

**STATE OF MINNESOTA
BEFORE THE PUBLIC UTILITIES COMMISSION**

**Beverly Heydinger
J. Dennis O'Brien
David C. Boyd
Betsy Wergin
Nancy Lange**

**Chair
Commissioner
Commissioner
Commissioner
Commissioner**

In the Matter of the Application of Goodhue Wind, LLC
For a Certificate of Need for a 78 MW Wind Project
(Goodhue Wind Project) and Associated Facilities in
Goodhue County, Minnesota

Dockets: IP-6701/CN-09-1186
E002/M-09-1349
E002/M-09-1350

GOODHUE WIND TRUTH PETITION FOR INTERVENTION

Goodhue Wind Truth hereby makes this Petition for Intervention as a full party, with all the rights of a party. Goodhue Wind Truth is an organization of affected landowners and residents within and in the immediate vicinity of the proposed Goodhue Wind Project, a/k/a AWA Goodhue, a/k/a New Era Wind. Goodhue Wind Truth makes this Petition due to the Commission discussion and Order at the Agenda meeting of February 28, 2013. Goodhue Wind Truth is grateful to see some of the issues we've raised at long last before the Commission and subject to scrutiny, particularly issues of ownership, C-BED status, and the Power Purchase Agreements on which the Certificate of Need depends.

Under the provisions of Minn.R. 1400.6200, subp.1, and 1405.0900, subp. 1, Goodhue Wind Truth makes this Petition for an Order granting intervention in these dockets as a full party, with all the rights of a party, in the above-captioned proceedings, for purposes both of participation and securing rights of appeal. In its Order of April 23, 2010, the Commission denied Goodhue Wind Truth's previous Petition for Intervention and Contested Case and ordered a hybrid informal proceeding.¹ If this proceeding is held via comments and not a full contested case, Goodhue Wind Truth makes this Petition for Limited Intervention for submission of Comments and Briefs as a full party.

¹ A Contested Case was later granted in the Siting docket on the narrow issue of applicability of Minn. Stat. §216F.081, which Goodhue Wind Truth was a full-party Intervenor and active participant.

For over five years now, members of Goodhue Wind Truth have been steadfastly and exhaustively involved in the Goodhue Wind Project, as an Intervenor with full-party status in the Goodhue Wind Siting docket, participating in township and county proceedings; hosting public forums, promoting bills and testifying at the legislature; in multiple dockets at the Public Utilities Commission, ranging from four Goodhue Wind dockets, the Public Health Impacts of Wind Turbines docket and Power Plant Siting Act Annual Hearing; and at the Appellate Court. Goodhue Wind Truth is a registered lobbyist. Over these last five years, members of Goodhue Wind Truth have been directly affected by the application and project proposal for the Goodhue Wind Project and will be directly affected by the outcome of this proceeding if a Siting Permit and Certificate of Need were to be granted, and if Power Purchase Agreements were to be approved. Participation in these dockets is necessary, because Goodhue Wind Truth wishes to protect our interests and develop the record through discovery, testimony (if funding allows), cross-examination, motions, and briefing. If a Comment only proceeding is Ordered, Goodhue Wind Truth requests full-party status for submitting Comments and Briefs.

Goodhue Wind Truth has been an active, substantive, and credible participant in the Goodhue Wind Certificate of Need, Siting, Certificate of Need, and Power Purchase Agreement dockets at the Commission. Goodhue Wind Truth has also participated in the Commission’s docket regarding Public Health Impacts of Wind Turbines (09-845) and made public comments in the Bent Tree project docket.

In this Certificate of Need docket, Goodhue Wind Truth has worked hard to inform the record, providing Testimony of Rick James and Exhibits for the Public Hearings, and significant Comments:

<u>20132-83684-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	REPLY COMMENTS	02/08/2013
<u>20131-83216-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--- AND EXHIBITS	01/25/2013
<u>201212-82303-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	LETTER--RE GOODHUE WIND TRUTH FORMAL COMPLAINT	12/31/2012
<u>201211-80609-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND	OTHER--- COMPLAINT	11/13/2012

					TRUTH		
<u>20125-75169-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	TRANSCRIPTS--UNOFFICIAL TRANSCRIPT - PUBLIC - COMMISSION MTG FEB 23 2012 ST PAUL	05/31/2012
<u>20125-75179-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--UNOFFICIAL TRANSCRIPT - PUBLIC - ABPP COMMISSION MTG FEB 23 2012 ST PAUL	05/31/2012
<u>20119-66260-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	MOTION---PETITION FOR RECONSIDERATION OF CERTIFICATE OF NEED	09/12/2011
<u>201012-57164-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	LETTER--GOODHUE WIND TRUTH LETTER AND MEMO - CORRECTED CAPTION PAGE FILED DEC 3RD	12/06/2010
<u>201012-57162-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	LETTER--GOODHUE WIND TRUTH LETTER AND MEMORANDUM	12/03/2010
<u>20108-53310-06</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS---ADDITIONAL TESTIMONY OF RICK JAMES	08/06/2010
<u>20108-53310-10</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--PROPOSED SOUND STANDARDS	08/06/2010
<u>20108-53310-04</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--REDLINED DRAFT SITE PERMIT	08/06/2010
<u>20108-53310-08</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--RJ-16 - PHILLIPS REFUTATION OF CMOH REPORT	08/06/2010
<u>20108-53310-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--COVER	08/06/2010
<u>20108-53206-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--PT. 2 OF 2	08/03/2010
<u>20108-53206-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--PT. 1 OF 2	08/03/2010
<u>20107-52680-08</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	TESTIMONY--EXHIBIT RJ 11	07/19/2010
<u>20107-</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE	TESTIMONY--EXHIBITS RJ	07/19/2010

<u>52680-16</u>					WIND TRUTH	1-5	
<u>20107-52680-06</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	TESTIMONY--EXHIBITS RJ 8 TO 14	07/19/2010
<u>20107-52680-04</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	TESTIMONY--EXHIBITS RJ 16 TO 23	07/19/2010
<u>20107-52680-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	TESTIMONY--DIRECT TESTIMONY OF RICHARD R JAMES INCE	07/19/2010
<u>20107-52680-10</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	TESTIMONY--EXHIBIT RJ 14	07/19/2010
<u>20107-52680-12</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	TESTIMONY--EXHIBIT RJ 15	07/19/2010
<u>20107-52680-14</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	TESTIMONY--EXHIBITS RJ 6-7	07/19/2010
<u>20107-52334-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	LETTER--TO ALJ LIPMAN	07/07/2010
<u>20104-49147-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS---ON CON AND PPA DOCKETS	04/14/2010
<u>20103-47781-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	LETTER--REQUEST FOR PUBLIC MEETING	03/08/2010
<u>20102-47040-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	INTERVENTION--PETITION FOR CONTESTED CASE	02/12/2010
<u>20102-47040-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	INTERVENTION--NOTICE OF APPEARANCE	02/12/2010
<u>20102-47040-03</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	INTERVENTION--PETITION FOR INTERVENTION	02/12/2010
<u>20101-46171-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--COMMENTS ON C-BED STATUS - PPA DOCKETS	01/19/2010
<u>200912-45145-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--EXHIBIT A - PROSPECTUS	12/17/2009

200912-45145-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS	12/17/2009
200911-44237-03	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--PORTION OF TRANSCRIPT FROM MEETING	11/20/2009
200911-44237-02	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--OHNSTAD'S LETTER	11/20/2009
200911-44237-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--MAP WITH ERRORS	11/20/2009
200911-44193-06	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--NEWS PAPER-RICK CONRAD	11/19/2009
200911-44193-02	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--LETTER PUC REPLY2- JEAN SCHULTE I WANT TO RESPOND TO SOME OF THE POINTS MADE BY THE WIND DEVELOPERS	11/19/2009
200911-44193-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--LETTER PUC REPLY 1- JEAN SCHULTE NOV 19-2009 COMMENT/REBUTTAL PERIOD FOR WIND TURBINES,	11/19/2009
200911-44193-03	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--LETTER #2- JEAN SCHULTE NOV 19, 2009 COMMENT PERIOD FOR WIND TURBINES	11/19/2009
200911-44193-05	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--NEWSPAPER- PAUL REESE	11/19/2009
200911-44193-04	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--LETTER#1 - JEAN SCHULTE WIND CONCERNS FOR GOODHUE	11/19/2009
200911-43926-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	AFFIDAVIT OF PUBLICATION-- AFFIDAVITS FROM GOODHUE AREA LANDOWNERS	11/12/2009
200911-43920-02	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--EAGLES AT CORD8	11/12/2009

200911-43903-03	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--COUNTY TODAY ARTICLE-WIND TURBINES GENERATE HEALTH CONCERNS	11/12/2009
200911-43902-04	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--APPRAISAL GROUP ONE STUDY ON LAND VALUES IN LWECs	11/12/2009
200911-43903-09	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--MCNAMARA LETTER	11/12/2009
200911-43910-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--WIND POWER IN THE UNITED STATES	11/12/2009
200911-43902-03	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--NORTH DAKOTA AMENDMENT TO PROTECT LANDOWNERS	11/12/2009
200911-43918-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--EVIDENCE OF NESTING BALD EAGLES NEAR CR7 AND CR9, GOODHUE MN	11/12/2009
200911-43903-08	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--BENNINGTON, NY WIND ADVISORY BOARD RESULTS	11/12/2009
200911-43923-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--- PETITIONS1	11/12/2009
200911-43902-08	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--LETTER TO DR. HAAR FROM GOODHUE WIND TRUTH	11/12/2009
200911-43923-02	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--- PETITIONS2	11/12/2009
200911-43920-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--COST - HIGH ANGLE RESCUE	11/12/2009
200911-43909-05	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--THE JOHNSBURG SURVEY- MAJORITY WOULD NOT PARTICIPATE AGAIN	11/12/2009
200911-43902-02	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--WI AMENDMENT TO CREATE A CODE OF CONDUCT FOR WIND DEVELOPERS	11/12/2009
200911-43911-01	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND	COMMENTS--ND REQUIREMENTS FOR	11/12/2009

					TRUTH	WIND EASEMENTS AND WIND ENERGY LEASES.	
<u>200911-43909-07</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--WIND TURBINE SYNDROME-DR. NINA PIERPONT'S RESEARCH	11/12/2009
<u>200911-43903-10</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--BETHANY, NY REPORT FROM THE WIND TURBINE STUDY COMMITTEE	11/12/2009
<u>200911-43903-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--LYON CTY RESOLUTION	11/12/2009
<u>200911-43903-04</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--REESE LETTER TO THE EDITOR	11/12/2009
<u>200911-43922-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--EXHIBIT A - GOODHUE WIND PROSPECTUS	11/12/2009
<u>200911-43909-04</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--KIELISCH TESTIMONY BEFORE THE WIPSC	11/12/2009
<u>200911-43910-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--REABE SPRAY SERVICE SUSPENDS SERVICE DUE TO LWECS	11/12/2009
<u>200911-43909-08</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--TURBINES NOISE AND HUMANS	11/12/2009
<u>200911-43903-06</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--WHO NIGHTTIME NOISE GUIDANCE	11/12/2009
<u>200911-43902-07</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--ADVERSE HEALTH EFFECTS OF LWECS	11/12/2009
<u>200911-43902-05</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--CONSERVATION AND ALTERNATIVE ELECTRICAL ENERGY SOURCES	11/12/2009
<u>200911-43909-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--WIND TURBINES FROM GROUND LEVEL	11/12/2009
<u>200911-43902-06</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--A VISIT TO GRAND MEADOW WIND FARM	11/12/2009

<u>200911-43910-03</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--WENDY TODD-WI RESIDENT WITH WARNING TESTIMONIAL	11/12/2009
<u>200911-43903-07</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--FARM COUNTRY ARTICLE-WIND TURBINES GENERATE HEALTH, FARMING CONCERNS	11/12/2009
<u>200911-43902-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--AG WEEK ARTICLE-DEALING IN WIND	11/12/2009
<u>200911-43906-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--SUSTAINABLE ENERGY WITHOUT THE HOT AIR	11/12/2009
<u>200911-43909-09</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--TEXAS STUDY ON PROPERTY VALUES IN LWECs	11/12/2009
<u>200911-43909-02</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--SPEARVILLE WIND FARM- CONSTRUCTION PHOTOS	11/12/2009
<u>200911-43909-03</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--ONTARIO ON RENEWABLE ENERGY APPROVAL REGULATIONS	11/12/2009
<u>200911-43903-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--WIND-ENERGY AND WIND TURBINES. CONCISE INFORMATION	11/12/2009
<u>200911-43909-06</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--MDH STUDY ON HEALTH EFFECTS OF WIND TURBINES	11/12/2009
<u>200911-43906-01</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--MURRAY COUNTY WIND ENERGY ORDINANCE	11/12/2009
<u>200911-43910-04</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--TECHNOLOGY, ECONOMIC, AND POLICY ISSUES	11/12/2009
<u>200911-43903-05</u>	PUBLIC	09-1186	<input type="checkbox"/>	CN	GOODHUE WIND TRUTH	COMMENTS--GENERATING ELECTRICITY FROM RENEWABLES	11/12/2009

Goodhue Wind Truth seeks to intervene in this Certificate of Need and Power Purchase

Agreement dockets to help build and inform the record regarding New Era land rights holdings and lack

thereof, ownership of the project, whether it qualifies as a Community Based Energy Development project because of ownership structure and composition, and the financing for the project.

The position of Goodhue Wind Truth is that the Certificate of Need should not be extended for this project because it is not what it claims or has claimed to be, that misrepresentations of turbine sites and land/wind rights acquisitions have been made; that it is not a C-BED project as defined under Minnesota law; that because it is not a C-BED project it is not necessary for Xcel compliance; and that it does not take into account all costs associated with this project, particularly transmission interconnection. Goodhue County, with which Goodhue Wind Truth has worked extensively, has requested the Commission investigate whether this project qualifies as a C-BED project. As the record is built, layers peeled from the onion, other issues may be revealed. All aspects of this ever-changing project deserve closer scrutiny by the Commission.

Goodhue Wind Truth's interests in landowner rights, wind project economics and project organizational status, and participatory process are distinct from that of any other parties. The record of these proceedings must continue to be broadly developed in order to be capable of supporting any decision.

Goodhue Wind Truth meets the criteria for intervention and respectfully requests that it be granted intervention as a full party, with all the rights of a party, in the above-captioned Certificate of Need and Power Purchase Agreement proceedings, whether formal or informal.

March 1, 2013



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