related to the project's C-BED designation as part of this ALJ proceeding. (Audio Recording of MPUC hearing, October 21, 2010, available on the MPUC website and MPUC Notice and Order for Hearing IP6701/WS-08-1233 (Nov. 2, 2010)).</p> <p>AWA Goodhue also objects to this information request to the extent it seeks information from Ventem Energy, LLC, an entity not a party to this proceeding.</p> <ol style="list-style-type: none"> a. Is Ventem Energy, LLC the Ventem Energy, LLC listed at the Minnesota Secretary of State's website, Filing number 3892795-2? Please provide registration documents. b. Is the Agent, Richard Gorman, the same Richard Gorman who is City Attorney for City of Goodhue? c. How many of the area residents and landowners comprising Ventem Energy, LLC are currently residents of Goodhue County? d. Upon commercial operation, what is the expected ownership split (expressed in percentages) between Ventem Energy LLC and AWA? e. What is impact of agreements between Ventem Energy LLC and AWA on the November 17, 2008 prospectus and investments made under same?

Response by: Mark Ward

List sources of information: _____

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 18

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
18.	<p>Direct Testimony, p. 5, 1. 9-11 re: ALJ Lipman’s Summary of Public Testimony.</p> <p>a. Provide copy of ALJ Lipman’s Summary of Public Testimony referenced.</p> <p>Response: ALJ Lipman’s summary is available on eDockets in Docket No. IP6701/WS-08-1233. See eDockets Document No. 20109-54181-01.</p> <p>b. Provide a copy of all documents and testimony submitted by applicants at that hearing and in that record.</p> <p>Response: All of AWA Goodhue’s written hearing comments are available on eDockets in Docket No. IP6701/WS-08-1233. In addition, AWA Goodhue paid for a public copy of the hearing transcript, which has been and continues to be available at the Goodhue Public Library. A copy of AWA Goodhue’s hearing slide presentation and poster boards also included in the enclosed CD.</p>

Response by: Chuck Burdick

List sources of information:

Title: Senior Wind Developer

MPUC Docket No. IP6701/WS-08-1233

Company: National Wind, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 19

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
19.	<p>Direct Testimony, p. 5, 1. 12-15. Provide copies of all state and federal agency comments and letters to project applicants and/or the Public Utilities Commission and/or Office of Energy Security.</p> <p>Response: The following documents in eDockets contain agency comments and letters to AWA Goodhue, the MPUC and OES:</p> <p> <u>200910-43024-03</u> Section E of the amended site permit application; <u>200911-44365-01</u> Supplemental filing; <u>20104-48870-01</u> Application and Issue to consider in draft site permit; <u>20109-54095-05</u> Public Comment – Department of Natural Resources Comment; <u>20109-54095-03</u> Emailed from Commenters – D-H </p> <p>Additional comments and letters are included in the enclosed CD.</p>

Response by: Chuck Burdick

List sources of information:

Title: Senior Wind Developer

MPUC Docket No. IP6701/WS-08-1233

Company: National Wind, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 20

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
20.	<p>Direct Testimony, p. 5, 1. 12-15. Provide notes and correspondence between applicants and all state and federal agencies, including but not limited to FAA, USFWS, DNR, townships and Goodhue County</p> <p>Response: AWA Goodhue objects to this request to the extent it seeks information protected by attorney-client privilege or other work product protection. Subject to and notwithstanding the foregoing objection, AWA Goodhue states as follows:</p> <p>Responses to GWT IRs #19 and 21 are incorporated by reference. Additional notes and correspondence are provided on the enclosed CD.</p>

Response by: Chuck Burdick

List sources of information:

Title: Senior Wind Developer

MPUC Docket No. IP6701/WS-08-1233

Company: National Wind, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT

Information Request No. 21

Date Received: February 7, 2011

Response Date: February 17, 2011

Request No.	
21.	<p>Direct Testimony, p. 5, 1. 12-15. Provide copies of permit applications for all state and federal permits required for this project.</p> <p>Response: Copies of the MPUC site permit and certificate of need applications are available on eDockets in MPUC Docket Nos. IP6701/WS-08-1233 and IP6701/CN-09-1186. Copies of other permit applications are included on the enclosed CD.</p>

Response by: Chuck Burdick

List sources of information:

Title: Senior Wind Developer

MPUC Docket No. IP6701/WS-08-1233

Company: National Wind, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 22

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.

22.

Direct Testimony, p. 6, line 6-19. In the following questions, “you” refers to “you” singularly, and also in plural referring to each and all of the entities involved in this project.

Response: AWA Goodhue objects to this request to the extent it seeks information protected by attorney-client privilege or other work product protection. Subject to and notwithstanding the foregoing objection, AWA Goodhue states as follows:

a. Your testimony states that “although we attended the meetings...” By “we” who are you referring to and in what official capacity?

Response: I did not personally attend any of the County meetings. AWA Goodhue gave National Wind and Fredrikson & Byron, P.A. direction and authority to attend the meetings as Goodhue Wind project representatives. By “we” I mean officers of AWA Goodhue, LLC and employees of National Wind and Fredrikson & Byron, P.A. acting on behalf of AWA Goodhue, LLC.

b. Identify what parties attended Planning Advisory Commission and subcommittee meetings by date, name and business organization.

Response:

Date	Organizer	County Representatives	Project Representatives	Other Attendees
9/21/2010*	Goodhue PAC	PAC	Ben Kerl, Chuck Burdick, Christy Brusven	Public
8/16/2010*	Goodhue PAC	PAC	Ben Kerl	Public
8/3/2010	Goodhue PAC	Subcommittee	Ben Kerl, Chuck Burdick	Public
7/27/2010	Goodhue PAC	Subcommittee	Ben Kerl	Public
7/19/2010*	Goodhue PAC	PAC	Ben Kerl	Public
7/7/2010	Goodhue PAC	Subcommittee	Ben Kerl	Public
6/29/2010	Goodhue PAC	Subcommittee	Ben Kerl	Public
6/22/2010*	Goodhue PAC	Subcommittee	Ben Kerl	Public
6/8/2010	Goodhue PAC	Subcommittee	Ben Kerl	Public
5/27/2010	Goodhue PAC	Subcommittee	NOT PRESENT	Public
5/17/2010	Goodhue PAC	Subcommittee	Ben Kerl, Chuck Burdick	Public
5/11/2010	Goodhue PAC	Subcommittee	Ben Kerl	Public

4/19/2010*	Goodhue PAC	PAC	Ben Kerl, Chuck Burdick	Ben Kerl, Chuck Burdick
3/16/2010*	Goodhue PAC	PAC	Ben Kerl	Public

- c. How many County Board meetings, Planning Advisory Commission, subcommittee meetings referenced in your testimony did you attend? Provide dates, identify entity holding meeting, agenda item of interest, copies of presentations and handouts, and description of participation in meeting.

Response: See (b) above. In addition, we attended the following County Board meetings in 2010:

Date	Organizer	County Representatives	Project Representatives	Other Attendees
11/16/2010	Goodhue County	County Board	Chuck Burdick, Ben Kerl, Al Mitchell	Public
10/5/2010*	Goodhue County	County Board	Chuck Burdick, Ben Kerl, Todd Guerrero, Brian McCool	Public
6/15/2010	Goodhue County	County Board	Chuck Burdick, Ben Kerl, Christy Brusven	Public
5/4/2010*	Goodhue County	County Board	Ben Kerl, Christy Brusven	Public
1/19/2010*	Goodhue County	County Board	Chuck Burdick, Ben Kerl, Christy Brusven	Public

Agendas of the County meetings are available on the Goodhue County website.

- d. Please provide copies of notes of meetings, notes of calls, emails, memos, or other correspondence received or generated by you regarding the meetings of the Planning Advisory Commission or the subcommittee.

Response: Subject to the objection above, notes, emails, etc. are provided on the enclosed CD.

- e. Your testimony states that “we were allowed only limited opportunities to participate in the discussion.” At meetings where you claim only limited opportunities, identify by date, agenda item as noted on agenda, and “your” involvement in item on agenda.

Response: See (b) – (d) above. At the meetings starred in the tables above, our project representatives were generally allowed to make short, time-limited statements or respond to direct questions for the Board, PAC or subcommittee members. For all other meetings, we were simply members of the observing public.

- f. Was the format of the meetings one for public input and discussion?

Response: See (b) – (d) above.

- g. Were you afforded more or less opportunity than members of the public?

Response: We were afforded an equal opportunity to participate as members of the public, though less opportunity than opposing interest groups who sponsored various amendments to the County WECS ordinance.

- h. Could you submit written comments and information to the County Board?

Response: Yes.

- i. Provide copies of written comments and information submitted to County Board.

Response: Written comments and information AWA Goodhue submitted to the County Board are provided on the enclosed CD.

- i. Could you submit written comments and information to the Planning Advisory Committee?

Response: Yes.

- i. Provide copies of written comments and information submitted to PAC.

Response: Written comments and information AWA Goodhue submitted to the PAC are provided on the enclosed CD.

- j. Could you submit written comments and information to the Planning Advisory Committee's subcommittee?

Response: Yes.

- i. Provide copies of written comments and information submitted to PAC subcommittee.

Response: Written comments and information AWA Goodhue submitted to the PAC's subcommittee are provided on the enclosed CD.

- k. Did you meet or attempt to meet with County Board members?

Response: Yes.

- i. Please provide names, dates of contacts, notes and information exchanged.

Response: The following table summarizes meetings in 2010 where we have record of meeting with County Board, PAC and subcommittee members:

Date	Organizer	County Representatives	Project Representatives	Other Attendees
11/9/2010	National Wind	Rechtzigel	Mark Ward, Ben Kerl, Chuck Burdick	Corky Buckingham
11/5/2010	National Wind	Rechtzigel	Ben Kerl, Chuck Burdick	Richard Gorman
11/5/2010	National Wind	Seifert	Ben Kerl, Chuck Burdick	
7/21/2010	National Wind	Rechtzigel	Chuck Burdick	Tim Casey, Scott Zilka
7/12/2010	National Wind	Bauer	Chuck Burdick	Keith Thorstad
7/12/2010	National Wind	Bryant	Chuck Burdick	Wayne Gadiant
6/11/2010	National Wind	Bryant	Chuck Burdick	Wayne Gadiant
4/27/2010	National Wind	Bauer	Pat Pelstring	Neal Jensen
4/15/2010	Zumbrota	Bauer	Ben Kerl	Public
4/8/2010	National Wind	Wozniak	Ben Kerl, Pat Pelstring	
4/5/2010	National Wind	Rechtzigel	Ben Kerl	Gary Luebke
4/1/2010	Zumbrota	Bauer	Ben Kerl	Public
3/18/2010	Zumbrota	Bauer	Ben Kerl	Public
1/13/2010	National Wind	Bryant	Ben Kerl, Chuck Burdick	Wayne Gadiant, Doug Nowicki

l. Did you meet or attempt to meet with Planning Advisory Commission members?

Response: Yes.

i. Please provide names, dates of contacts, notes and information exchanged.

Response: See response to k(i) above.

m. Did you meet or attempt to meet with Planning Advisory Commission subcommittee members?

Response: Yes.

i. Please provide names, dates of contacts, notes and information exchanged.

Response: See response to k(i) above.

Response by: Mark Ward and Chuck Burdick

List sources of information:

Title: _____

Company: _____

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 23

Date Received: February 7, 2011 Response Date: February 17, 2011

Request
No.

23.

Direct Testimony, p. 6, lines 6-21. When did you, AWA Goodhue, or National Wind first become aware that Goodhue County was considering changes to its WECS ordinance?

Response: Steve Groth and Paul Reese applied for a change to the ordinance in January 2010. The Goodhue County Board of Commissioners heard agenda items related to its WECS ordinance on May 4, 2010 and October 5, 2010. From the Goodhue County minutes on May 4:

This application was submitted in January. The Planning Advisory Commission (PAC) considered the issue at the March meeting and received extensive comments on the issue. The Planning Advisory Commission (PAC) has recommended DENIAL of the proposed Interim Ordinance to establish a Moratorium on the construction of any Commercial Wind Energy Conversion Systems (WECS) in any Zoning District in the County. In addition the PAC has recommended DENIAL of the proposed Zoning Ordinance Text Amendment to amend various provisions of Article 18 (WECS Regulations) applied for by Steve Groth and Paul Reese. The Planning Advisory Commission expressed support for the PAC Chairman to appoint 4 members of the PAC to a sub-committee to develop a proposal for amending Article 18, for referral back to the full PAC by the regular June, 2010 PAC Meeting.

Response by: Chuck Burdick

List sources of information:

Title: Senior Wind Developer

Company: National Wind, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 24

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
24.	<p>Direct Testimony, p. 7, line 6, you state that the recommendations were “performance-based.” Explain use of “performance-based” and basis for characterization.</p> <p>Response: According to the County Board packet for the October 5, 2010 meeting, the Planning Advisory Commission recommended the following setback from neighboring dwellings, “non-participating dwelling setbacks are determined by meeting all other standards for non-participants within this ordinance and a decibel level of 40 db or less.”</p> <p>I used the term “performance-based” to indicate that the setback was based on meeting or performing to a certain set of criteria, rather than a specific, pre-determined distance.</p>

Response by: Mark Ward

List sources of information: _____

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 25

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
25.	<p>Direct Testimony, p. 7, lines 14-15. Is it your contention that nothing in the county's record supports the adoption of a 10 RD setback?</p> <p>Response: It is my contention that the County did not have specific findings of fact or other information in the record that supports a 10 RD setback as opposed to, say, a 5 RD, 15 RD, or 30 RD setback, etc.</p>

Response by: Mark Ward

List sources of information: _____

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 26

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
26.	<p>Direct Testimony, p. 7, lines 14-15. Please explain what you mean by the assertion that “there wasn’t any specific factual basis.”</p> <p>Response: See my response to GWT IR #25.</p>

Response by: Mark Ward

List sources of information:

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT

Information Request No. 27

Date Received: February 7, 2011

Response Date: February 17, 2011

Request
No.

27.

Direct Testimony, p. 7, lines 16-19. Did you attend the County Board meeting on October 5, 2010? If your testimony regarding this meeting relies on anything other than the official Board minutes of that meeting, please provide copies of any notes, emails, memoranda or other documentation.

Response: AWA Goodhue objects to this request to the extent it seeks information protected by the attorney-client privilege or work product protection. Subject to and notwithstanding the foregoing objection, Mr. Ward provides the following response:

No, I did not personally attend the October 5, 2010 meeting.

Response by: Mark Ward

List sources of information:

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 28

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.

28.

Direct Testimony, p. 7, lines 20-23. Provide specifics of communications between “you” specifically or “you” meaning agents of applicants, with Commissioner Samuelson, including but not limited to that addressed in testimony, and identify dates, parties in conversation.

Response: AWA Goodhue objects to this request on the grounds that it does not define “specifics” with sufficient specificity to permit a response. Subject to and notwithstanding the foregoing objection, Mr. Ward provides the following response:

The conversation I referred to on p. 7, lines 20-23 of my direct testimony occurred on November 9, 2010. In attendance at that meeting were Commissioner Samuelson, myself (Mark Ward), Chuck Burdick, Ben Kerl and Corky Buckingham.

The following table summarizes other meetings with Commission Samuelson:

Date	Organizer	County Representatives	Project Representatives	Other Attendees
11/11/2010	National Wind	Samuelson	Chuck Burdick	many participating landowners
11/9/2010	National Wind	Samuelson	Mark Ward, Ben Kerl, Chuck Burdick	Corky Buckingham
7/9/2010	National Wind	Rechtzigel, Samuelson	Chuck Burdick	Gary Luebke
4/30/2010	Rochester PB	Rechtzigel, Samuelson	Chuck Burdick	Public

Response by: Mark Ward and Chuck Burdick

List sources of information:

Title: _____

Company: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 29

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
29.	<p>Direct Testimony, p. 9, lines 5-20. Is it fair to say that in your understanding “good cause” as used in the referenced statute means “good reasons”? If not, please explain.</p> <p>Response: I am not a lawyer but that is my understanding.</p>

Response by: Mark Ward

List sources of information:

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 30

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
30.	<p>Direct Testimony, p. 10, lines 5-6. In your view, what issues may a county ordinance address?</p> <p>Response: AWA Goodhue objects to this request because it requires a legal conclusion, because it calls for speculation, and on the grounds that it is vague, overbroad and unduly burdensome. Subject to and notwithstanding the foregoing objection, Mr. Ward provides the following responses:</p> <p>I do not have a view as to what issues a county in Minnesota, or any other county, can address.</p> <p>a. May a County’s WECS ordinance, as applied to a WECS project, regulate a project to address concerns besides health and safety? Please explain.</p> <p>Response: I am not responsible for determining what a Minnesota county can regulate. I believe Minnesota laws address a county’s authority regarding regulation through county ordinance.</p> <p>b. Identify any concerns besides health and safety that could appropriately be addressed in the County’s WECS ordinance.</p> <p>Response: See my response to 30 (a) above.</p>

Response by: Mark Ward

List sources of information: _____

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 31

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
31.	<p>Direct Testimony, p. 11, lines 14-16. Please identify by name and model the smaller turbines with shorter rotors contemplated, including the height and nameplate capacity, the manufacturer’s noise data, and the year each was first manufactured.</p> <p>Response: My description was not in reference to specific turbine models, but was a generalization across a number of turbines.</p>

Response by: Mark Ward

List sources of information: _____

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

- Non Public Document – Contains Trade Secret Data
- Public Document – Trade Secret Data Excised
- Public Document

AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 32

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
32.	<p>Direct Testimony, p. 11, lines 13-17. Please provide copies of any studies you have conducted demonstrating that smaller turbines with shorter rotors using a 10 RD setback will generate more noise than your project’s turbines will generate with a 10 RD setback.</p> <p>Response: We have not commissioned a study to address that question. See the discussion on page 12, ln. 10-23 of my direct testimony. Turbine noise is specified at the hub. If there are two turbines of equal noise output at their hubs, and one is closer than the other, it is reasonable to expect the closer turbine to be louder.</p>

Response by: Mark Ward

List sources of information: _____

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

- Non Public Document – Contains Trade Secret Data
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- Public Document

AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 33

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
33.	<p>Direct Testimony, p. 11, lines 13-17. Please identify any projects you have been involved in that use any of the turbines identified in your response to Information Request above.</p> <p>Response: I have not been involved in any such projects.</p>

Response by: Mark Ward

List sources of information:

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 34

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
34.	<p>Direct Testimony, p. 11, 1. 20-22. Would you agree that state standards and state issued permits afford different setbacks for participants and non-participants?</p> <p>Response: AWA Goodhue objects to this request because it requires a legal conclusion, because it calls for speculation, and on the grounds that it is vague, overbroad and unduly burdensome.</p> <p>Subject to the foregoing objection, Mr. Ward provides the following response:</p> <p>It appears from Minnesota’s general permit standards that there can be different standards for participating and non-participating landowners (e.g., Wind Access Buffer Setback).</p>

Response by: Mark Ward

List sources of information: _____

Title: Chief Manager

Company: AWA Goodhue, LLC

Telephone: _____

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 Public Document – Trade Secret Data Excised
 Public Document

AWA Goodhue, LLC

Docket Nos.: MPUC Docket No. IP6701/WS-08-1233 and OAH Docket 3-2500-21662-2

Response To: Carol Overland, GWT Information Request No. 35

Date Received: February 7, 2011 Response Date: February 17, 2011

Request No.	
35.	<p>Do applicant’s agreements with participating landowners include a provision regarding setbacks or distances of turbines from residences? Provide all specific language and a name-redacted copy of each of the different agreements utilized.</p> <p>Response: Yes, many of our agreements with participating landowners contain provisions regarding setbacks from residences. Where it is included, the setback provision states either (1) “Notwithstanding the foregoing, Project Company shall not locate, position or place any wind turbines within 1,500 feet of the location of any residence on the Property that is occupied as of the Effective Date” or (2) “Project Company shall not locate, position or place any Wind Systems within 1,500 feet, as measured from the center of the tower, of the location of any residence on the Owner Property that is occupied as of the date hereof.”</p> <p>In the wind lease and easement agreements, the residential setback provision may be waived by the landowner to a distance of not less than 1,000 feet.</p> <p>Redacted copies of the forms of Land Lease and Wind Easement Agreement and Participation Agreements that have been used since mid-2009 are included on the enclosed CD.</p>

Response by: Chuck Burdick

List sources of information: _____

Title: Senior Wind Developer

Company: National Wind, LLC

Telephone: _____