



January 15, 2021

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

Senator Foug 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

C: Legislative Reference Library

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

January, 2021

Minnesota Public Utilities Commission  
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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.<sup>1</sup>

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.<sup>2</sup>

## **COMMISSION ACTIONS**

No variances were requested in 2020.

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<sup>1</sup> Minn. Stat. § 216F.012 (b)

<sup>2</sup> Minn. Stat. § 216F.012 (c)