

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, April 10, 2025

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 Thursday, March 20, 2025.

5-AE-262 - Application for Approval of a Generation-Transmission Interconnection Agreement and Guarantee or Letter of Credit Transaction for the Dawn Harvest Solar Energy Project between American Transmission Company LLC and Wisconsin Electric Power Company

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

5-AE-263 - Joint Application for Approval of a Project Commitment Agreement between American Transmission Company LLC and Wisconsin Electric Power Company for Project Granite

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

5-CE-156 - Joint Application of Wisconsin Power and Light Company, Wisconsin Public Service Corporation, and Madison Gas and Electric Company for a Certificate of Authority to Construct, Own, and Operate a 20 MW/200 MWh CO₂-Based Energy Storage System, Known as the Columbia Energy Storage Project, in Columbia County, Wisconsin

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

3270-FR-2024 - Application of Madison Gas and Electric Company for Reconciliation of Actual Fuel Costs to the Authorized 2024 Fuel Cost Plan

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

3270-TE-121 - Application of Madison Gas and Electric Company for a Charge Ahead Tariff Expiration Extension

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

4230-CW-104 - Application of the Village of North Fond du Lac, as a Water Public Utility, for Authority to Construct Well Station No. 5, in the Village of North Fond du Lac, Fond du Lac County, Wisconsin

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

4280-SB-156 - Application of Northwestern Wisconsin Electric Company for Authority to Issue \$485,000 Principal Amount of Long-Term Debt

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

5510-TE-104 - Application of Village of Slinger, as an Electric Public Utility, Washington County, Wisconsin, for Approval of a Non-Standard Meter Service Tariff

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

6630-FR-2024 - Application of Wisconsin Electric Power Company for Reconciliation of Actual Fuel Costs to the Authorized 2024 Fuel Cost Plan

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

6725-RW-181 - Tolls to be Charged for the Wisconsin Valley Improvement Company for the Six Months Period Ending December 31, 2024

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

230-WR-102 - Application of the Village of Argyle, Lafayette County, 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.

460-WR-103 - Application of the Village of Benton, Lafayette 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.

1515-CE-103 - Application of Dairyland Power Cooperative for a Certificate of Public Convenience and Necessity to Construct and Operate the Wisconsin Portion of Long Range Transmission Project Tranche 1 Project 4, Consisting of a New 345 kV Transmission Line in the Counties of Buffalo and Trempealeau, Wisconsin, also Known as the Alma to Blair Transmission Line Project

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

1780-WR-102 - Application of the Village of Eleva, Trempealeau 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.

2730-WR-101 - Application of the Jamestown Sanitary District 2, Lafayette 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.

4950-WR-103 - Application of the Village of Readstown, Vernon 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.

5090-PFP-100 - Application of Village of Ridgeway, Iowa County, Wisconsin, as a Water Public Utility, for Authority to Change its Method of Cost Recovery for Providing Public Fire Protection Service

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

6540-WR-102 - Application of the Village of Williams Bay, Walworth 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.

6560-WR-104 - Application of the Village of Wind Point, Racine 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.

6610-ER-107 - Application of City of Wisconsin Dells, Sauk County, 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.

6680-FR-2024 - Application of Wisconsin Power and Light Company for Reconciliation of Actual Fuel Costs to the Authorized 2024 Fuel Cost Plan

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

9830-CE-100 - Application for a Certificate of Public Convenience and Necessity of Emerald Bluffs Solar Park LLC to Construct a 225 MW Alternating Current Solar Electric Generation Facility and 1.14 Mile 345 kV Transmission Tie Line in the Towns of Lemonweir and Seven Mile Creek, Juneau County, Wisconsin

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

5-AE-244 - Application for Approval of an Amended Generation-Transmission Interconnection Agreement and Guarantee or Letter of Credit Transaction for the J1316 Project between American Transmission Company and Wisconsin Electric Power Company

Order to Reopen, Notice, and Request for Comments to consider Amendments to the Final Decision

The Commission approved the Order to Reopen, Notice, and Request for Comments and directed it to be signed by the Secretary to the Commission.

5-BS-276 - Joint Application of Wisconsin Electric Power Company, Wisconsin Public Service Corporation, and Madison Gas and Electric Company for Approval to Acquire Ownership Interests in the High Noon Solar Electric Generation Facility and Battery Energy Storage System in the Towns of Leeds, Lowville, Arlington, and Hampden, Columbia County, Wisconsin

The Commission approved the proposed transaction in the joint application Wisconsin Electric Power Company (WEPCO), Wisconsin Public Service Corporation (WPSC), and Madison Gas and Electric Company (MGE) (together, applicants) for approval to acquire ownership interests in the High Noon Solar Electric Generation Facility and Battery Energy Storage System in the Towns of Leeds, Lowville, Arlington, and Hampden, Columbia County, Wisconsin with the following conditions:

1. The proposed acquisition of ownership to the applicants, as described in the application, is authorized, subject to conditions identified in the Final Decision.
2. After completion of the proposed acquisition, the applicants shall submit to the Commission their respective proposed accounting entries to record the acquisition of the facilities within 30 days.
3. If the applicants do not proceed to closing or enter into any arrangement with another party regarding ownership or operation of the projected project, applicants shall provide prior notice to the Commission.
4. Within 60 days of the effective date of the transfer, the applicants shall file with the Commission the final closing purchase price and, for informational purposes only, copies of the executed agreements.
5. The applicants shall provide copies of agreements between the applicants and the developers as they become available for informational purposes.
6. The applicants shall obtain all necessary federal, state, and local permits prior to constructing the project.
7. To the extent the applicants proceed to closing prior to completion of construction of High Noon, beginning with the end of the first full quarter following the effective date of this Final Decision, and within 30 days of the end of each quarter thereafter and continuing until the authorized facilities are fully operational, the applicants shall submit quarterly progress reports to the Commission that include all of the following:
 - a. The date that the applicant completes the proposed acquisition of the project.
 - b. To the extent applicable, major construction and environmental milestones, including permits obtained, by agency, subject, and date;
 - c. Summaries of the status of the acquisition, the anticipated in-service date, and the overall percent of physical completion;
 - d. Actual project costs to-date segregated by line item as reflected in the cost breakdown listed in this Final Decision;
 - e. The date that the facilities are placed in service.

- f. The applicants' efforts, and the efforts of its contractors, to recruit Wisconsin residents to fill employment opportunities created by the construction of the proposed project;
 - g. Its efforts to collaborate with state registered apprenticeship programs; and
 - h. The actual number of Wisconsin residents and out-of-state workers.
8. Beginning with the year ending December 2025 and within 30 days of the end of each year thereafter and continuing until the authorized facilities are fully operational, the applicant shall submit annual revised total cost estimates for the project to the Commission.
9. If the applicants have not constructed the project within one year of the effective date of this Final Decision, the Certificate authorizing the approved project for which construction has not been completed shall become void unless the applicants:
 - a. files a written request for an extension of time with the Commission before the effective date on which the Certificate becomes void, and
 - b. is granted an extension by the Commission
10. If the applicants have not constructed the project and has not filed a written request for an extension before the date that this Certificate becomes void, the applicants shall inform the Commission of those facts within 20 days after the date on which the Certificate becomes void.
11. The Commission, consistent with its past practice, shall review in a future rate proceeding the recoverability of costs associated with the acquisition, O&M costs, and revenues associated with the project; provided, however, that in no event shall the recoverability of the acquisition costs exceed the estimated cost for each applicant specified in the application. If it is discovered or identified that the acquisition cost may exceed the estimated cost of \$981.1 million, the applicants shall notify the Commission within 30 days of when it becomes aware of the possible cost increase.
12. The applicants shall record 100 percent AFUDC on CWIP at their respective weighted average costs of capital.
13. The applicants shall notify the Commission of the effective date of the purchase and sale of the proportionate shares of High Noon within 30 days of the effective date of the transfer.
14. After completion of the proposed acquisition, the applicants shall submit to the Commission the proposed accounting entries to record the sale or acquisition of the High Noon Energy Center generation capacity within 30 days.
15. The applicants shall be bound by all commitments made by the developer in its application, subsequent filings, and the provisions of the Commission's Final Decision in docket 9814-CE-100. The assignment of the CPCN for the project does not confer additional rights to the applicants than what was afforded to the developer at the time of the application and as specified in the Final Decision in docket 9814-CE-100. Notwithstanding Wis. Stat. §§ 32.02 and 32.03(5)(a), such transfer shall not confer any right to use eminent domain.

16. All commitments made by the applicants in their application, subsequent filings, and the provisions of the Final Decision shall apply to the applicants, any agents, contractors, successors, assigns, corporate affiliates and any future owners or operators of the project. To the extent the applicants transfer any ownership or operational interest in the project, in whole or in part, to a third-party, such transfer does not confer either additional rights or obligations upon that third party than what is afforded to the original developers of the project specified in the Final Decision in docket 9814-CE-100. If the successor, assign, or future owner or operator of the project is a public utility, and notwithstanding Wis. Stat. §§ 32.02 and 32.03(5)(a), such transfer shall not confer any right to use eminent domain.
17. The applicants may not proceed with any substantial changes in scope, design, size, or location of the approved project except as provided for in the Final Decision in docket 9814-CE-100.
18. The Final Decision takes effect one day after the date of service.
19. Jurisdiction is retained

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

9705-FG-2025 - Project Year 2025 State Energy Program Formula Grant Awarded by the US Department of Energy

Proposed State Energy Program Project Year 2025

The Commission approved the State Energy Program Project Year 2025 annual plan as proposed.

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

137-CE-209 - Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Public Convenience and Necessity to Construct and Operate the Western Feed Transmission Line Project, Consisting of the Jupiter and Cosmos 345 kV Substations, Two Sets of Double-Circuit 345 kV Transmission Lines, One Set of Double-Circuit 138/345 kV, and One Single-Circuit 345 kV to Interconnect the New Jupiter and Cosmos Substations Located Primarily in the Villages of Yorkville and Mount Pleasant, Racine County, Wisconsin

The Commission reviewed the application of American Transmission Company LLC (applicant), as an electric public utility, for a Certificate of Public Convenience and Necessity (CPCN) to construct and operate the Western Feed Transmission Line Project consisting of the Jupiter and Cosmos 345 kV Substations, two sets of double-circuit 345 kV transmission lines, one set of

double-circuit 138/345 kV, and one single-circuit 345 kV to interconnect the New Jupiter and Cosmos Substations located primarily in the villages of Yorkville and Mount Pleasant, Racine County, Wisconsin (together, project) and made the following determinations:

1. The Commission accepted all of the uncontested alternatives identified in the Final Decision Matrix. ([PSC REF#: 538217](#)).
2. The proposed project will satisfy the reasonable needs of the public for an adequate supply of electric energy, and complies with the criteria listed in Wis. Stat. §§ 196.491(3)(d)2. and 196.491(3)(d)5.
3. The proposed project will provide usage, service or increased regional reliability benefits to the wholesale and retail customers or members in this state, and the benefits of the project are reasonable in relation to the cost of the proposed project.
4. No higher ranked Energy Priority Law alternatives exist that are cost-effective, technically feasible, and environmentally sound alternatives to the proposed project.
5. The project complies with Wis. Stat. § 196.491(3)(d)6. and would not unreasonably interfere with the orderly land use and development plans for the area involved.
6. The Commission authorizes the Preferred Route, with Segment 3B, as presented by the applicant.
7. The following general conditions, with a project-specific modification to general condition sub. (h) as noted below, are necessary for the proposed project:
 - a. The applicant is authorized to construct the proposed project, as described in the application and data request responses and as modified by the Final Decision.
 - b. The applicant shall obtain all necessary federal, state, and local permits for a construction spread prior to beginning construction, as defined by Wis. Stat. § 196.491(1)(b), on that construction spread. For the purposes of this order condition, construction spread means any subpart or segment of the proposed project established by the applicant for the purposes of managing construction of the project.
 - c. The applicant shall conduct an updated Endangered Resources Review closer to the start date of construction (no more than one year prior to construction start).
 - d. The applicant shall work with the applicable distribution utility to make available stray voltage testing at each agricultural confined animal operation within one half-mile of the project facilities, prior to commencing any project construction activity that may interfere with testing and after the project is energized. The applicant shall work with the distribution utility and farm owner to rectify any identified stray voltage problem arising from the construction or operation of the project, in compliance with the Commission's stray voltage protocol. Prior to testing, the applicant shall work with the applicable distribution utility and Commission staff to determine where and how it will conduct the stray voltage measurements. The applicant shall report the results of its testing to Commission staff in writing.

- e. Should the scope, design, or location of the project change significantly, the applicant shall notify the Commission within 30 days of becoming aware of possible changes. The applicant shall obtain approval from the Commission before proceeding with any substantial change in the scope, design, size, or location of the approved project.
- f. The applicant may propose minor adjustments to the approved route for the protection of environmental resources, to respond to landowner requests, or to implement technical design changes that arise during final stages of engineering, but any changes in alignment from the approved centerline may not affect resources not discussed in the EA, nor may they affect new landowners who have not been given proper notice and hearing opportunity. The applicant shall consult with Commission staff regarding whether the change rises to the level where Commission review and approval is appropriate. For each proposed adjustment for which Commission review is appropriate, the applicant shall submit for Commission staff review and approval, a letter describing: the nature of the requested change; the reason for the requested change; the incremental difference in any environmental impacts caused by the change; communications with all potentially affected landowners regarding the change; and a map showing the approved route and the proposed modification, property boundaries, relevant natural features such as woodlands, wetlands, waterways, and other sensitive areas. Approval of the requests is delegated to the Administrator of the Division of Energy Regulation and Analysis with advice and consent from the Administrator of the Division of Digital Access, Consumer and Environmental Affairs.
- g. If the applicant cancels the project or enters into any arrangement with another party regarding ownership or operation of the proposed facilities, the applicant shall provide prior notice to the Commission.
- h. If it is discovered or identified that the project costs including force majeure costs may exceed the estimated cost less the contingency costs, the applicant shall, within 30 days of when it becomes aware of the possible change or cost increase, notify the Commission of the accounts or categories where the costs deviate from those authorized and shall itemize and segregate those costs by major accounts and provide sufficient documentation to support and explain the reasons for such deviations.

Chair Strand dissented and would have supported the general cost condition used in prior dockets.

- i. All commitments made by the applicant in its application, subsequent filings, and the provisions of the Final Decision, shall apply to the applicant, any agents, contractors, successors, assigns, corporate affiliates, and any future owners or operators of the project.

- j. The applicant shall submit to the Commission the final actual costs, segregated by major accounts, within one year after the in-service date. For those accounts or categories where actual costs deviate significantly from those authorized, the applicant shall itemize and explain the reasons for such deviations in the final cost report.
 - k. The CPCN is valid only if construction commences no later than one year after the latest of the following dates:
 - i. The date the Final Decision is served;
 - ii. The date when the applicant has received every federal and state permit, approval, and license that is required prior to commencement of construction by construction spread under the CPCN;
 - iii. The date when the deadlines expire for requesting administrative review or reconsideration of the CPCN and of the permits, approvals, and licenses described in par. (ii);
 - iv. The date when the applicant receives the Final Decision, after exhaustion of judicial review, in every proceeding for judicial review concerning the CPCN and the permits, approvals, and licenses described in par. (ii).
 - l. If the applicant has not begun on-site physical construction of the authorized project within one year of the effective date of this Final Decision, the Certificate authorizing the applicant project for which construction has not commenced shall become void unless the applicant:
 - i. Files a written request of an extension of time with the Commission before the effective date on which the Certificate becomes void; and
 - ii. Is granted an extension by the Commission.
 - m. If the applicant has not begun on-site physical construction of the authorized project and has not filed a written request for an extension before the date that this Certificate becomes void, the applicant shall inform the Commission of those facts within 20 days after the date on which the Certificate becomes void.
 - n. The Final Decision takes effect one day after the date of service; and,
 - o. Jurisdiction is retained.
8. The following additional conditions are necessary for approval of the project:
- 1. The applicant shall mitigate impacts to line-of-sight communications and landowners that can show disruption to broadcast communications post construction.
 - 2. Beginning within 30 days after the end of the quarter during which the Final Decision is signed and served, and within 30 days of the end of each quarter thereafter and continuing until the authorized facilities are fully operational, the applicant shall submit quarterly progress reports to the Commission that include all of the following:
 - a. The date that construction commences;

- b. Major construction and environmental milestones, including permits obtained, by agency, subject, and date;
 - c. Summaries of the status of construction, the anticipated in-service date, and the overall percent of physical completion;
 - d. The date that the facilities are placed in service;
 - e. Its efforts, and the efforts of its contractors, to recruit Wisconsin residents to fill employment opportunities created by the construction of the proposed project;
 - f. Its efforts to collaborate with state registered apprenticeship programs; and
 - g. The actual number of Wisconsin residents and out of state workers employed on-site to construct the proposed project.
 3. To the extent applicable, the applicant shall provide to the Commission a summary of competitive bids received for work to be performed and equipment to be procured as part of this project.
9. The following project-specific conditions are necessary for approval of the project:
 - a. The applicant shall re-examine wetland impacts during final project design with the first objective to avoid and secondly to minimize wetland impacts to the extent practicable. This includes attempting to shift and/or locate new structures, access routes, project corridors, and land disturbing activities outside of wetlands and/or to the edge of wetlands and outside of higher quality wetlands.
 - b. Utilize temporary construction matting in wetlands when stable conditions are not present during construction or if operation of equipment results in the discharge of fill material in wetlands.
 - c. Implement the applicant's Wetland Matting Restoration Plan (Ex.-ATC-Application: Appendix F: Exhibit 6-Matting Restoration Plan) and incorporate any additional commitments to wetland and waterway restoration made by the applicant in these proceedings.
 - d. Install signage at wetland and waterway boundaries that are within the project construction and access areas to alert construction crews to not work within or access across these areas unless permit authorization was granted for the area.
 - e. Develop and implement a Storm Water Erosion Control Plan and a Stormwater Management Plan that meet or exceed the standards found in Wis. Admin. Code Chs. NR 216 and NR 151. Implement the technical standards developed per Subchapter V of Wis. Admin. Code Ch. NR 151.
 - f. Install all site-specific sediment and erosion control measures and devices prior to any construction activities commencing and regularly inspect and maintain them through all construction and restoration phases.
 - g. Provide copies of all plans and environmental documents to construction crews and inspectors. Plans should clearly label the locations of wetlands and

waterways and include language stating vehicle access, storage of materials, grading, and all other construction activities are not permissible within these areas. Plans should also clearly label where sediment and erosion control measures and devices need to be installed if working adjacent to wetlands and waterways.

- h. Implement a construction sequencing plan that minimizes the amount of land disturbed or exposed (susceptible to erosion) at one given time across the project.
 - i. Vegetate disturbed areas and areas of exposed soil as soon as possible and seed with a cover crop and/or native seed mix to minimize erosion potential and prevent the establishment of invasive species.
 - j. Prepare and implement an invasive species management plan that identifies known areas of invasive species populations and includes specific protocols to minimize the spread of invasive species.
 - k. Leave existing vegetative buffers in place to the maximum extent practicable and minimize vegetation removal and use of heavy equipment within 35-foot of waterways.
 - l. Avoid the use of herbicide in wetlands and near waterways, or utilize herbicides approved for use in aquatic environments.
 - m. The applicant shall remove brush piles, wood chips, and woody debris from wetlands in mapped floodplain areas following clearings activities to prevent debris from becoming suspended, migrated, and re-disposed in wetlands to the maximum extent practicable.
10. The applicant shall provide to Commission staff adequate information to determine the distribution of the one-time and annual environmental impact fees within 30 days from the date of this Final Decision.
11. The Commission has complied with WEPA pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4.
12. The proposed project will not have undue adverse impacts on other environmental values as provided under Wis. Stat. § 196.491(3)(d)4.
13. The Commission grants a CPCN for the proposed project, with conditions.

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

The Commission adjourned the meeting at 11:25 a.m.

A handwritten signature in black ink, appearing to read "Cru Stublely". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Cru Stublely
Secretary to the Commission

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