

The Commission met on **Thursday, February 28, 2013**, with Chair Heydinger and Commissioners Reha and Wergin present.

The following matters were taken up by the Commission.

ENERGY AGENDA

IP-6701/CN-09-1186

In the Matter of AWA Goodhue Wind, LLC's Application for a Certificate of Need for a 78 MW Wind Project and Associated Facilities in Goodhue County

IP-6701/WS-08-1233

In the Matter of the Application of AWA Goodhue Wind, LLC for a Site Permit for a 78 Megawatt Large Wind Energy Conversion System Project in Goodhue County

E-002/M-09-1349

E-002/M-09-1350

In the Matter of Northern States Power Company's Request for Approval of Power Purchase Agreements with Goodhue Wind, LLC

Chair Heydinger moved to take the following actions:

1. Reopen the certificate of need case under Minn. Stat. § 216B.25 for the taking of further evidence.
2. Issue an order that (a) lists and requests comments on the issues the Commission identified today as requiring further development, (b) grants parties, participants, and members of the public opportunity to raise other relevant issues in their initial comments, and (c) grants parties, participants, and members of the public opportunity to comment on these newly raised issues in their reply comments.
3. Delegate to the Executive Secretary the authority to set the time frames for the comment process, specifying that comment periods must be no shorter than 14 days.
4. File the order issued in this case in all four dockets – the certificate of need docket, the site permit docket, and the two power purchase agreement dockets.
5. Table the specific request to extend the in-service date in the certificate of need, since that request cannot be acted on in isolation.
6. Order New Era Wind Farm, LLC and Xcel Energy, the parties to the power purchase agreements, to give notice if and when those agreements are terminated or to file the amended agreements as soon as they are finalized, with particular attention to any new in-service dates those agreements contain.

7. Table the request for approval of the Avian and Bat Protection Plan until the Permittee has
(a) responded to comments made by the public challenging factual representations made in the Plan and challenging the Plan's adequacy in protecting bats and avian species; and
(b) addressed whether any mitigation measures required to meet the concerns of the Minnesota Department of Natural Resources and the U.S. Fish and Wildlife Service will have an impact on the size, type, or timing of the project or on any substantive provisions of the site permit.
8. At the conclusion of the comment periods established under this motion, reschedule the case for a Commission meeting at which the Commission will determine whether it can make final decisions on the record before it or must refer the case for contested case proceedings.

The motion passed 3-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: March 27, 2013



Burl W. Haar, Executive Secretary