AVANGRID

August 24, 2018

Dan Wolf, Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

Dear Mr. Wolf,

Goodhue Wind Truth (Goodhue) submitted a petition for rulemaking of Minnesota Rules Chapter 7854 on July 30, 2018. The Minnesota Public Utilities Commission (PUC or Commission) requested comments from interested parties on whether the petition for rulemaking meets the content requirements of Minnesota Rule 1400.2040 and whether the Commission should initiate rulemaking on siting standards for Large Wind Energy Conversion Systems (LWECS).

Avangrid Renewables, LLC (Avangrid), appreciates the opportunity to comment on this request and recommends that the Commission deny Goodhue's request as it is not premised on the relative merits of the existing siting regulations. Goodhue has not provided new evidence, technological developments, or changes to the existing regulatory framework such that re-opening a rulemaking at this time would be warranted or necessary at this time.

The existing Minnesota Rules Chapter 7854 provides the PUC with flexibility to evaluate and make permitting determinations on LWECS without rewriting the Rules. For example, the process accommodates smaller non-controversial projects and large, complex, controversial projects, including contested case hearings and projects with significant public involvement.

The current PUC rules require applicants to provide an environmental impacts analysis, with the option for the agencies to request additional information and/or analysis. Minnesota Rule 7854.0500, subp. 7 specifically lays out that "[t]he analysis of the environmental impacts required by this subpart satisfies the environmental review requirements of chapter 4410, parts 7849.1000 to 7849.2100, and Minnesota Statutes, chapter 116D." This rule applies to all LWECS considered by the Commission. It requires

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identification of all potential impacts and mitigation measures in 18 different areas, including areas of concern identified by Goodhue's petition. In other words, the contents of the application related to identification and analysis of potential environmental impacts and mitigation measures satisfies the rules for environmental review. This interactive process provides the PUC with the ability to fully characterize and analyze impacts and potential mitigation measures for each wind project applying for a permit. There is no need for additional environmental review.

In addition, Minnesota Rule 7854.0600, subp. 1, requires the PUC to review the application for completeness and compliance with the rule before accepting the site permit application for further processing. The rule allows the PUC to require the applicant to conduct further environmental analysis on potential human and environmental impacts prior to deeming the application complete. The PUC can reject applications that do not contain sufficient environmental review at the earliest step of the site permitting process. Finally, nothing in Minnesota Rules Chapter 7854 prevents the PUC from requiring the applicant to furnish additional environmental analysis during the course of the site permitting proceeding as raised by the PUC, the public, and/or other state agencies during the process.

Establishing permit standards and specific setbacks in Minnesota Rules as suggested by Goodhue will reduce the PUC's ability to be flexible in addressing the public's concerns. The current process allows the PUC to issue permits with customized permit conditions designed to address specific impacts and mitigation measures that are identified during the process.

Having two separate rulemaking proceedings open on related processes will likely make the rulemaking proceedings more difficult. In addition, any multiple rulemaking proceedings open simultaneously will cause procedural uncertainty that may cause additional uncertainty for the public, the regulatory agencies, and the project applicants.

Avangrid appreciates the opportunity to comment on this request and recommends the Commission deny Goodhue's request.

Sincerely,

Adam Sokolski, Manger, Market Structure and Policy

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