STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

Association of Freeborn County Landowners,

CASE TYPE: Other Civil The Honorable Sara Grewing Court File No.: 62-CV-20-3674

Plaintiff,

VS.

AFFIDAVIT OF JEFFREY K. BOMAN

Minnesota Public Utilities Commission.

Defendant.

STATE OF MINNESOTA)	
)	SS.
COUNTY OF RAMSEY)	

JEFFREY K. BOMAN, being first duly sworn upon oath, deposes and states:

- 1. I am an Assistant Attorney General with the Minnesota Attorney General's Office representing the Minnesota Public Utilities Commission ("MPUC") in the above entitled action.
- 2. In support of Respondent Minnesota Public Utilities Commission's Motion to Dismiss AFCL's Complaint, I submit a true and correct copy of the following documents:
 - A. Attached as Exhibit 1, Order Issuing Site Permit (December 19, 2018), Freeborn docket, MPUC Docket IP-6946/WS-17-410.
 - B. Attached as Exhibit 2, ALJ Report (May 14, 2018), Freeborn docket, MPUC Docket IP-6946/WS-17-410.
 - C. Attached as Exhibit 3, Order Amending Site Permit (May 10, 2019), Freeborn docket, MPUC docket IP-6946/WS-17-410.
 - D. Attached as Exhibit 4, Order Denying AFCL's Petitions and Amending Site Permit (March 31, 2020), Freeborn docket, MPUC Docket IP-6946/WS-17-410.
 - E. Attached as Exhibit 5, Order Accepting Applications, Establishing Procedural Framework, Varying Rules, and Notice of And Order for Hearing (January 30, 2020), Plum Creek docket, MPUC Docket IP-6997/WS-18-700.
 - F. Attached as Exhibit 6, First Prehearing Order, (July 23, 2020), Plum Creek docket, MPUC Docket IP-6997/WS-18-700.

- G. Attached as Exhibit 7, Order Accepting Applications, Establishing Procedural Framework, and Varying Rules, (November 12, 2019), Buffalo Ridge docket, MPUC Docket IP-7006/WS-19-394.
- H. Attached as Exhibit 8, Order Accepting Application, Establishing Procedural Framework, and Varying Rules, (December 23, 2019), Three Waters docket, MPUC Docket IP-7002/WS-19-576.
- I. Attached as Exhibit 9, Revised Scheduling Order, (June 10, 2020), Buffalo Ridge docket, MPUC Docket IP-7006/WS-19-394.
- J. Attached as Exhibit 10, Second Continuance Order, (July 23, 2020), Three Waters docket, MPUC Docket IP-7002/WS-19-576.
- K. Attached as Exhibit 11, Letter from Carol Overland Re Improper Ground Factors (December 18, 2019) filed in Plum Creek; Buffalo Ridge, and Three Waters dockets.
- L. Attached as Exhibit 12, Petition for Rulemaking for Wind Turbine Siting and Standards, Minn. R. Ch. 7854, (July 30, 2018), LWECS Rulemaking docket, MPUC Docket E-999/R-18-518.
- M. Attached as Exhibit 13, Comments of the MCEA, (August 24, 2018), LWECS Rulemaking docket, MPUC Docket E-999/R-18-518.
- N. Attached as Exhibit 14, Order Denying Petition (September 26, 2018), LWECS Rulemaking docket, MPUC Docket E-999/R-18-518.
- O. Attached as Exhibit 15, AFCL Initial Brief (March 20, 2018), Freeborn docket, MPUC docket IP-6946/WS-17-410.
- P. Attached as Exhibit 16, Petition for Environmental Assessment Worksheet (January 1, 2020), Freeborn docket, MPUC docket IP-6946/WS-17-410.
- Q. Attached as Exhibit 17, Relator's Statement of the Case (July 10, 2020), A20-0947 (Minn. App.).
- R. Attached as Exhibit 18, AFCL's Exceptions to ALJ Report (June 8, 2018), Freeborn docket, MPUC Docket IP-6946/WS-17-410.
- S. Attached as Exhibit 19, Petition for Reconsideration (January 8, 2019), Freeborn docket, MPUC Docket IP-6946/WS-17-410.

- T. Attached as Exhibit 20, Motion of AFCL for Appointment of an Advisory Task Force and A Science Advisory Task Force (September 20, 2017), Freeborn docket, MPUC Docket IP-6946/WS-17-410.
- U. Attached as Exhibit 21, Order Denying Petition for Advisory Task Forces (December 22, 2017), Freeborn docket, MPUC Docket IP-6946/WS-17-410.
- V. Attached as Exhibit 22, Relator's Statement of the Case (July 30, 2019), A19-1195, (Minn. App.).
- W. Attached as Exhibit 23, Order Granting Intervention to Association of Freeborn County Landowners, (September 12, 2017), Freeborn docket, MPUC Docket IP-6946/WS-17-410.
- X. Attached as Exhibit 24, Transcript Indexes of Evidentiary Hearings, Freeborn docket, MPUC Docket IP-6946/WS-17-410.
- Y. Attached as Exhibit 25, a true and correct copy of this unpublished Minnesota Court of Appeals opinion *Minnesota Ctr. for Envtl. Advocacy v. Minnesota Pub. Utilities Comm'n*, No. A10-812, 2010 WL 5071389, at *1 (Minn. Ct. App. Dec. 14, 2010).
- Z. Attached as Exhibit 26, a true and correct copy of this unpublished Minnesota Court of Appeals opinion *State ex rel. Rice Cty. Land Use Accountability, Inc. v. Rice Cty.*, No. A06-1041, 2007 WL 1470417, at *1 (Minn. App. May 22, 2007).
- AA. Attached as Exhibit 27, EQB's Statement of Need and Reasonableness (2001)
- BB. Attached as Exhibit 28, Reply of AFCL to Freeborn's Response to Motion for Certification to PUC for Appointment of an Advisory Taskforce and Science Advisory Task Force (October 4, 2017), Freeborn docket, MPUC Docket IP-6946/WS-17-410.

FURTHER YOUR AFFIANT SAYETH NOT.

s/ Jeffrey K. Boman	
JEFFREY K. BOMAN	

Subscribed and sworn to before me this 5th day of August, 2020.

s/ Judith M. Fusco
Notary

My commission expires: January 31, 2025

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