

09 - 0167

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

January 27, 2009

Senator Yvonne Prettner-Solon
75 Rev. Dr. Martin Luther King Jr. Blvd.
Capitol Building, Room G-9
Saint Paul, MN 55155-1606

Representative Bill Hilty
559 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Subject: 2008 Annual Report on Variances Sought for Setbacks from State Lands Associated
with Large Wind Energy Conversion Systems

Dear Chair Prettner-Solon and Chair Hilty:

Minnesota Session Laws 2008, Chapter 296, Article 1, Section 18 amended Minnesota Statutes 216F to provide for variances by the Minnesota Public Utilities Commission from certain setback provisions in its general site permit standards applying to Large Wind Energy Conversion Systems. Specifically, Minn. Stat. 216F.012(b) allows the Commission to vary setbacks from state lands that are part of the outdoor recreation system, as enumerated in Minn. Stat. 86A.05. Further, 216F.012(c) requires an annual report regarding variances applied for and not granted for systems subject to paragraph (b).

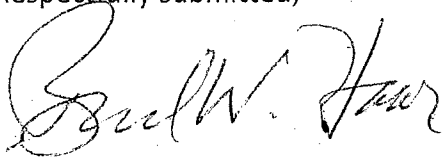
The Commission received no applications in 2008 for variances allowed under Minn. Stat. 216F.012(b) and thus none were either granted or not granted. The Minnesota Department of Natural Resources has confirmed that no entity requested negotiations relating to setback

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variances in 2008. The Commission is not aware that either of the two counties that have assumed siting jurisdiction under 216F.08 have been petitioned for a state lands setback variance in 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Burl W. Haar". The signature is written in a cursive, flowing style.

Burl W. Haar
Executive Secretary

Cc: Senator Julie A. Rosen, Minnesota Senate
Representative Torrey Westrom, Minnesota House of Representatives
Minnesota Legislative Reference Library