



CREATING GOOD JOBS, A CLEAN ENVIRONMENT, AND A FAIR AND THRIVING ECONOMY

September 18, 2018

Minnesota Public Utilities Commission
121 Seventh Place East, #350
Saint Paul, MN 55101-2147

MPUC Docket No. IP-6984/CN-17-676
MPUC Docket No. IP-6984/WS-17-749
OAH Docket No. 60-2500-35035

Commissioners Lange, Lipschultz, Schuerger, Sieben, and Tuma:

The BlueGreen Alliance is writing the members of the Minnesota Public Utilities Commission regarding the conduct of proceedings for RES Americas' application for a Certificate of Need and a Site Permit for the Bitter Root wind farm and to request that the Commission take action to ensure that issues raised by labor and community stakeholders are fully analyzed and sufficiently addressed before the Commission considers allowing the proposed project to move forward.

The Blue Green Alliance has long supported the development of Minnesota's renewable energy resources as a means not only to reduce carbon emissions and other forms of pollution associated with consumption of fossil fuels, but also to build a clean energy economy that works for all Minnesotans.

The strong support that renewable energy enjoys in Minnesota is attributable in significant part to the promise that the industry will bring economic development to Minnesota communities and high-quality jobs to Minnesota workers. Those promises must be kept if we hope to continue to progress toward a healthy future for Minnesota and for our planet.

The record for the Bitter Root project shows that local construction workers and the unions that represent them have made every effort to participate actively in the proceedings since the initial public information meeting took place in February. Unfortunately the Administrative Law Judge report and supporting summary documents prepared by staff do not adequately consider the full body of evidence provided by labor stakeholders in their recitation of relevant facts. Certificate of Need and Route Permit decisions such as those at issue in this docket impact a wide and diverse range of stakeholders, including labor unions and Minnesota workers, in a variety of substantive ways. An effective and meaningful review process is only possible when these diverse perspectives are heard and fully considered. Unfortunately, the process appears to have failed to seriously weigh public input or to support development of a robust record that includes worker perspectives.

Representatives of the Laborers District Council of Minnesota and North Dakota, which is a party to the case, along with Operating Engineers Local 49, Iron Workers Local 512, and the North Central States Regional Council of Carpenters have raised concerns about issues that go to the heart of the project's suitability for a Certificate of Need and a Site Permit: whether approval of a project that will likely employ very few local workers, based on the record, is of benefit to Minnesota and is consistent with principles of sustainable development and efficient

use of resources. These issues should have been taken head-on. Instead, they have been sidelined.

The record contains uncontested evidence provided by the Laborers Union and other labor stakeholders to support the following conclusions, none of which is addressed in the ALJ report or comments submitted by the Department of Commerce:

- The Applicant relies heavily on the use of non-local construction labor for anywhere from two-thirds to 90 percent of the company's workforce according to evidence in the record.
- The Applicant's expected reliance on a largely non-local workforce will substantially reduce expected benefits and cost local communities millions of dollars in lost economic activity according to expert testimony provided by the Executive Director of North Star Policy Institute.
- Approval of Bitter Root could negatively affect prospects for nearby proposed wind projects that would deliver greater economic and societal benefits, such as quality jobs that pay fair wages and benefits, employing local workers who will help grow the local economy, and ensure that workers on the job have the best safety training available.
- Minnesota has a skilled construction workforce that has successfully built many wind energy facilities across the state where local hires accounted for a large majority of hours worked.

The Commission may not have the authority to require the Applicant to hire local workers. But the Commission has an obligation to gather all of the facts necessary to determine whether approval of this project is in the best interest of Minnesotans given what the record suggests may be limited benefits, unusual negative impacts, and the risk that Bitter Root could move forward at the expense of competing projects that might offer greater benefits and fewer costs. Further, the Commission can and should prioritize approval of projects that best advance the state's statutory and policy goals, which include maximizing both environmental and socioeconomic benefits.

Minnesota needs to continue expanding wind and solar generation, but we need to ensure that renewable energy resources are developed in a manner that is sustainable and that maximizes the benefits of those resources to local residents and to the state as a whole. The fact that a proposed facility will generate renewable energy should not exempt a developer or the project from scrutiny.

We urge the Commission to require that the record be fully developed to reflect demonstrated impacts of this project for workers and communities prior to considering final approval.