



August 24, 2018

**Minnesota Public Utilities Commission**  
**121 7th Place East, Suite 350**  
**Saint Paul, MN 55101**

**Attn: Daniel Wolf, Executive Secretary**

**Re: Docket No. E999/R-18-518 — Petition for Wind Siting Rulemaking for Large Wind Energy Conversion Systems**

Dear Mr. Wolf,

Clean Energy Economy MN (CEEM) hereby offers its comments regarding the Minnesota Public Utilities Commission (MPUC) review of Goodhue Wind Truth's petition to initiate a rulemaking to amend Minnesota Rules Chapter 7845 regarding wind siting standards for Large Wind Energy Conversion Systems (LWECS). CEEM recommends that the MPUC deny this petition because 1. Goodhue Wind Truth did not meet all of the requirements established in Minnesota Rules 2040 within its petition; and 2. Initiating a rulemaking creates uncertainty in Minnesota's nascent clean energy industry and is, consequently, bad for Minnesota's economy.

**1. Goodhue Wind Truth did not meet all the requirements established in Minnesota Rules 2040 within its petition**

Minnesota Rules 2040 outlines three requirements any petition requesting rulemaking must fulfill: A. The name and address of the petitioner; B. The specific action requested by the petitioner; and C. The need for the requested action. These minimal requirements establish a low burden any petitioner must meet, yet Goodhue Wind Truth failed to demonstrate a need for the requested action (C).

Since Goodhue Wind Truth's initial filing in 2012, little has changed to establish the requisite need to initiate a rulemaking now. Goodhue Wind Truth provides no new evidence, data, or technological advancements that warrant any changes to the existing rules. Instead, Goodhue Wind Truth falsely claims that no wind siting rules exist, and relies on two recent instances involving controversial projects in Freeborn County (Bent Tree Wind Farm and Freeborn Wind Farm) as sufficient cause for the MPUC to reverse its 2012 petition denial. Yet Goodhue Wind Truth submits no details as to what amendments to the rules it believes would have prevented the elevated noise levels at Bent Tree or similar instances from occurring in the future. Further, the MPUC has not made a determination on whether to grant or deny Freeborn Wind Farm's operating permit. It would be premature for the MPUC to reopen the entirety of the wind siting rules solely based on a non-binding recommendation from an Administrative Law Judge (ALJ) prior to any determination by the MPUC.

Overall, Goodhue Wind Truth has not demonstrated the need for their requested action to initiate a rulemaking to amend Minnesota Rules Chapter 7845. Goodhue Wind Truth did not provide the MPUC with any new, substantive evidence showing that the existing rules for LWECS should be amended to address current

siting issues or future siting problems. Any need implied by Goodhue Wind Truth is already addressed in existing siting rules and/or within the lengthy MPUC permitting process. Thus, there is no need to initiate a rulemaking at this time.

**2. Initiating a rulemaking creates uncertainty in Minnesota's nascent clean energy industry and is, consequently, bad for Minnesota's economy**

Minnesota is a national leader in adopting public policies that provide certainty to the clean energy industry. These policies have been a catalyst for economic development. Over 59,000 Minnesotans now work in the clean energy industry, in jobs that pay an average wage 42 percent higher than the statewide average. Forty percent of these jobs are in Greater Minnesota where numerous wind energy developments are revitalizing communities by creating new jobs, generating new tax revenues, and providing low-cost energy to Minnesotans.

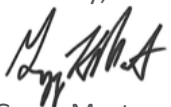
Unfortunately, Minnesota's economic potential is hindered by an already cumbersome permitting process. Regulatory oversight should balance the need for consumer protections with the industry support required to meet Minnesota's increasing consumer demands for cleaner energy and our statewide clean energy goals. Opening a new proceeding to address the issues raised by Goodhue Wind Truth will add unreasonable uncertainty to wind permitting across the state; thereby delaying additional jobs and capital investments in our communities. Investors and developers seek markets with streamlined regulatory processes that ensure an expedited return on their inherently risky investments. Adding more risk and uncertainty through a rulemaking makes Minnesota less competitive.

Additionally, growing local opposition to new wind projects is further deterring private investments in Greater Minnesota. This opposition is a reflection of the influence of outside money and unscientific data. Should the MPUC submit to this unreasonable hostility toward wind power and initiate a precedential rulemaking at this time, Minnesota will continue to be deemed as an unfriendly state to do business. The results will be less jobs, less revenues, and more expensive energy.

Altogether, every private market requires predictability and certainty to incentivize investments that lead to economic growth. Making dramatic changes by initiating a rulemaking to Minnesota's LWECS regulatory scheme will embed uncertainty within Minnesota's nascent clean energy industry, causing negative economic ripple effects throughout the supply chain and to Minnesota's overall economy.

Minnesota is competing with 49 other states and markets for wind energy projects and developments that bring jobs and revenues with them. Where industry leaders choose to place those investments is reliant upon a stable policy and regulatory environment. Goodhue Wind Truth has not proven an actual need to initiate a rulemaking as required by Minnesota Rules 2040. Further, initiating a rulemaking at this time would be bad for Minnesota's economy. Thus, the MPUC should deny Goodhue Wind Truth's petition to initiate a rulemaking to amend Minnesota Rules Chapter 7845 regarding wind siting standards for LWECS.

Sincerely,



Gregg Mast

Executive Director

**Unleashing the power of innovation to propel Minnesota forward**