



STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

DATE: September 13, 2011

TO: Service List

FROM: Burl W. Haar, Executive Secretary

A handwritten signature in blue ink, appearing to read "Burl W. Haar", is written over the "FROM:" line.

DKT. NO. : IP-6701/WS-08-1233

In the Matter of the Application of AWA Goodhue Wind, LLC for a Large Wind Energy Conversion System (LWECS) Site Permit for the 78 MW Goodhue Wind Project in Goodhue County

SUBJECT: **Notice of Appeal Period**

PLEASE TAKE NOTICE that the Minnesota Public Utility Commission's siting and routing decisions and orders are governed by the Administrative Procedure Act. Minn. Stat. §§ 216.F.02 (a), 216E.15. Under the Administrative Procedure Act, unless a request for reconsideration is made within ten days of the decision and order of an agency, the appeal period of 30 days is not tolled. Minn. Stat. § 14.64. Consequently, because no request for reconsideration was filed within ten days of the Public Utility Commission's *Order Issuing Site Permit As Amended*, Docket No. IP-6701/WS-08-1233, the appeal period relating to this order will expire on September 22, 2011¹.

The procedure governing appeal of the Public Utility Commission's siting and routing decisions and orders is contained in Minn. Stat. § 14.64. Under Minn. Stat. § 14.64, an appeal is initiated by serving a petition for writ of certiorari personally or by certified mail upon the agency and by promptly filing the proof of service in the Office of the Clerk of the Appellate Court. Copies of the writ must be served, personally or by certified mail, upon all parties to the proceeding before the agency in the proceeding in which the order sought to be reviewed was made. *Id.* The Minnesota Rules of Civil Appellate Procedure contain additional requirements for filing a petition for writ of certiorari, including but not limited to service on the Minnesota Attorney General. *See* Minn. R. Civ. App. P. 115.03.

¹ Depending on the manner of service of the Public Utility Commission's order on a particular party, the appeal period might expire on September 26, 2011. *See* Minn. R. Civ. App. P. 125.03; Minn. R. Civ. P. 6.05.