

The Commission met on **Thursday, October 21, 2010**, with Chair Boyd and Commissioners Pugh, O'Brien, Reha, and Wergin present.

The following matters came before the Commission.

TELECOMMUNICATIONS AGENDA

P-430/AR-07-948

In the Matter of Embarq Communications of Minnesota, Inc's Notice of Extension of its Alternative Form of Regulation Plan

Commissioner Pugh moved that the Commission

1. find that the extension of Embarq's current AFOR for an additional one year period requires Commission approval, and approve the extension of Embarq's current AFOR until December 31, 2011: and
2. with respect to any rate increases proposed pursuant to Section IV.B.1(a) of Embarq's current AFOR Plan, order that if Embarq seeks to change any rates pursuant Section IV.B.1 (a) of its current AFOR Plan, and is not precluded from doing so by any conditions adopted in any other Docket, Embarq must submit a proposed notice for Commission review.

The motion was adopted, 5-0.

ENERGY AGENDA

IP-6838/WS-10-425

In the Matter of the Application of Prairie Rose Wind, LLC for a Large Wind Energy Conversion System Site Permit for the 101 MW Prairie Rose Wind Farm in Rock and Pipestone Counties

Commissioner Wergin moved that the Commission

1. make a preliminary determination that a draft site permit may be issued; and
2. approve the proposed draft site permit for the Prairie Rose Wind Project for distribution and public comment and authorize the Office of Economic Security's Energy Facility Permitting staff to implement the public participation process found in Minn. Rules, Part 7854.0900.

The motion was adopted, 5-0.

IP-6828/CN-09-937

In the Matter of the Application of Pleasant Valley Wind LLC for a Certificate of Need for up to 301 MW at the Pleasant Valley Project in Dodge and Mower Counties in Southeastern Minnesota

Commissioner Reha moved that the Commission

1. find that the Environmental Report adequately addresses the issues identified in the Environmental Report Scoping Decision; and
2. grant Pleasant Valley Wind, LLC a Certificate of Need for up to 301 MW for the Pleasant Valley wind project and associated facilities.

The motion was adopted, 5-0.

IP-6828/WS-09-1197

In the Matter of the Application of Pleasant Valley Wind, LLC for a Large Wind Energy Conversion System Site Permit for the 301 MW Pleasant Valley Wind Project in Dodge and Mower Counties

Commissioner Wergin moved that the Commission

1. adopt the attached Findings of Fact, Conclusions of Law, and Order prepared for the 301 MW Pleasant Valley Wind Project in Dodge and Mower counties, with the change that the final sentence in Finding of Fact 13 shall be amended as follows: "Notice also appeared on the Commission web site on ~~May 14~~ June 11, 2010"; and
2. issue the proposed LWECS Site Permit for the 301 MW Pleasant Valley Wind Project to Pleasant Valley Wind, LLC, with the change that the following shall be added to begin Section 10.2, page 16: "In the event the Permittee does not have a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the Project at the time this permit is issued, the Permittee shall provide notice to the Commission when it obtains a commitment for purchase of the power."

The motion was adopted, 5-0.

IP-6701/CN-09-1186

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

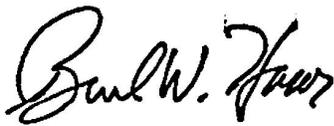
Commissioner O'Brien moved that the Commission take action as follows:

1. regarding Docket No. IP-6701/CN-09-1186, extend for good cause, as provided in Minn. Stat. § 216B.243, subd. 5, the time set in that statute to approve or deny the certificate of need requested in this matter; and
2. regarding Docket No. IP-6701/WS-08-1233, refer the matter to the Office of Administrative Hearings
 - 1) to develop a record and make recommendations on whether the Commission should adopt Goodhue County's more stringent standards for Large Wind Energy Conversion Systems;
 - 2) to examine and allow the parties to develop a factual record on the question of "good cause" under Minn. Stat. §216F.081 to decline to apply Goodhue County's more stringent standards and receive the recommendations of the hearing examiner on that question; and as the hearing examiner looks at both of those issues, be sure to include (but not be limited to) whether there is sufficient evidence regarding health and safety to support a 10 rotor set-back for non-participating residents and the stray voltage requirements contained in Goodhue County Zoning Ordinance (Article 18 Wind Energy Conversion System Regulations) adopted by the County Board October 5, 2010;
- 3) request that the actions of the Office of Administrative Hearings requested in subparts 1) and 2) above be thorough and proceed at deliberate speed.

The motion was adopted, 4-1. Commissioner Boyd voted no.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: NOVEMBER 3, 2010



Burl W. Haar, Executive Secretary