

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

State of Minnesota, ex. rel., Association of
Freeborn County Landowners,

Case Type: Other Civil
Court File No.: 62-CV-20-3674
Judge: Hon. Sara Grewing

Plaintiff,

v.

Minnesota Public Utilities Commission,

**DECLARATION OF DARIN W.
SCHOTTLER**

Defendant,

and

Buffalo Ridge Wind LLC, Three Waters
Wind, LLC, Northern States Power
Company, Plum Creek Wind Farm, LLC,

Defendant-Intervenors.

I, Darin W. Schottler, under penalty of perjury, state the following:

1. I am the Director of Regional Capital Projects for Xcel Energy, Inc., a registered public utility holding company, and an affiliate of Northern States Power Company (“NSP,” or the “Company”), which owns Freeborn Wind Farm (“Freeborn Wind”). I am employed by Xcel Energy Services, Inc., which is a subsidiary of Xcel Energy, Inc. This Declaration is filed in Opposition to Plaintiff Association of Freeborn County Landowners (“AFCL”)’s Motion for Temporary Injunction.

2. Freeborn Wind is planned to be an up to 200 MW wind farm straddling the Minnesota-Iowa border. Freeborn Wind received a permit from the Minnesota Public Utilities Commission to locate up to 84 MW of the wind facility in Freeborn County, Minnesota. Freeborn Wind was designed so that the Iowa and Minnesota portions are dependent on each other, meaning

that infrastructure provided for in the Minnesota site permit is required for the entire project to go into commercial operation.

3. The Minnesota site permit that was granted allowed for construction of the following:

- Up to 42 wind turbines and related equipment, with 24 turbines currently planned for Minnesota;
- New gravel access roads and improvements to existing roads;
- Underground and/or aboveground electrical collection and communication lines;
- Operations and maintenance (“O&M”) facility;
- One collector substation; and
- Permanent meteorological towers.

4. To connect the wind farm to the transmission grid, the PUC also granted Freeborn Wind a route permit to construct a seven-mile 161 kV transmission line.

5. The Company began physical construction of Freeborn Wind in Minnesota in April 2020 and the following sets forth the status of the construction work:

- The Operations and Maintenance (“O&M”) Building is 98% completed, and only minor site work and mechanical work remains.
- The substation is 53% complete. All foundations have been constructed and main power transformers have been set.
- The collection cables have to be trenched in, and that work is 42% completed; approximately 215,000 linear feet of 495,000 linear feet of cable has been trenched in.
- 79 transmission line structures are being installed, 43% of which have been set.
- Out of 100 wind turbines that will be built across the entire project, 33 foundations have been poured to date. Excavation has occurred for two of the wind turbine foundations in Minnesota, but none of the foundations have been poured yet.

- The wind turbines are scheduled for delivery and offload on September 21, 2020, with installation to start on September 28, 2020.

6. As of August 1, 2020, NSP has incurred \$107,730,000 in actual costs associated with Freeborn Wind. These costs include spend for engineering, contracted materials, construction activities, and internal management, engineering and support. In addition, NSP has committed costs of \$282,460,000 for contractually obligated material items, such as complete wind turbine generator assemblies and main power transformers, which could not be recovered even if the project does not commence commercial operations.

7. Freeborn Wind is scheduled to commence commercial operation by the end of calendar year 2021. I have thoroughly reviewed the construction requirements and schedule for the wind farm with the subject matter experts at NSP. If a delay in construction occurs, the logistical and financial consequences of such delay would be substantial, including the loss of the production tax credit, as detailed in the affidavit of Peter Mathieson.

8. Approximately 250 construction personnel are expected to be required for peak construction periods, and 10 permanent personnel will be needed for operation and maintenance of the Freeborn Wind project.

9. Based on the current circumstances, including global supply chain status and construction schedule for the Freeborn Wind farm, a delay or injunction lasting more than one month would put the project at risk of not being able to be completed by the end of 2021, and a delay of half a year would almost certainly make completion in 2021 impossible. This could result in the loss of the PTC and potentially the cancellation of the project and the associated construction and permanent jobs.

10. NSP currently has contracts for labor and major equipment. These types of resources are typically scheduled a year or more in advance of construction. If the project is cancelled, NSP would also be exposed to potential contract damages.

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

Dated: August 19, 2020
Corcoran, Minnesota

/s/ Darin W. Schottler
Darin W. Schottler