



January 15, 2021

Senator Carrie Ruud
Chair
Environment and Natural Resources Policy
and Legacy Finance Committee

Senator Founj Hawj
Ranking Minority Member
Environment and Natural Resources Policy
and Legacy Finance Committee

Senator David H. Senjem
Chair
Senate Energy and Utilities
Finance and Policy Committee

Senator Nick A. Frentz
Ranking Minority Member
Senate Energy and Utilities
Finance and Policy Committee

Representative Rick Hansen
Chair
Environment and Natural Resources Finance
and Policy Committee

Representative Josh Heintzeman
(Republican Lead) Ranking Minority Member
Environment and Natural Resources Finance
and Policy Committee

Representative Jamie Long
Chair
Climate and Energy Finance and
Policy Division Committee

Representative Chris Swedzinski
(Republican Lead) Ranking Minority Member
Climate and Energy Finance and
Policy Division Committee

Dear Senators Ruud, Hawj, Senjem, and Frentz and Representatives Hansen, Heintzeman, Long and Swedzinski:

Minn. Stat. § 216F.012 provides that the Public Utilities Commission must submit to you an annual Variances From Wind Energy Conversion System Setback Requirements From State Lands Report. Attached is the Report of the Minnesota Public Utilities Commission.

Please let me know if you have any questions or would like additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Will Seuffert'.

Will Seuffert
Executive Secretary

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Variances From Wind Energy Conversion System Setback Requirements From State Lands under Minnesota Statutes, Section 216F.012

January, 2021

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INTRODUCTION

Statutory Reporting Requirement

Minnesota Statutes (2018), Section 216F.012 (c) requires the Minnesota Public Utilities Commission to report annually to the Minnesota Legislature on any variances from system setback requirements from State lands which were applied for and not granted concerning wind energy projects.

This Report is to fulfill the reporting requirement of this section.

Costs of Preparing Report

Pursuant to Minnesota Statutes (2018), Section 3.197, it is estimated that the costs incurred by the Minnesota Public Utilities Commission in preparing this Report are minimal. Special funding was not appropriated for the costs of preparing this report.

BACKGROUND

Minnesota Statutes (2018), Section 216F.012 provides that a wind energy conversion system with a nameplate capacity exceeding five megawatts that is proposed to be located wholly or partially within a wind access buffer adjacent to State lands which are part of the outdoor recreation system is a large wind energy conversion system. The Statute further provides that the Department of Natural Resources must negotiate in good faith with a system owner regarding siting and may support the system owner in seeking a variance from the system setback requirements if the Department determines that a variance is in the public interest.¹

The Minnesota Public Utilities Commission is required to issue an annual report to the Legislature regarding any variances applied for and not granted for systems subject to these provisions.²

COMMISSION ACTIONS

No variances were requested in 2020.

¹ Minn. Stat. § 216F.012 (b)

² Minn. Stat. § 216F.012 (c)