

December 28, 2021

Kimberly Middendorf
Administrative Law Judge
Administrative Hearings

Will Seuffert
Executive Secretary Office of
Public Utilities Commission

RE: Proposed Amendments to Rules - Minn. R. ch. 7849 and 7850

OAH Docket 21-9004-37814; PUC Docket E,ET,IP-999/R-12-1246

Judge Middendorf, and Mr. Seuffert,

I attended this rulemaking from 2012 through the 2013 revocation of all permits for the Goodhue Wind Project, then ongoing through the adjournment of the rules meetings for R.7849 and R.7850 around 2015, with regular communications to ask questions during the next six or seven years of no committee meetings.

I am part of an organic farm family and live in a rural community. We are frankly astonished and disgusted with the poor ideas expressed to expand renewable energy (solar and wind) using prime farmland. We are also surprised that the rulemaking process is suspended after so much work.

It appears that weight is being given to corporate utility future plans and energy firms through their representative attorneys heavily represented on the rulemaking committee. There was also a blizzard of copied and pasted, cloned requests from people with ecological concerns. I was unable to attend the hearing held earlier in December, and I wonder how many of the concerned eco-activists were able to attend? Weight should not be given to cloned comments at the end of years of process.

Farmers live the stewardship and hard work 24-7 that it takes to feed America with our priceless, prime farmland. Do we make the \$50-\$100 an hour that the utilities, energy companies, and transmission company directors and their firm attorneys make? (And far more for some of them.) Do you see similar mass-cloned comments from Minnesota farmers as you have seen by eco-activist commenters? No and No.

For five years the rights of rural Goodhue County farmers were trampled on by the Goodhue Wind Project. Now there is a hue and cry by the same companies for access to land for vast solar projects. We had an interest in “relentless participation” then, and in improved rules now. As far as I know, one member of

the public was accepted onto the rules committee process which stretched for years and years. At times I was able to sit in that one person's place. I suggest that the Rules not be suspended, but that the prime Ag land issues be addressed separately with the invitation of Minnesota farmers from various areas of the state, the Department of Agriculture, the DNR, and especially members of the Public represented.

The rulemaking on Rules 7849 and 7850 should be gathering more information from more people in a far more appropriate way. This would include rulemaking on R.7854 which is very outdated for the growing size and the health and safety problems of these large energy systems.

After years of hiatus why does a submission of the draft to the Revisor and subsequent triggered comment periods and hearings have to happen at the Thanksgiving and Christmas season? Setting rolling the "years long parked bus" of energy rulemaking in this sudden, poorly timed way assures less public participation. I actually made the effort to attend rulemaking meetings for years, and I was unable to attend the hearing.

First, I ask that the rules be reexamined with a continuation of process, and the comment period be extended.

In the alternative, I ask the rulemaking efforts be renewed with the addition of Rule 7854 to make a more robust and comprehensive effort.

In relation to these courses of action, more public participation should be encouraged and asked for. Also, a special emphasis should be placed on invitation of the Department of Agriculture, the DNR, the MPCA, and the USFWS for a bigger picture of better standards. Again, Commerce and PUC staff must be in attendance. Additionally, any staff working with the area of Complaints on energy projects must be invited. We need their experience and suggestions, as we need the experience and suggestions of the PUBLIC in greater numbers.

The Social Studies Standards at the Department of Education began with 46 people on their committee. Energy Rulemaking can do better. And you don't need fancy doughnuts and coffee in such abundance at every meeting. We need some dedicated people that care about Minnesota and all her people, not politics and money.

It is hard to know who exactly is representing the Public when they are not invited, or who is taking the public's knowledge and suggestions with energy rulemaking.

Looks like State Regulatory is working with corporate Energy businesses, Utilities companies, Transmission companies, and their large law firms exclusively. When the lead for a large law firm says at Rulemaking, “I’ll be emailing you my suggestions” to the moderator, this sounds offensive. Suggestions should be heard at meetings, not privately emailed to staff attorneys for inclusion. The people on the land know what is out here and what negative impacts mean to farming and the people as well or better than attorneys who have conflicts.

If you start over, as the latest submission to the docket indicates, please radically change:

1. Public Participation on your Rules Committee, and Participation & Notification issues WITHIN the RULES,
2. Do examination and Rulemaking for R.7854 at the same time to be comprehensive and address all energy facilities, rather than partitioned special interest rules.
3. Include full Investigation and rule revamping of the Complaint Process. The Complaint Causers are in charge. We don’t put the fox in charge of our hen house. Review complaints themselves and review the Power Plant Siting Act (PPSA) comments from the last several years for greatly improving the rules. There are detailed items of information there.

I await the next steps in Energy Rulemaking:

- With better notification to the Public and the involvement of the Public on the rules committee particularly the farmers and the State Agencies working on Prime Ag Land issues,
- With a comprehensive inclusion of outdated Rule 7854,
- With BETTER timing for submission of reworked rules to the Revisor to facilitate better timed comment periods and hearings not scheduled at Thanksgiving and Christmas. This is too important to Minnesota.

Sincerely,

Marie McNamara
Goodhue Wind Truth – Goodhue, MN