

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

FOR MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Freeborn  
Wind Energy LLC for a Large Wind Energy  
Conversion System Site Permit for the 84 MW  
Freeborn Wind Farm

**MINNESOTA DEPARTMENT OF  
NATURAL RESOURCES' MOTION TO  
QUASH A HEARING SUBPOENA FOR  
KEVIN MIXSON AND, IN THE  
ALTERNATIVE, OBJECTION TO  
INTERVENOR'S HEARING SUBPOENA  
FOR KEVIN MIXON**

OAH Docket No. 80-2500-34633  
MPUC IP-6946/WS-17-410

TO: Freeborn Wind Energy LLC, and its attorney, Christina Brusven, Fredrickson & Byron,  
P.A., 200 South Sixth Street, Suite 4000, Minneapolis, Minnesota 55402; and

Intervenor Association of Freeborn County Landowners and its attorney, Carol A.  
Overland, Legalectric, Inc., 1110 West Avenue, Red Wing, Minnesota 55066.

**MOTION**

Pursuant to Minnesota Rules 1400.7000, subp. 3, the Minnesota Department of Natural Resources ("DNR") respectfully moves this Court for an Order quashing the subpoena of DNR employee Kevin Mixson.

This motion is based upon DNR's Memorandum and the Affidavit of Kevin Mixson submitted herewith.

Should Intervenor Association of Freeborn County Landowners wish to contest the motion, it is required to file a written response with the Court and serve copies on opposing counsel within ten working days after receiving the motion. *See* Minn. R. 1400.6600.

**OBJECTION**

Pursuant to Minnesota Rules 1400.7000, subp. 3, DNR respectfully files its objection to the subpoena of DNR employee Kevin Mixson.

This objection is based upon DNR's Memorandum and the Affidavit of Kevin Mixson submitted herewith.

Pursuant to Minnesota Rules 1400.7000, subp. 3, the Administrative Law Judge "shall cancel or modify the subpoena if it is unreasonable or oppressive . . . ."

Dated: February 9, 2018.

Respectfully submitted,

OFFICE OF THE ATTORNEY GENERAL  
State of Minnesota

/s/ Nur Ibrahim

NUR IBRAHIM

Assistant Attorney General

Atty. Reg. No. 0398397

445 Minnesota Street, Suite 900

St. Paul, Minnesota 55101-2127

(651) 757-1320 (Voice)

(651) 297-4139 (Fax)

nur.ibrahim@ag.state.mn.us

ATTORNEY FOR MINNESOTA  
DEPARTMENT OF NATURAL RESOURCES