

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of Thursday, June 13, 2024

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Strand, Commissioner Nieto and Commissioner Hawkins.

Minutes

The Commission approved the minutes of the open meeting of Tuesday, June 4, 2024.

2000-GP-2024 - Florence Utility Commission Gas Supply Plan for the Period Beginning November 1, 2024

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

4080-CW-102 - Application of the Village of New Auburn, as a Water Public Utility, for Authority to Construct Chemical Feed Equipment Replacements at Well No. 1 and Well No. 2, in the Village of New Auburn, Barron and Chippewa Counties, Wisconsin

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

4440-CW-105 - Application of the Village of Oregon, as a Water Public Utility, for Authority to Construct Improvements to Well House No. 3 and Booster Station, in the Village of Oregon, Dane County, Wisconsin

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

4980-CW-102 - Application of the Village of Reedsville, as a Water Public Utility, for Authority to Construct a Transmission Main from Well No. 3 to Well No. 5 and Install Four Ion Exchange Vessels at Well House No. 5, in the Village of Reedsville, Manitowoc County, Wisconsin

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

6690-EI-120 - Request of Living Down Town LLC., for a Waiver of Wis. Admin. Code § PSC 113.0803(3) Regarding Individual Electric Meters

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

2510-ER-106 - Application of the Village of Hazel Green, Grant and Lafayette Counties, Wisconsin, as an Electric Public Utility, for Authority to Adjust Electric Rates

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

4775-WR-100 - Application of the Town of Portland Sanitary District No. 1, Dodge County, Wisconsin, as a Water Public Utility, for Authority to Adjust Water Rates

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

6350-WR-103 - Application of the Village of Webster, Burnett County, Wisconsin, as a Water Public Utility, for Authority to Adjust Water Rates

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

5-AE-249 - Application for Approval of an Affiliated Interest Agreement between American Transmission Company LLC and Wisconsin Power and Light Company for Work Related to the Rock County Reliability Project

The Commission approved the draft final decision and directed it to be signed by the Secretary to the Commission.

3270-EI-106 - Request of Repvblik Madison Apartments LLC, for a Temporary Waiver of Wis. Admin. Code § PSC 113.0803(3) Regarding Individual Electric Meters

The Commission granted, pursuant to Wis. Admin. Code § PSC 113.01(2), the request made by Repvblik Madison Apartments, LLC for a temporary waiver of Wis. Admin. Code § PSC 113.0803(3)'s individual electric metering for an existing building undergoing alterations involving a change in the type of occupancy or substantial remodeling requirement for a period of 24 months from the date of the order due to the "exceptional or unusual" circumstances presented by this request, and imposed the following conditions necessary for approval of the waiver:

1. Repvblik shall not resell energy to tenants.
2. Repvblik may not disconnect tenants for non-payment.
3. Repvblik shall provide quarterly status reports on the progress of the project, which shall include updates on the anticipated arrival of metering equipment, updated timelines of metering installations, and details outlining the progress of each stage of the phased metering approach.

The Commission directed the Division of Digital Access, Consumer and Environmental Affairs to draft an order consistent with its discussion.

4340-TE-106 - Application of City of Oconomowoc, as an Electric Public Utility, Waukesha County, Wisconsin, for Approval of an Rg-3 Optional Three Tier Residential Time-of-Day Rate Tariff

The Commission reviewed, and approved with conditions, the application of the City of Oconomowoc, as an Electric Public Utility (applicant) for approval of an Rg-3 Optional Three Tier Residential Time-of-Day (TOD) Rate Tariff.

The Commission accepted the evaluation and reporting conditions as proposed by the applicant with additions, including the following additional conditions:

1. The applicant shall provide the Commission with reports on the number of customers electing to take service under Rg-3, the residential class that the customer transferred from, and the total monthly kWh shifted into different pricing periods from the enrolled customers' baseline amount and/or the monthly peak hours and the number of peak hours that occur outside of the tariff-defined peak hours.
2. The applicant shall work with Commission staff on establishing a deadline for filing of annual reports, and on finalizing the language of the final reporting conditions.

The Commission denied the request of the applicant to delegate to the Administrator of the Division of Energy Regulation and Analysis the authority to approve substantially similar TOD rate designs proposed by WPPI municipal members.

The Commission directed the Division of Energy Regulation and Analysis to draft a decision consistent with its discussion.

9300-SI-126 - Complaint of City of Kaukauna against Heart of the Valley Metropolitan Sewerage District Concerning Sewer Rates

The Commission reviewed the complaint of City of Kaukauna against Heart of the Valley Metropolitan Sewerage District (HOVMSD) concerning sewer rates and made the following determinations:

1. The City of Kaukauna is a "user" of the sewerage services at issue in the complaint pursuant to Wis. Stat. § 66.0821(5)(a), and the Commission has jurisdiction to investigate the complaint.
2. The Commission determined HOVMSD's volumetric rate is neither unreasonable nor unjustly discriminatory as evaluated with regards to the volume of Kaukauna's wastewater that enters the interceptor.

Commissioner Nieto dissented.

3. The cost allocation methodology adopted by HOVMSD for its interceptor project is neither unreasonable nor unjustly discriminatory as evaluated with regards to the portion of HOVMSD's interceptor used by Kaukauna.
4. HOVMSD's rates are neither unreasonable nor unjustly discriminatory as applied to Kaukauna with regard to the cost-of-service principles identified in Wis. Stat. § 200.13(3)(b).
5. The Commission found it reasonable to assess HOVMSD for all of the Commission expenses associated with the proceeding in this docket.

The Commission directed the Division of Water Utility Regulation and Analysis to draft an order consistent with its discussion.

CLOSED SESSION – The Commission recessed the open meeting, went into closed session under Wis. Stat. § 19.85(1)(g) to discuss the litigation matters noted below with legal counsel, and reconvened the open meeting pursuant to Wis. Stat. § 19.85(2).

Midwest Renewable Energy Associates v. Public Service Commission of Wisconsin, 22-AP-968 (Wis. Ct. App. Dist. IV)

Commissioner Nieto moved, pursuant to Wis. Stat. § 19.85(1)(g), that the Commission convene in closed session to discuss the litigation matter listed above with legal counsel. Commissioner Hawkins seconded the motion. The motion was carried, and the Commission went into closed session.

After a discussion in closed session, the Commission reconvened in open session and indicated that it had spoken to legal counsel regarding the status of the above-referenced litigation and provided guidance.

The Commission adjourned the meeting at 12:14 p.m.

A handwritten signature in black ink, appearing to read 'Cru Stuble', with a stylized, flowing script.

Cru Stuble
Secretary to the Commission

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