

STATE OF MINNESOTA
IN COURT OF APPEALS

No. A19-1195

**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 in Freeborn County**

**Association of Freeborn County
Landowners,**

Relator,

vs.

Minnesota Public Utilities Commission,

and

Freeborn Wind Energy, LLC,

Respondents.

**DECLARATION OF
CAROL A. OVERLAND
IN SUPPORT OF RELATOR'S
RESPONSE TO
RESPONDENT FREEBORN WIND
ENERGY LLC'S
MOTION TO DISMISS**

Carol A. Overland declares and states under penalty of perjury as follows:

1. I am the attorney representing Association of Freeborn County Landowners in the above-captioned matter.
2. Attached as Exhibit 1 is a true and correct copy of Northern States Power d/b/a Xcel Energy as owner of Freeborn Wind LLC's Application for Amended Site Permit, Part 1 of 4, filed August 22, 2019, in the PUC's Docket IP-6946/WS-17-410, PUC Document ID [20198-155331-01](#). Contained in Part 1 of 4 are:
 - August 20, 2019 Letter/Application Narrative
 - Attachment A – 2019 Project Layout
 - Attachment B – Turbine Layout Comparison
 - Attachment C – 2019 Project Setbacks
3. Attached as Exhibit 2 is a true and correct copy of Northern States Power d/b/a Xcel Energy as owner of Freeborn Wind LLC's Application for Amended Site Permit, Part 2 of 4, filed August 22, 2019, in the PUC's Docket IP-6946/WS-17-410, PUC Document ID [20198-155331-02](#). Contained in Part 2 of 4 is:

- Attachment D –2019 Updated Project SPA Figures, 1-10 of 20.
4. Attached as Exhibit 3 is a true and correct copy of Northern States Power d/b/a Xcel Energy as owner of Freeborn Wind LLC’s Application for Amended Site Permit, Part 3 of 4, filed August 22, 2019, in the PUC’s Docket IP-6946/WS-17-410, PUC Document ID [20198-155331-03](#). Contained in part 3 of 4 is:
 - Attachment D – 2019 Updated Project SPA Figures, 11-20 of 20.
 5. Attached as Exhibit 4 is a true and correct copy of Northern States Power d/b/a Xcel Energy as owner of Freeborn Wind LLC’s Application for Amended Site Permit, Part 3 of 4, filed August 22, 2019, in the PUC’s Docket IP-6946/WS-17-410, PUC Document ID [20198-155331-04](#). Contained in Part 4 of 4 is:
 - Attachment E – 2019 Updated Pre-Construction Noise Analysis
 - Attachment F – 2019 Shadow Flicker Study
 - Attachment G – Summary Table of Changes to Turbine Locations
 - Attachment H – SHPO Concurrence Letter dated December 31, 2018
 - Attachment I – SHPO Concurrence Letter dated June 21, 2019
 - Attachment J – Decommissioning Plan
 6. Attached as Exhibit 5 is a true and correct copy of the ALJ’s Findings of Fact, Conclusions of Law, and Recommendations, filed May 14, 2018 (PUC Document ID [20185-143018-01](#)), refiled May 31, 2018 (PUC Document ID [20185-143479-02](#), separated Recommendation from denial of an AFCL Motion); MPUC Docket IP-6946/WS-17-410, OAH Docket 80-2500-34633.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

August 22, 2019

/s/ Carol A. Overland
 Carol A. Overland #254617
 Attorney at Law
 OVERLAND LAW OFFICE
 1110 West Avenue
 Red Wing, MN 55066
 (612) 227-8638
 overland@legalectic.org