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April 19, 2018

Mr. Daniel Wolf, Executive Secretary  
Minnesota Public Utilities Commission  
121 Seventh Place East Suite 350  
St. Paul, MN 55101-2147

**RE: Notice of Confidential Settlement Agreement and  
Joint Recommendation and Request  
Docket No. ET6657/WS-08-573**

Dear Mr. Wolf:

Consistent with the March 23, 2018 Order of the Minnesota Public Utilities Commission in the above referenced docket (the "Order"), Ordering Clause 4, Wisconsin Power and Light Company ("WPL") met with David Langrud and the Minnesota Department of Commerce Energy Environmental Review and Analysis division to discuss the issues outlined in the Order.

As a result of those discussions, WPL and David M. Langrud and Birgitt J. Langrud (the "Langruds") have entered into a Confidential Settlement Agreement under which, among other provisions: (1) WPL shall purchase the Langruds' Property; (2) the Langruds shall enter into a Neighbor Agreement and Easement that shall be binding on any future owners of the Langruds' Property; and (3) the Langruds shall release any and all past, present, and future claims against WPL. The Confidential Settlement Agreement is contingent upon the Commission issuing a written order that includes, at a minimum, terms that after WPL takes possession of the property the Commission shall order that the Commission will not require any further curtailment of Bent Tree Turbine No. T362 and shall not require any further sound monitoring at any location pertaining to Bent Tree on the basis of the DNV-GL Sound Reports.

Mr. Daniel Wolf  
Minnesota Public Utilities Commission  
April 19, 2018  
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As explained more fully in the Notice of Confidential Settlement and Joint Recommendation and Request (the "Joint Request") filed herewith, the Langruds and WPL jointly agree, stipulate and respectfully recommend that the Commission issue a written order consistent the conditions identified in the Joint Request to allow the parties fully implement the terms of the Confidential Settlement Agreement.

Yours Truly,

/s/ Andrew C. Hanson  
Andrew C. Hanson  
Senior Attorney

ACH/ab  
cc: Service List

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

<b>Nancy Lange</b>	<b>Chair</b>
<b>Dan Lipschultz</b>	<b>Commissioner</b>
<b>Matt Schuerger</b>	<b>Commissioner</b>
<b>Katie Sieben</b>	<b>Commissioner</b>
<b>John Tuma</b>	<b>Commissioner</b>

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**IN THE MATTER OF WISCONSIN  
POWER AND LIGHT COMPANY'S  
SITE PERMIT APPLICATION FOR  
A LARGE WIND ENERGY  
CONVERSION SYSTEM**

**DOCKET NO. ET6657/WS-08-573**

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**AFFIDAVIT OF SERVICE**

STATE OF WISCONSIN        )  
  ) ss.  
COUNTY OF DANE         )

Annette K. Behnke, being first duly sworn on oath, deposes and states:

That on the 19<sup>th</sup> day of April, 2018, copies of the foregoing Affidavit of Service, together with Wisconsin Power and Light Company's Notice of Confidential Settlement Agreement and Joint Recommendation and Request, was served upon the parties on the attached service list, by e-filing, overnight delivery, electronic mail, and/or first-class mail, proper postage prepaid from Madison, Wisconsin.

*/s/ Annette K. Behnke*  
Annette K. Behnke

Subscribed and Sworn to Before Me  
This 19<sup>th</sup> day of April, 2018.

*/s/ Kathy M. Chiono*  
Notary Public, State of Wisconsin  
My Commission expires February 5, 2021

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**Service List Member Information**

## Electronic Service Member(s)

Last Name	First Name	Email	Company Name	Delivery Method	View Trade Secret
Anderson	Julia	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	Electronic Service	Yes
Dobson	Ian	Residential.Utilities@ag.state.mn.us	Office of the Attorney General-RUD	Electronic Service	Yes
Ferguson	Sharon	sharon.ferguson@state.mn.us	Department of Commerce	Electronic Service	Yes
Hanson	Andrew	andrewhanson@alliantenergy.com	Alliant Energy Corporation	Electronic Service	No
Lepinski	Jim	jim.lepinski@wisconsin.gov	Public Service Commission of Wisconsin	Electronic Service	No
Norris	Samantha	samanthanorris@alliantenergy.com	Interstate Power and Light Company	Electronic Service	No
Overland	Carol A.	overland@legalelectric.org	Legalelectric - Overland Law Office	Electronic Service	No
Ruen Blanchard	Sarah	sarahruenblanchard@alliantenergy.com	Interstate Power & Light Company - Electric	Electronic Service	No
Woeste	Robyn	robynwoeste@alliantenergy.com	Interstate Power and Light Company	Electronic Service	No
Wolf	Daniel P	dan.wolf@state.mn.us	Public Utilities Commission	Electronic Service	Yes

## Paper Service Member(s)

Last Name	First Name	Company Name	Address	Delivery Method	View Trade Secret
Troe	Katie	Safe Wind in Freeborn County	27510 - 775th Avenue, Clarks Grove, MN-56016	Paper Service	No

Print

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

**Nancy Lange  
Dan Lipschulz  
Matt Schuerger  
Katie Sieben  
John Tuma**

**Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner**

**IN THE MATTER OF WISCONSIN  
POWER AND LIGHT COMPANY'S SITE  
PERMIT APPLICATION FOR A LARGE  
WIND ENERGY CONVERSION SYSTEM**

**DOCKET NO. ET6657/WS-08-573**

**NOTICE OF CONFIDENTIAL SETTLEMENT AGREEMENT  
AND JOINT RECOMMENDATION AND REQUEST**

Wisconsin Power & Light Company ("WPL") and David M. Langrud and Birgitt J. Langrud, husband and wife, (the "Langruds") (individually each a "Party" and collectively the "Parties") have entered into a Confidential Settlement Agreement, dated April 18, 2018 ("Confidential Settlement Agreement") addressing all matters raised in the above docket by the Langruds regarding the operation of the Bent Tree Wind Project ("Bent Tree"), including complaints to WPL and complaints to the Minnesota Public Utilities Commission ("Commission") and the Minnesota Department of Commerce Energy Environmental Review and Analysis ("EERA"). The Confidential Settlement Agreement is contingent upon a finding by the Commission, among other findings more fully described below, that the Commission shall terminate the curtailment of Turbine No. 362 at Bent Tree and shall not require any further sound monitoring at any location at Bent Tree arising from the sound monitoring required by the Commission in its August 24, 2016 Order Requiring Noise Monitoring, Noise Study and Further Study.

Based on the foregoing, and as more fully described below, the Parties jointly recommend and request that the Commission issue a written order containing the findings described below, thus satisfying the relevant contingencies and allowing the Parties to give full force and effect to the Confidential Settlement Agreement between them.

**Recitals**

- A. The Langruds owns the real property located at 25887 705th Ave, Alden, MN 56009 (the "Langruds' Property").
- B. The Langruds' Property is within the Project Area of the Bent Tree Wind Project constructed, owned, operated, and maintained by WPL ("Bent Tree").

C. The Langruds' Property includes a residential dwelling that is currently occupied and used as a residence.

D. The Langruds' have made various complaints regarding the operation of Bent Tree, including complaints to WPL and complaints to the Commission and EERA beginning in 2011 and continuing through the present (collectively the "Prior and Current Complaints").

E. On August 24, 2016, the Commission issued its Order Requiring Noise Monitoring, Noise Study and Further Study pertaining, in part to the Langruds' Property ("August 24, 2016 Order").

F. Pursuant to the August 24, 2016 Order, the Bent Tree Wind Farm Post-Construction Noise Assessment report was prepared by DNV-GL and filed on September 28, 2017 and the Bent Tree Wind Farm Phase 2 Post-Construction Noise Assessment Report was prepared by DNV-GL and filed on February 8, 2018 (collectively the "DNV-GL Sound Reports").

G. WPL strongly disputes the protocols used and conclusions contained in the DNV-GL Sound Reports.

H. On February 8, 2018, WPL filed a letter and implemented certain curtailments of the operation of three turbines that are part of Bent Tree and identified in the DNV-GL Sound Reports, including the curtailment of one turbine in the vicinity of the Langruds' Property (known as Turbine No. T362) (collectively, the "Curtailments").

I. The Langruds filed a Motion for Order to Show Cause and Hearing dated February 19, 2018 (the "Motion").

J. On March 23, 2018, the Commission issued its Order to Show Cause, Requiring Further Review by the Department Of Commerce, and Continuing Curtailment (the "March 23 Order").

K. The Langruds and WPL have agreed to a Confidential Settlement Agreement addressing all matters raised in the Prior and Current Complaints, the DNV-GL Sound Reports, the Motion, and the March 23 Order and all other matters in dispute between the Parties in this proceeding.

#### **Joint Recommendation and Request**

The Langruds and WPL have entered into a Confidential Settlement Agreement under which, among other provisions: (1) WPL shall purchase the Langruds' Property; (2) the Langruds shall enter into a Neighbor Agreement and Easement that shall be binding on any future owners of the Langruds' Property; and (3) the Langruds shall release any and all past, present, and future claims against WPL.

The Confidential Settlement Agreement is contingent upon the Commission issuing a written order that includes, at a minimum, terms that after WPL takes possession of the properties the Commission shall order that the Commission will not require any further Curtailment of Turbine No. T362 and shall not require any further sound monitoring at any location pertaining to Bent Tree on the basis of the DNV-GL Sound Reports.

In light of the foregoing, the Langruds and WPL jointly agree, stipulate and recommend that the Commission issue a written order adopting the terms and conditions set forth in Sections 1, 2, 3, 4, and 5, below:

1. Dismissal of the Motion and all Prior and Current Complaints. The Commission hereby determines that the Prior and Current Complaints are resolved within the meaning of WPL's Large Wind Energy Conversion System Permit for the Bent Tree Wind Project Phase I, Attachment 2 (Complaint Handling Procedures for Large Wind Energy Conversion Systems). The Motion and all Prior and Current Complaints are dismissed with prejudice.

2. Termination of Curtailments. The Curtailment of Turbine No. T362 shall terminate on the date on which the Langruds transfer possession of the Langrud Property to WPL, which shall occur no later than ninety (90) calendar days after closing on the purchase of the Langrud Property by WPL. After such time, WPL may operate Turbine No. T362 without any curtailment imposed by the Commission as a result of the DNV-GL Sound Reports.

3. No Further Sound Monitoring. The Commission shall not require any further sound monitoring at any location pertaining to Bent Tree on the basis of the DNV-GL Sound Reports.

4. No Precedent. The Confidential Settlement Agreement reflects the unique facts of this case and is the result of negotiations between the Langruds and WPL, and the Confidential Settlement Agreement does not represent the position of either Party as to the appropriate application of the law or any binding or legal precedent related to Bent Tree or otherwise.

5. No Admission. The execution of this Confidential Settlement Agreement shall not be construed as an admission by any Party as to the validity or invalidity of any other Party's position with reference to the issues in this proceeding.

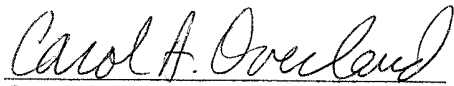
6. Closing Date. The Closing Date for the Confidential Settlement Agreement shall occur within seven (7) days of the date in which the Commission issues a written order with respect to this Notice of Confidential Settlement and Joint Recommendation and Request containing each and every term and condition in Sections 1 through 5, above, as determined by WPL in its sole discretion.

7. No Conditions or Modification. The Parties agree that, in the event that the Commission takes any action to reject or modify all or any part of this Joint Recommendation and Request, either Party may, in its sole discretion determine that

Confidential Settlement Agreement is null and void. In such event, the Joint Recommendation and Request: (1) shall not be any part of the record in relation to Bent Tree or be cited or have any precedential effect in relation to Bent Tree or any other proceeding; and (2) shall not limit either Party's rights to take different positions in relation to Bent Tree in this proceeding or any other proceeding.

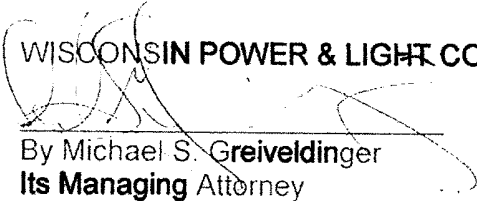
Dated: April 19, 2018

Respectfully Submitted,



**Carol A. Overland**  
Attorney for David M. Langrud  
and Brigitt J. Langrud

WISCONSIN POWER & LIGHT COMPANY



By Michael S. Greiveldinger  
Its Managing Attorney