

SERVICE DATE Mar 11, 2026
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PUBLIC SERVICE COMMISSION OF WISCONSIN

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

1515-CE-103

FINAL DECISION

This is the Final Decision in the proceeding conducted by the Public Service Commission of Wisconsin (Commission) on the application of Dairyland Power Cooperative (applicant) for a Certificate of Public Convenience and Necessity (CPCN) to construct the Alma to Blair Transmission Line Project (project), which includes construction and operation of a new 345 kilovolt (kV) transmission line, connecting the existing LQ-43 transmission line near the Alma Substation to the new Tremval North Substation, in Buffalo and Trempealeau Counties, Wisconsin. The project has an estimated total cost of \$188,796,752.

The CPCN application is APPROVED subject to conditions and as modified by this Final Decision.

Procedural Background

On February 14, 2025, pursuant to Wis. Stat. § 196.491 and Wis. Admin. Code chs. PSC 4 and 111.53, the applicant filed with the Commission an application for a CPCN to construct the project. ([PSC REF#: 567118](#)¹) The Commission found the application in this docket to be

¹ The applicant subsequently filed a revised version of its application on November 10, 2025.

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complete on March 17, 2025. ([PSC REF#: 536931](#).) A Notice of Proceeding was issued on April 10, 2025. ([PSC REF#: 541379](#).)

American Transmission Company LLC and ATC Management Inc. (collectively, ATC) ([PSC REF#: 541360](#)), Clean Grid Alliance and Minnesota Center for Environmental Advocacy (collectively, Clean Energy Organizations, or CEO) ([PSC REF#: 539133](#)), the Midcontinent Independent System Operator, Inc. (MISO) ([PSC REF#: 540831](#)), and RENEW Wisconsin, Inc. (RENEW) ([PSC REF#: 517128](#)) each requested intervention in the proceeding. On May 7, 2025, the Administrative Law Judge (ALJ) Michael E. Newmark issued an Order granting intervention to each respective party. ([PSC REF#: 545425](#).) RENEW subsequently withdrew from its participation as a party. ([PSC REF#: 566841](#).) The parties, for the purposes of review under Wis. Stat. §§ 227.47 and 227.53, are listed in Appendix A.

On May 20, 2025, the ALJ issued a Scheduling Order establishing the issue, schedule, and other facilitating matters for the proceeding. ([PSC REF#: 546390](#).) The issue established in the Scheduling Order was:

Does the project comply with the applicable standards under Wis. Stat. §§ 1.11, 1.12, 196.025, and 196.491, and Wis. Admin. Code chs. PSC 4 and 111?

Wisconsin Stat. § 196.491(3)(g) requires that the Commission take final action within 180 days after it finds a CPCN application complete unless an extension of no more than 180 days is granted by the Commission Chairperson for good cause. On June 10, 2025, the Commission Chairperson granted a 180-day extension. ([PSC REF#: 549006](#).) The Commission must take final action on or before March 12, 2026 or the application is approved by operation of law. (*See* Wis. Stat. § 196.491(3)(g).)

The proposed project is a Type I action under Wis. Admin. Code § PSC 4.10(1), Table 1. Type I actions are major actions involving requests for Commission approval that significantly affect the quality of the human environment within the meaning of Wis. Stat. § 1.11(2)(c). Such actions require the preparation of an environmental impact statement (EIS). Commission staff worked jointly with Wisconsin Department of Natural Resources (DNR) staff in preparing an EIS to analyze the potential environmental impacts of the project pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code §§ PSC 4.30 and NR 150.20. On June 10, 2025, the Commission issued a draft EIS for the proposed project for comment. Commission staff accepted comments on the draft EIS and considered those comments in finalizing the EIS. On September 8, 2025, the Commission issued a final EIS. ([PSC REF#: 560563.](#))

An Agricultural Impact Statement (AIS) was required for this project. On October 29, 2024, the AIS program within the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) published AIS No. 4594 for the proposed project². ([PSC REF#: 523819.](#))

On September 24, 2025, the ALJ issued a Notice of Hearing scheduling both the party and public hearing sessions. ([PSC REF#: 562507.](#)) The ALJ held the party hearing session via Zoom videoconference on November 12, 2025. Tr. 1-86 Party Hearing Session ([PSC REF#: 569784](#)). At the party hearing session expert witnesses offered testimony and exhibits on behalf of the applicant, MISO, and staff from the Commission, DATCP and DNR. ATC and the CEOs did not offer evidence. ([PSC REF#: 569725.](#))

Public hearing sessions were held in the project area on November 13, 2025 in Arcadia, Wisconsin. Tr. 87-94 Public Hearing Session ([PSC REF#: 568317](#)). At the public hearing

² DATCP reviewed supplemental information from the applicant and determined on November 20, 2025 that no addendum to the AIS was needed. ([PSC REF#: 568340.](#))

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sessions, the Commission accepted both oral and written testimony from members of the public.

The Commission also accepted comments from members of the public through its website.

[\(PSC REF#: 568210.\)](#)

The Commission conducted its hearings as Class 1 contested case proceedings, pursuant to Wis. Stat. §§ 196.491(3)(b), 227.01(3)(a), and 227.44.

Initial briefs were filed by the applicant, CEOs, and MISO on December 5, 2025.

	Initial Briefs
DPC (applicant)	PSC REF#: 569743
Clean Energy Organizations	PSC REF#: 569712
MISO	PSC REF#: 569711

No reply briefs were filed by any party. ATC filed no briefs.

The Commission discussed the record in this matter at its February 5, 2026, open meeting. [\(PSC REF#: 580554.\)](#) The Commission delegated authority to Commission staff, pursuant to Wis. Stat. § 15.02(4), to draft a final decision consistent with its discussion and authorized the Secretary to the Commission to sign the Final Decision on behalf of the Commission.

Finding of Fact

1. The applicant is a generation and transmission cooperative and an electric utility as defined in Wis. Stat. § 196.491(1)(d). Pursuant to Wis. Stat. § 196.491(3), the applicant is subject to the Commission’s jurisdiction over its application for a CPCN for the proposed project.

2. The applicant is proposing to construct and operate a new 345 kV transmission line, connecting the existing LQ-43 transmission line near the Alma Substation to the new Tremval North Substation, in Buffalo and Trempealeau Counties.

3. The estimated project cost based upon the authorized South Route is \$188,796,752.

4. No higher ranked Energy Priority Law (EPL) alternatives exist that are cost-effective, technically feasible, and environmentally sound alternatives to the proposed project per Wis. Stat. §§ 1.12(4) and 196.025(1).

5. The approved transmission line route utilizes priority siting corridors listed in Wis. Stat. § 1.12(6) to the greatest extent feasible, consistent with economic and engineering considerations, reliability of the electric system, and protection of the environment.

6. The facilities approved by this Final Decision will adequately address the present needs of the applicant's electric system and are necessary to satisfy the reasonable needs of the public for an adequate supply of electrical energy. Wis. Stat. § 196.491(3)(d)2.

7. The facility design, location, and route approved by this Final Decision are in the public interest considering alternative sources of supply, alternative locations or routes, individual hardships, engineering, economic, safety, reliability, and environmental factors. Wis. Stat. § 196.491(3)(d)3.

8. The proposed high-voltage transmission line facilities approved by this Final Decision are not located in the Lower Wisconsin State Riverway. Wis. Stat. § 196.491(3)(d)3m.

9. The proposed high-voltage transmission line facilities approved by this Final Decision provide increased transmission import capability into the state and use existing

rights-of-way (ROW) to the extent practicable. In addition, the routing and design of the proposed project minimizes environmental impacts in a manner consistent with achieving reasonable electric rates. Wis. Stat. § 196.491(3)(d)3r.

10. The proposed high-voltage transmission line facilities approved by this Final Decision provide usage, service, or increased regional benefits to wholesale and retail customers or members in this state, and the benefits of the facilities are reasonable in relation to their cost. Wis. Stat. § 196.491(3)(d)3t.

11. The facilities approved by this Final Decision will not have undue adverse impacts on environmental values including ecological balance, public health and welfare, historic sites, geological formations, aesthetics of land and water, and recreational use. Wis. Stat. § 196.491(3)(d)4.

12. The facilities approved by this Final Decision will not unreasonably interfere with the orderly land use and development plans for the area. Wis. Stat. § 196.491(3)(d)6.

13. The facilities approved by this Final Decision will not have a material adverse impact on competition in the relevant wholesale electric service market. Wis. Stat. § 196.491(3)(d)7.

14. The facilities approved by this Final Decision will affect local farmland, and DATCP has issued an AIS.

15. The facilities approved by this Final Decision will affect state highways and will require permits from the Wisconsin Department of Transportation (WisDOT).

16. The facilities approved by this Final Decision will affect waterways and wetlands and will require permits from DNR for construction in waterways and wetlands, construction site erosion control, and storm water handling.

17. The facilities approved by this Final Decision may affect endangered and threatened species, and the applicant will need to consult with the DNR Bureau of Natural Heritage Conservation to ensure compliance with the state's endangered species law.

18. The facilities approved by this Final Decision will require the applicant to obtain permits from, provide notifications to, and coordinate with various federal agencies.

19. The facilities approved by this Final Decision will not affect historic properties listed with the Wisconsin Historical Society, in accordance with Wis. Stat. § 44.40.

20. Critical proposed facilities that could be damaged by flooding are not located in the 100-year flood plain. Consequently, there is no flood risk to the project per 1985 Executive Order 73.

Conclusions of Law

1. The Commission has jurisdiction and authority under Wis. Stat. §§ 1.11, 1.12, 44.40, 196.02, 196.025, 196.395, and 196.491, and Wis. Admin. Code chs. PSC 4 and 111, to issue a CPCN authorizing the applicant to construct and place in operation the proposed electric transmission facilities described in this Final Decision.

2. In issuing a CPCN, the Commission has the authority under Wis. Stat. § 196.491(3)(e) to include such conditions as are necessary to comply with the requirements of Wis. Stat. § 196.491(3)(d).

3. The project complies with the EPL as required under Wis. Stat. §§ 1.12 and 196.025(1).

4. This is a Type I action under Wis. Admin. Code § PSC 4.10(1) and requires an EIS under Wis. Stat. § 1.11.

5. Commission and DNR staff prepared an EIS pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code § PSC 4.30.

6. The Commission has complied with Wisconsin Environmental Policy Act (WEPA) pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4.

7. The proposed project, as conditioned by this Final Decision, satisfies the requirements of Wis. Stat. § 19.491(3)(d)3., will not have an undue adverse impact as defined in Wis. Stat. § 196.491(3)(d)4., and satisfies the other applicable CPCN criteria for approval.

8. Pursuant to Wis. Stat. § 15.02(4), the Commission has authority to delegate and redelegate to any officer or employee of the Commission any function vested in it by law.

Opinion

Applicable Statutory Criteria and Standard of Proof

The applicant is a generation and transmission cooperative engaged in providing electric service in Wisconsin. The applicant is required to obtain from the Commission a CPCN pursuant to Wis. Stat. § 196.491 and Wis. Admin. Code chs. PSC 4 and 111, as the size of the proposed project exceeds one mile in length at a nominal voltage above 100 kV and therefore is a high voltage- transmission line as defined in Wis. Stat. § 196.491(1)(f).

The Commission is authorized to review and approve applications to construct large electric transmission projects under the CPCN law. Wis. Stat. § 196.491(3). After reviewing the

record compiled in the proceeding, the Commission must determine whether the project serves the public convenience and necessity based on a number of factors relating to the need for, and impacts of, the project based upon the criteria outlined in the CPCN law and related statutes.

Since 1907, the Commission has regulated public utilities to ensure that “reasonably adequate service and facilities” are available to the public at rates that are “reasonable and just.” Wis. Stat. § 196.03(1). The Commission’s expertise in administering Wis. Stat. § 196.491 to determine what proposed projects are appropriate and in the public interest has long been recognized by Wisconsin courts. *See Wisconsin Power & Light Co. v. Pub. Serv. Comm’n of Wisconsin*, 148 Wis. 2d 881, 888, 437 N.W.2d 888, 891 (Ct. App. 1989); *see also Clean Wisconsin, Inc. v. Public Service Commission of Wisconsin*, 2005 WI 93, 282 Wis. 2d 250, 700 N.W.2d 768 (recognizing the Commission’s expertise in reviewing proposed construction projects under Wis. Stat. § 196.491).

The Commission’s review of the application is governed and guided by a number of statutory provisions, each of which is addressed and analyzed below. The Commission may impose any conditions it finds to be reasonable and necessary for its decision.

Pursuant to Wis. Stat. § 196.491(3)(d)2., the Commission must additionally decide whether the project, if constructed, would satisfy the reasonable needs of the public for an adequate supply of electric energy. The Commission must also determine whether the project is in the public interest, considering alternative sources of supply, alternative locations, individual hardships, engineering, economic, safety, reliability, and environmental factors pursuant to Wis. Stat. § 196.491(3)(d)3. When considering a high-voltage transmission line designed for operation at 345 kV or more, the Commission must find that the project provides usage, service,

or increased regional reliability benefits to wholesale and retail customers or members in this state, and that the benefits are reasonable in relation to the cost of the project. Wis. Stat.

§ 196.491(3)(d)3t. The Commission must further determine whether the project complies with the EPL, Wis. Stat. §§ 1.12, and 196.025(1).

The statutory analysis also requires the Commission to consider whether the proposed project will have an undue adverse impact on other environmental values, as provided under Wis. Stat. § 196.491(3)(d)4., and the Commission must find that it has complied with WEPA, pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4.

The Commission must also find the record sufficient to support a conclusion that the project will not unreasonably interfere with the orderly land use and development plans for the area involved. Wis. Stat. § 196.491(3)(d)6. Additionally, the Commission must find that the proposed project will not have a material adverse impact on competition in the relevant wholesale electric service market, under Wis. Stat. § 196.491(3)(d)7, before the project may be approved.

In light of the statutory requirements imposed by Wis. Stat. §§ 1.12(6), 196.025, and 196.491(3)(d), the Commission is tasked with deciding which route to authorize for the project and must consider corridors in order of priority to the greatest extent feasible that is consistent with economic and engineering considerations, reliability of the electric system, and protection of the environment. Wisconsin Stat. § 196.491(3)(d)3r. also requires that the project use existing ROWs to the extent practicable, and that the routing minimizes impacts in a manner that is consistent with achieving reasonable electric rates.

Determining whether a proposed project is in the public interest often requires a high degree of discretion, judgment, and technical analysis. Such decisions involve intertwined legal,

factual, value, and public policy determinations. The Commission, as the finder of fact, is charged with evaluating all of the information and applying the statutory criteria to reach a well-reasoned decision. In doing so, the Commission uses its experience, technical competence, and specialized knowledge to determine the credibility of each witness and the persuasiveness of the highly technical evidence presented on each issue.

With regard to evidentiary determinations, the applicable burden of proof functions in tandem with the applicable standard of proof. The CPCN law, Wis. Stat. § 196.491(3), unlike other provisions of Chapter 196, does not assign a burden of proof to any party with regard to any determination that the Commission must make.³ Nor does the CPCN law itself specify a standard of proof (i.e., quantum of evidence) that must be found in order for the Commission to make one determination rather than another. This is contrasted with other sections of Wis. Stat. ch. 196 that require that certain determinations be made only upon “clear and convincing evidence” or “a preponderance of the evidence.”⁴

The CPCN law provides that the Commission “shall approve an application . . . for a certificate of public convenience and necessity only if the commission determines . . .” that a proposed project will be free of specified adverse impacts and in the public interest, as noted above. These determinations are fact-intensive, and the Commission’s action in approving or denying an application ultimately depends on the facts found by the Commission. As such, the standard of proof that the Commission must apply can be logically inferred from the standard of review set forth in Wis. Stat. § 227.57(6), which requires a court to remand a CPCN decision

³ See, e.g., Wis. Stat. §§ 196.499(5)(am), 196.504(8), 196.54(2).

⁴ See, e.g., Wis. Stat. §§ 196.499(5)(d), 196.64(2), 196.795(7)(c).

back to the Commission if its decision “depends on any finding of fact that is not supported by substantial evidence in the record.”

As the courts have explained, “the substantial evidence test is not weighing the evidence to determine whether a burden of proof is met. Such tests are not applicable to administrative decisions.” *Wisconsin Ass’n of Mfrs. & Commerce, Inc. v. Pub. Serv. Comm’n*, 94 Wis. 2d 314, 321, 287 N.W.2d 844, 847 (Ct. App. 1979). The substantial evidence test simply requires that there be enough evidence for a finding to be reasonable. *See Kitten v. DWD*, 2002 WI 54, 252 Wis. 561, 644 N.W.2d 649; *see also Gateway City Transfer Co. v. Pub. Serv. Comm’n*, 253 Wis. 2d 397, 405, 34 N.W.2d 238, 242, 1948 WL 60150 (1948). In other words, a court must determine whether the Commission used its technical competence and specialized knowledge to determine the persuasiveness of the evidence and reach a well-reasoned decision.

In light of this standard of proof, for each finding that the CPCN law requires the Commission to make, the Commission focuses on evaluating the evidence to identify the finding that is supported by substantial evidence. The standard of proof applicable to CPCN determinations renders the question of an applicable burden of proof a subordinate consideration. A burden of proof consists of a burden of going forward and a burden of persuasion.⁵ The import of a burden of proof is generally effectuated through the burden of persuasion, rather than the burden of going forward. Therefore, although in administrative hearings such as this one the common-law rule that the moving party has the burden of proof is generally observed,⁶

⁵ *Hochgurtel v. San Felippo*, 78 Wis. 2d 70, 86, 253 N.W.2d 526 (1977).

⁶ *Sterlingworth Condominium Ass’n Inc. v. Wis. Dept. of Natural Res.*, 205 Wis. 2d 710, 726, 556 N.W.2d 791 (Ct. App. 1995).

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observation of this rule is fulfilled by evaluating the evidence to determine whether a finding is supported by substantial evidence.

Party and Public Participation

The Commission's proceeding on this CPCN application developed a robust record on all the issues that the Commission must consider in reviewing a project under Wisconsin law. Intervenor MISO provided evidence in this proceeding that included testimony and one exhibit. Members of the public provided comments about the impact that this project may have on them and their local communities. The Commission received three public comments through its website, which pertained to concerns related to stray voltage, impacts to the environment, impacts to property, as well as economic benefits of the project.

The Commission appreciates the participation of the intervenors and members of the public who commented in this proceeding. This participation assisted the Commission in its review of the application, in understanding the different perspectives toward the project, and in making its determinations on the application.

Project Description

The applicant proposes minor modifications to the Alma Substation and construction of a new 345 kV transmission line that would begin at the applicant's existing LQ-43 transmission line near the Alma Substation and connect to the new 345 kV Tremval North Substation that was approved in docket 5-CE-158. The terminating substation would be constructed, owned, and operated by Northern States Power Company-Wisconsin. The proposed project consisted of two route options. Both routes would begin and end at a common point. The routes would both

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begin at the LQ-34-4 transmission structure near the Alma substation and then shortly diverge at the intersection of the existing LQ-18 161 kV transmission line.

The alternate (Northern) route would travel northeast from this intersection point towards the City of Independence for approximately 30 miles and then turn south for approximately five miles where it would reconnect with the proposed (Southern) route just north of the North Creek Substation near the Town of Arcadia, generally following the existing LN-10 and LN-122 69 kV transmission line corridors. From the initial point of divergence, the proposed (Southern) route would continue to follow the existing LQ-18 corridor for 22 miles where the alternate (Northern) route would reconnect. From the reconnection point, both routes follow a common segment east for approximately 13 miles following the LQ-18 corridor terminating at the new Tremval switching station approved in docket 5-CE-158. The total length of the proposed (Southern) route is 35 miles, while the alternate (Northern) route is 45 miles long. Both routes travel through Buffalo and Trempealeau counties. The proposed transmission line would be constructed using self-supporting tubular steel monopoles with a weathering steel finish. Where proposed transmission lines would be added to an existing route, existing structures will be removed and replaced with steel structures. The spans range from 240 feet to 2,730 feet. Typical structure height for steel monopoles will range from 70 to 90 feet.

The applicant's stated purpose for the proposed project is to provide relief to existing transmission congestion issues, increase accessibility to renewable energy resources, and continue to deliver safe, reliable, and cost-effective electrical service to the applicant's customers in western Wisconsin. ([PSC REF#: 567118](#), page 21 of 270). The applicant also noted that the project will provide substantive economic, reliability, and public policy benefits to Wisconsin

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and the neighboring region, including flexibility for the regional transmission system to adapt to changes to the emerging energy market ([PSC REF#: 567118](#), page 22 of 270). The proposed project was originally developed through MISO's Long Range Transmission Planning (LRTP) Tranche 1 initiative as a Multi-Value Project (MVP) and was ultimately approved as an addendum to the MISO Transmission Expansion Plan for 2021 (MTEP21) in July 2022.

([PSC REF#: 567794https://apps.psc.wi.gov/pages/viewdoc.htm?docid=%20567794](#).) LRTP Tranche 1 projects were designated by MISO as MVPs because the projects provide reliability, public policy, and economic benefits. The MVP criteria are described in MISO Attachment FF of its tariff. The criteria to meet the project definition are listed in its entirety in Attachment FF, and in summary are:

- Criterion 1 – The projects to be developed deliver energy in a reliable and economic manner to support the law enacted or adopted through state or federal legislation or other regulatory requirements.
- Criterion 2 – The MVP must provide multiple types of economic value across multiple transmission pricing zones with MVP benefit to cost ratios of 1.0 or higher.
- Criterion 3 – An MVP must address at least one transmission issue associated with a projected violation of NERC or Regional Entity standards.

The proposed project is included in the final LRTP Tranche 1 portfolio report issued August 2022, which recognizes that the project will be part of a grouping of projects that, when considered in conjunction with other projects previously approved by the Commission, complete an outlet for renewable power flow across Wisconsin to the Madison and Milwaukee area load.

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([PSC REF#: 562520](#).) Additionally, the project will also bolster voltage stability, increase the limited transfer capability across and into Wisconsin and relieve overloads on a handful of 161 kV and 115 kV facilities in Northwest Wisconsin. The LRTP Tranche 1 portfolio report concluded that the LRTP portfolio of MVPs would result in benefit to cost ratios greater than one for all seven MISO north and central Local Resource Zones when considering a range of future scenarios.

The cost of the approximately \$10.3 billion LRTP Tranche 1 Portfolio will be allocated 100 percent to load based on a load ratio share. The justification for this approach is that all users of electricity share the benefits of these projects. The cost of each MVP is allocated on a system wide basis to all transmission customers who withdraw energy from the MISO system. The annual carrying charges are set by load balancing authority and can be found in MISO Schedule 26-A, which is updated twice annually. Commission staff estimated that load balancing authorities in the DPC footprint would be assigned 0.6 percent (for Wisconsin operations) of the LRTP Tranche 1 portfolio charges. ([PSC REF#: 560563](#), Section 3.2.3.)

The applicant's estimated cost of the proposed project is \$188,796,752 based on the Commission's decision (as discussed more fully herein) to authorize the Proposed (South) Route.

Project Need

The CPCN statute requires that the Commission find that the project, if constructed, will satisfy the reasonable needs of the public for an adequate supply of electric energy. Wis. Stat. § 196.491(3)(d)2. The Commission's assessment of whether the project is needed is not limited to determining whether there is an adequate supply of electric power in the area; rather, the inquiry may include additional relevant factors "such as increased reliability, economic benefits,

and public policy considerations.” *Town of Holland v. Pub. Serv. Comm'n of Wis.*, 2018 WI App 38, 31-32, 382 Wis. 2d 799, 817–18, 913 N.W.2d 914, 924–25 (finding that the Commission’s interpretation of “reasonable needs” comports with the intent of CPCN law). In assessing need, the Commission must assess the “future energy needs of the state and [forecast] the economic impact of proposed plans.” *Clean Wisconsin, Inc. v. Pub. Serv. Comm'n of Wisconsin*, 2005 WI 93, ¶¶ 141-142, 282 Wis. 2d 250, 352–53, 700 N.W.2d 768, 818. The courts have recognized that “[a]ccounting for the myriad of economic factors that affect demand and energy prices is an incredibly complex task.” *Id.* “Examining the numerous requirements listed in Wis. Stat. § 196.491(3)(d)2.–8. and forecasting future energy needs and prices is a highly technical exercise that the PSC is *charged with performing.*” *Id.* at ¶ 151, 282 Wis. 2d at 357, 700 N.W.2d at 820 (emphasis added). In sum, the Commission’s interpretation and application of the CPCN law, including its assessment of need, “inherently calls for a variety of policy determinations. . .” *Id.* at ¶ 138.

The applicant asserted that the project would make necessary improvements to the resiliency and reliability of the regional transmission system, provide economic benefits such as reducing system losses associated with power transmission (congestion) and lowering energy production costs, increasing transfer capability, reducing carbon dioxide emissions, and improving access to renewable generation resources that can be integrated into the transmission system. The applicant stated that the facts in the record paint a clear picture that the project will provide greater economic benefits with the project than without it, as well as that there is no viable alternative that would perform better than the project.

To assess the merits of the project as compared to potential alternatives, the applicant provided a planning analysis that studied three alternatives in greater detail: the project, a no action alternative where the proposed project and other proposed LRTP Tranche 1 projects in the state of Wisconsin are not constructed, a low voltage alternative (LVA), and a non-transmission alternative (NTA). ([PSC REF#: 567118](#).) For each alternative, the applicant quantified several categories of economic benefits: fuel and congestion savings, reduced greenhouse gas (GHG) emissions, avoided generation capital projects, and avoided transmission capital projects. ([PSC REF#: 561020](#) at 3). The applicant predominantly used the MISO Future 2A that was developed as part of the MTEP process, though Commission staff requested and the applicant provided additional modeling based on MISO Future 1, which was the future originally used for the approval of the LRTP Tranche 1 project suite. ([PSC REF#: 567909](#) Ex.-PSC-DRR: Response PSCW-DG-1.38). The applicant also provided sensitivities to the MISO Future 2A modeling, in which key modeling changes such as higher or load growth, changes to natural gas pricing, or the addition of a single point data center load were assumed to occur.

The applicant then compared the economic benefits of each alternative using a formula to assess the overall benefits produced by each alternative as compared to the base case, or no-build alternative, to determine the alternative that produced the greatest net benefits in the most futures and sensitivities. The net benefits were defined as the fuel and congestion cost savings plus reduced GHG emissions savings plus avoided generation capital costs plus avoided transmission capital costs and subtracting the cost of the project to Wisconsin customers over the projected life of the project. ([PSC REF#: 567118](#) at 60-61 of 270.) Similarly, the applicant compared the reliability benefits of the same alternatives and sensitivities as compared to the base case and the

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reduction of thermal loading on the transmission system. After the application was filed, the applicant made changes to its models at the request of Commission staff and evaluated the project under different assumptions, including a number of items that were changed, such as: review of the project without the inclusion of the 5-CE-158 Western Wisconsin Transmission Connection Project or the 5-CE-157 Grid Forward Central Wisconsin Transmission Project assumed to be in service; inclusion of the MISO future F1; implementation of Commission staff requested changes to electrical generator and transmission topology; and removal of the potential MISO Tranche 2.1 projects, which have not been reviewed by the Commission. ([PSC REF#: 567484](#) at 15-16.).

The applicant also evaluated how each alternative would improve competition in the DPC footprint and achieve other qualitative reliability and public policy benefits. The methodology used to assess the project as compared to alternatives was generally accepted by the parties and Commission staff.

Analysis of Total Net Economic Benefits

The applicant asserted that the project would produce a range of approximately \$337 to \$1,903 million in net economic benefits in excess of the projected project costs on a net present value revenue requirement (PVRR) basis over the expected 40-year life of the project. ([PSC REF#: 567484](#).) The net economic benefits increase with the presence of both the Grid Forward and Western Wisconsin projects. *Id.* at 29. Practically speaking, the total net benefits being evaluated for this project are largest for the congestion and fuel cost savings piece, with reduced GHG emissions benefits tracking the congestion and fuel costs, while the avoided transmission capital costs provided the smallest benefit, while still offsetting a significant portion of the costs paid by

Wisconsin ratepayers. *Id.* at 23. When these reduced costs or reliability benefits exceed the cost of the project or alternative being analyzed, it is anticipated that the project or alternative will produce net benefits over the cost of the project or alternative. As discussed below, the Commission finds that the applicant demonstrated substantial evidence that the project is likely to provide total net economic benefits greater than its costs.

The applicant used the PROMOD software package to determine the fuel and congestion cost savings benefits for Wisconsin customers from the various alternatives in the futures that were analyzed. The PROMOD model is recognized by electric utilities and utility regulators as a standard tool in economic system planning. ([PSC REF#: 561020](#) at 2.)

PROMOD is a model that provides electric market simulations incorporating generating unit operating characteristics, transmission grid topology and constraints, and market system operations. *Id.* Results of PROMOD modeling predict benefits of fuel and congestion costs and losses that could result from a project. Several PROMOD model runs were performed by the applicant to analyze the benefits associated with a no build alternative and other transmission system alternatives. *Id.* at 8-10. These PROMOD results were then analyzed using the framework described above to determine total net benefits of the project as compared to costs for various futures and as compared to alternatives and the cost of those alternatives.

The applicant's economic analysis included consideration of two futures that were analyzed for the years 2032, 2037, and 2042 for MISO F2A, while the years 2030, 2035, and 2040 were used for MISO F1. As these futures were developed at different times, different base years in PROMOD were used. MISO future F1 was the basis of the analysis which MISO used for its approval of the Tranche 1 projects. *Id.* at 6. These two futures incorporated different

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assumptions regarding load growth rates, changes to the generation mix, and amounts of renewable generation resources added to the portfolios. ([PSC REF#: 567484](#) at 15.) The development by MISO of multiple futures for determining economic benefits increases the probability of a robust project if it performs well across many of the tested futures. ([PSC REF#: 561020](#) at 7.)

The applicant used the adjusted production cost (APC) methodology in the development of its fuel and congestion cost savings estimates. *Id.* at 6.

The Commission finds the applicant's use of the APC and metrics is reasonable and supported by the record. This same methodology was used to evaluate the economic benefits of past MVP projects, including the Cardinal-Hickory Creek transmission line, in docket 5-CE-146;⁷ the Grid Forward Project, in docket 5-CE-157⁸; and the Western Wisconsin Project, in docket 5-CE-158⁹. No party or witness provided credible evidence that these or any other metrics used to evaluate the projected benefits of the project are unreliable or should be disregarded by the Commission. The Commission also notes that none of the intervenors in this

⁷ *Joint Application of ATC ITC Midwest LLC, and Dairyland Power Cooperative, for Authority to Construct and Operate a New 345 kV Transmission Line from the Existing Hickory Creek Substation in Dubuque County, Iowa, to the Existing Cardinal Substation in Dane County, Wisconsin, to be Known as the Cardinal-Hickory Creek*, docket 5-CE-146 (Wis. PSC Sept. 26, 2019) ([PSC REF#: 376391](#)).

⁸ *Joint Application of American Transmission Company LLC and Northern States Power Company-Wisconsin, as Electric Public Utilities, for a Certificate of Public Convenience and Necessity to Rebuild Existing Transmission Infrastructure and Construct and Operate Long Range Transmission Planning Tranche 1 Project 6, a New 345 kV Transmission Line Connecting the Tremval-Arpin-Columbia Substations in the Counties of Trempealeau, Wood, and Columbia, Wisconsin, to be known as the Grid Forward Central Wisconsin Project*, docket 5-CE-157 (Wis. PSC Dec. 10, 2025) ([PSC REF#: 570269](#)).

⁹ *Joint Application of Northern States Power Company-Wisconsin and American Transmission Company LLC, as Electric Public Utilities, for a Certificate of Public Convenience and Necessity to Rebuild Existing Transmission Infrastructure and Construct and Operate Long Range Transmission Planning Tranche 1 Project 5, which consists of Expanding the Tremval and Eau Claire Substations, a New Jump River Substation, and a New 345 kV Transmission Line connecting the Tremval-Eau Claire-Jump River Substations, in the Counties of Chippewa, Clark, Eau Claire, and Trempealeau, Wisconsin, to be known as the Western Wisconsin Transmission Connection Project*, docket 5-CE-158 (Wis. PSC Dec. 11, 2025) ([PSC REF#: 570292](#)).

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proceeding questioned the modeling provided by the applicant, or the analyses performed by the applicant and Commission staff. Commission staff found that in the reviewed cases the project showed larger net economic benefits for the project when compared to alternatives. ([PSC REF#: 561020](#) at 33.)

Reliability Modeling

To determine the reliability benefits, the applicant used steady state power flow models and calculated the power flows in Wisconsin, with and without the proposed project. The applicant utilized MTEP modeling in Future 2A as the basis for its power flow modeling submissions and later Future 1 models at the request of Commission staff. The applicant studied the proposed project in 2042 Summer Peak and 2042 Shoulder Load Average Wind scenarios and similar sensitivities to those mentioned previously in the economic benefit analysis. The applicant steady state reliability analysis used the planning event contingencies defined in North American Electric Reliability Corporation (NERC) transmission planning reliability standard TPL-001-5, which sets forth the planning requirements for transmission owners that ensure the bulk electric system continues to operate in the event of failures of one or more transmission system elements. The steady state reliability analysis performed by the applicant monitored the thermal loading on transmission facilities and bus voltages in the study area in its power flow models.

Commission staff performed verification runs of the power flow models and reviewed the system thermal and voltage violations throughout the scenarios and sensitivities. Commission staff performed the contingency analysis in the models to analyze the proposed projects impacts under certain system contingency events. The proposed project showed benefits in reliability

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through reduction of thermal overloads on the system when compared to the alternatives and the base case. ([PSC REF#: 561022](#) at 16-19.)

The Commission finds the applicant's evaluation of reliability benefits is reasonable and supported by the record. The results of the power flow modeling across many alternatives and a range of future scenarios indicate that the proposed project will provide reliability benefits to the Wisconsin transmission system.

Access to Renewable Energy Sources

The Commission finds that the project represents an important step in moving towards a future with increased renewable generation. The project will increase the west-to-east transfer capability, relieving congestion on the Minnesota-Wisconsin border, increasing connection to more renewable energy production in Minnesota and Iowa. ([PSC REF#: 567484](#) at 7.) The Commission finds there is substantial evidence that supports the applicant's finding that the project will support the interconnection of additional new renewable generation and storage facilities located both in Wisconsin and to the west of the state.

The Commission further recognizes that while there certainly is, and will continue to be, some renewable development occurring in Wisconsin (as evidenced by recently proposed or approved projects), it is not going to be enough for utilities to achieve the renewable or carbon free goals they and the state of Wisconsin have set. The Commission further notes that, with the potential for increased access to lower cost renewable resources to the west of Wisconsin, that new applications for in-state generation resources should include appropriate analysis to demonstrate the impacts that the construction and availability of transmission lines such as these provide and careful consideration of the economic value that easier access to these out of state

resources could provide when reviewing electric generation and storage options, so that Wisconsin ratepayers can realize the full economic value of such transmission lines. Therefore, the Commission finds that this project is necessary to support interconnection of renewable resources among other public policy benefits.

Alternatives

The applicant studied several other transmission system alternatives and non-transmission alternatives to assess their relative benefits compared to the project. ([PSC REF#: 567484](#) at 12-13.) These alternatives included:

1. No-action alternative (base case) – the project is not constructed, as well as the Grid Forward Project and the Western Wisconsin Projects in three of four scenarios evaluated by the applicant;
2. Project – the Alma-Blair 345 kV line (including the portion in the state of Minnesota) is constructed, while the existing Alma-Tremval 161 kV line is also rebuilt;
3. LVA – the Minnesota portion of the 345 kV line is constructed, but a new 161 kV line is constructed between Kellogg, Minnesota, and the Tremval substation, while the Alma-Tremval 161 kV line is also rebuilt; and
4. NTA – a 100 MW battery energy storage system (BESS) is constructed at the Briggs Road 345 kV substation, with a full replacement of the battery after twenty years. No aspects of the NTA are applicable for cost-sharing benefits across MISO.

The Commission finds construction of the project provides the highest amount of benefits to Wisconsin transmission customers across the futures and sensitivities studied, and provides a robust long-term solution for Wisconsin's energy needs. The studied NTA and LVA alternatives are not cost-effective or technically feasible alternatives to the project as proposed. The Commission finds no other alternatives evaluated by the applicant, Commission staff, or intervenors provide the same amount of benefits as the project. While non-transmission alternatives such as battery storage might be able to replicate aspects of the benefits of the project, these alternatives do not have the same breadth of benefits as the project, and there is no credible evidence that such a limited solution would be eligible for cost sharing by MISO states like the project. For the purposes of this proceeding, the Commission deems reasonable the applicant's consideration of transmission system alternatives. The Commission further finds that the applicant's basis for choosing the project over other transmission system alternatives is reasonable and supported by substantial evidence.

Based upon the record developed in this proceeding, and for the reasons discussed above, the Commission finds that the project is needed to satisfy the reasonable needs of the public for an adequate supply of energy; and that the proposed project will provide usage, service, or increased regional reliability benefits to the wholesale and retail customers or members in this state, and that the benefits of the project are reasonable in relation to the cost of the proposed project. See Wis. Stat. §§ 196.491(3)(d)2. and 3t.

Energy Priorities Law

In making all energy-related decisions, the Commission considers Wis. Stat. §§ 1.12 and 196.025(1), known as the EPL, which establishes the preferred means of meeting Wisconsin's energy demands. The EPL creates the following priorities:

- (4) PRIORITIES. In meeting energy demands, the policy of the state is that, to the extent cost effective and technically feasible, options be considered based on the following priorities, in the order listed:
 - (a) Energy conservation and efficiency.
 - (b) Noncombustible renewable energy resources.
 - (c) Combustible renewable energy resources.
 - (cm) Advanced nuclear energy using a reactor design or amended reactor design approved after December 31, 2010, by the U.S. Nuclear Regulatory Commission.
 - (d) Nonrenewable combustible energy resources, in the order listed:
 1. Natural gas.
 2. Oil or coal with a sulphur content of less than 1%.
 3. All other carbon based fuels.

Wis. Stat. § 1.12(4).

In addition, Wis. Stat. § 196.025(1) declares that the Commission shall implement these priorities in making all energy-related decisions to the extent they are cost-effective, technically feasible, and environmentally sound.

The applicant asserted that the project supports the EPL in multiple ways. First of all, the proposed project reduces transmission congestion and the associated energy losses, which improves energy efficiency. Secondly, the proposed project will add transmission capacity and increase access to noncombustible, renewable energy resources. Lastly, lower EPL priorities such as combustible renewable energy resources, advanced nuclear, and nonrenewable combustible generation resources are all not cost-effective alternatives to the project. ([PSC REF#: 567487](#) at 10.) The applicant concluded that project satisfies the EPL. *Id.*

The Commission finds that energy efficiency and conservation and other sources of electric supply are not technically feasible, cost-effective alternatives to the project. The Commission notes that the project will facilitate the flow of power from non-combustible renewable energy sources. The analysis performed by Commission staff and the applicant shows that other studied alternatives do not exceed the economic benefits of the project. In addition, the Commission's finding that the NTA alternative to the project has not been demonstrated to be a cost-effective or technically feasible alternative to the project further support the Commission's conclusion.

Routing

In approving a transmission line CPCN, the Commission is charged with authorizing a route under the requirements of Wis. Stat. §§ 1.12(6), 196.025, and 196.491(3)(d). Wisconsin Admin. Code § PSC 111.55(10) requires a CPCN application to provide the proposed routes considered and the pertinent factors considered in choosing them.

Transmission Line Route Alternatives

The applicant provided two transmission route options, a Proposed Southern Route and an Alternative Northern Route, which would meet the overall goal of the projects. Both routes would begin and end at common points and include four common segments totaling approximately 13.2 miles denoted as segments 1A, 1B, 5, and 6. There would be minor modifications made at the Alma Substation, but there are no new substations proposed associated with either route. In addition to the common segments, the Proposed Southern Route includes approximately 21.7 miles of unique segment (Segment 2B), and the Alternative Northern Route includes approximately 32.1 miles of unique segments (Segments 2A, 3, and 4).

Both proposed routes would follow existing transmission corridors, with the Alternative Northern Route primarily following existing 69 kV corridors, and the Proposed Southern Route following an existing 161 kV line corridor. The Proposed Southern Route would be approximately 35 miles total in length, including a total of approximately 653 acres of ROW consisting of both new (320.6 acres) and existing ROW (332.7 acres). The Alternative Northern Route would be approximately 45 miles in length, including a total of approximately 858 acres of ROW consisting of both new (524.3 acres) and existing ROW (333.8 acres).

Both routes would begin at a common point at existing transmission structure LQ-34-3 on the east side of the Mississippi River and just south of the existing Alma Substation. Segment 1A would travel north from this structure for 1.1 miles as single circuit 345 kV along the east side of State Road 35 as expanded ROW. Segment 1B would turn east to be triple circuited with the applicant's existing LN-10 69 kV and LQ-18 161 kV transmission lines along expanded ROW for 0.5 miles. The two routes would diverge at the intersection with the applicant's existing LQ-18 161 kV transmission line.

At this point the routes diverge, the Proposed Southern Route Segment 2A would run east and be double circuited 345 kV/161 kV along the applicant's existing LQ-18 corridor traveling east for 21.7 miles until it would converge with Alternative Northern Route for the remainder of the project. The entirety of this segment would be expanding existing ROW from 80 to 150 feet with approximately 2.3 miles requiring expansion of ROW up to 350 feet to accommodate longer span lengths. From the point of divergence, the Alternative Northern Route would continue east as Segment 2B to be double-circuited 345 kv/69 kV with the applicant's existing LN-10 line for approximately 26.7 miles. This segment would be mostly following the existing

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corridor and would require ROW expansion from 80 feet to 150 feet. For 4.1 miles of this segment, the ROW corridor would expand up to 300 feet in width to accommodate longer span lengths. Additionally, this segment would deviate from the existing 69 kV ROW corridor for approximately 9.3 miles, to accommodate landowner requests, minimize resource impacts, avoid residences, and avoid steep topography. The route then turns southeast as Segment 3, where it would be a single-circuit 345-kV in a new ROW corridor for 0.6 miles. This new 150-foot ROW would bypass the City of Independence and direct the transmission line south. Segment 4 would continue south double circuited 345 kV/69 kV with the applicant's existing LN-122 69 kV transmission line for 4.8 miles. This segment generally follows the applicant's existing LN-122 69 kV corridor which is also collocated with the Canadian National Railway, and the new ROW would be adjacent to the existing ROW to avoid overhang on the railroad property to reduce risk. For the last 850 feet of this segment, the Alternative Northern Route would be single circuited in a new 150-foot ROW before converging with the Proposed Southern Route that is following the applicant's existing LQ-18 161 kV line just northeast of the intersection of County Road A with State Road 93.

Along the Common Route Segment 5, the proposed project would follow the applicant's existing LQ-18 161 kV transmission corridor double circuited 345 kV/161 kV for 10.9 miles, requiring a ROW from 80 feet to 150 feet. The final segment, Segment 6, would be approximately 0.7 miles of single circuit 345 kV transmission line with a new 150-foot ROW to route the transmission line north terminating at the 345 kV switching station approved in the Western Wisconsin Transmission connection project (docket 5-CE-158).

Authorized Project Route

The Commission finds, based upon the record before it, that all segments are permissible, are buildable, and meet the requirements for a CPCN. The Commission authorizes the Southern Route as it is superior for a variety of reasons, including that the route generally minimizes impacts, follows existing corridors for the vast majority of its length, minimizes impacts to nearby residences, contains fewer impacts to agricultural lands, and overall is a lower cost. The Southern Route uses existing ROW to the greatest extent practicable and minimizes environmental impacts. Wis. Stat. § 196.491(3)(d)3r. The Commission further finds that approving the Southern Route utilizes corridors in order of priority, as listed in Wis. Stat. § 1.12(6), to the greatest extent feasible that is consistent with economic and engineering considerations, reliability of the electric system, and protection of the environment as discussed in this Final Decision.

Individual Hardships

The CPCN statute requires that the Commission determine whether the project is in the public interest considering individual hardships and safety. Wis. Stat. § 196.491(3)(d)3.

Public comments received during the EIS scoping period and draft EIS comment period raised concerns about the project's potential impacts on individual residences, businesses, and land use. Commission staff reviewed all public comments in preparing the EIS and summarized them for the record in that document. To identify potential individual hardships, the applicant also conducted a series of public open houses to solicit input on possible routes. ([PSC REF#: 507052.](#))

The proximity of properties to a high-voltage transmission line is important because of real and perceived concerns about local aesthetics, changes to valued viewsheds, personal

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enjoyment and use of one's property, potential impacts to property values, magnetic fields and other electrical phenomena, and personal and public safety. There will be 15 residences located within 300 feet of the proposed centerline of the Southern Route. All 15 residences are within 151 to 300 feet. No apartment units would be within 300 feet of the Southern Route. These residences are mainly scattered along the Southern Route in predominantly rural areas.

During the EIS scoping period and draft EIS comment period, a few landowners raised concern for proximity of the transmission to their residence along the Alternative (Northern) Route. In response to such comments, Commission staff asked the applicant to describe whether certain segments could be modified to move the transmission line structures further from the residences to allow for greater distance from the centerline. The applicant responded with the feasibility of both modifications. ([PSC REF#: 548574](#) PSCW-OP-6.6, [PSC REF#: 558361](#) Supplement to PSCW-OP-6.6, [PSC REF#: 555659](#) PSCW-OP-8.2, [PSC REF#: 558361](#) Supplement to PSCW-OP-8.2.) Commission staff witness Poelmann noted that the modifications to accommodate the S2000 Vulture View Lane concerns would still result in tree clearing and would shift impacts to a neighboring vineyard property. ([PSC REF#: 567838](#) at 12). <https://apps.psc.wi.gov/pages/viewdoc.htm?docid=%20556114>The selection of the Proposed (Southern) Route fully avoids these impacts.

The Commission finds, pursuant to Wis. Stat. § 196.491(3)(d)3., that individual hardship considerations do not preclude a finding that the project is in the public interest. The Commission finds that the conditions imposed as part of its approval of the project as described more fully in this Final Decision and the commitments made by the applicant in the record will help to mitigate any individual hardships.

Land Use and Development Plans

Wisconsin Stat. § 196.491(3)(d)6. requires the Commission to determine that a proposed project requiring a CPCN not unreasonably interfere with orderly land use and development plans for the area involved. The Commission recognizes that the proposed project, as with any major construction project, will create impacts on the land use and development plans of affected areas, but finds that the proposed project, constructed on the authorized route, will minimize these impacts and will not unreasonably interfere with the orderly land use and development plans of the project area.

Consideration of Environmental Factors and Adverse Impact on Environmental Values

Before granting a CPCN for the proposed project, the Commission must determine that the project is in the public interest when considering environmental factors, and that the project will not have an undue adverse impact on environmental values such as, but not limited to, ecological balance, public health and welfare, historic sites, geological formations, the aesthetics of land and water, and recreational use. Wis. Stat. § 196.491(3)(d)3. and 4. The Commission finds that based upon environmental review and the record developed in this proceeding, as described herein, the project will have no undue adverse impacts on the environment and therefore satisfies the CPCN statutory criteria. To the extent there are some environmental impacts, the Commission finds that these impacts can be mitigated by conditions imposed by this Final Decision and commitments made by the applicant in the case record.

The proposed transmission line project was reviewed by the Commission for environmental impacts. The environmental review included the entire construction footprint of the project and focused on several areas, including, but not limited to, impacts to archaeological

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and historic resources, threatened and endangered species, wetlands and waterways, grasslands, invasive species and plant diseases, agricultural land, and private property impacts.

Archaeological and Historic Resource Review

A search of the Wisconsin Historical Society's Wisconsin Historic Preservation Database (WHPD) revealed multiple known archaeological or historic resources near and within the project route. Known cemeteries or burial sites are located in the project vicinity. The Commission's Historic Preservation Officer (HPO) consulted with the Wisconsin State Historic Preservation Office (SHPO) per Wis. Admin. Code 4.30(3)(f). SHPO determined that the project would not adversely affect historic properties under Wis. Stat. § 44.40.

There is one cemetery near the ROW of both routes, but they would be avoided by the project, and a temporary fence would be placed around the resource during project construction. Three archeological sites were unable to be evaluated due to the lack of landowner access – two along the Alternative (Northern) route and one along the Proposed (Southern) route. The applicant agreed to complete the evaluations of the sites and work with SHPO to mitigate impacts for either route authorized. Based on the proposed project as described in the record, commitments made by the applicant, and the conditions imposed in this Final Decision, the construction of the proposed facilities is not expected to affect any historic properties under Wis. Stat. § 44.40.

Threatened and Endangered Species Review

The proposed project has the potential to impact rare species found along the project route. A certified Endangered Resources (ER) Review was completed for the project area. The review was checked and approved by DNR staff in the ER Review Program. The review is

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based on information from the Natural Heritage Inventory database, maintained by the DNR Bureau of Natural Heritage Conservation to identify any endangered, threatened, or special concern species or natural communities in the project area. As in past dockets, the Commission finds it reasonable to require that the applicant shall conduct an updated ER Review closer to the start date of construction (no more than one year prior to construction start).

The ER Review for the proposed project determined there are numerous species with the potential to occur within the project area. DNR staff witness Stacy Rowe stated that from an endangered resources perspective, the Proposed (Southern) Route would overall have more potential impacts than the Alternative (Northern) Route. ([PSC REF#: 561016](#) at 6.)

The applicant stated that they would provide an Avian Protection Plan once a route is selected which will identify the proposed locations of bird diverters to minimize bird collisions, or other appropriate mitigation measures. ([PSC REF#: 548574](#) PSCW-OP-6.3.)

Various time-of-year restrictions for tree clearing activities during construction of the proposed project, both for invasive species and disease transmission mitigation measures as well as bird and bat impact avoidance, were recommended to and considered by the applicant and the Commission. Invasive species and disease management measures discussed in the record are described below. Witness Stacy Rowe noted that the applicant's intent to have vegetation clearing begin in the 4th quarter of 2026 and completed by the start of the 2nd quarter (April 1st) would sufficiently avoid impacts to roosting bats and most nesting birds, including state-listed birds, protected by the federal Migratory Bird Treaty Act. ([PSC REF#: 561016](#) at 6-7.). Based on the information available from DNR and USFWS, the project layout, and planned activities as described in the application and conditions imposed in this Final Decision, this project is not

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expected to have a significant impact on state-listed endangered or threatened species under Wis. Stat. § 29.604(6r).

Wetlands and Waterways

Wetland presence and boundaries within the project area were identified through a combination of conservative desktop determination or through wetland field surveys. Wetland types identified along the Southern Route include palustrine forested wetlands, palustrine emergent wetlands, and palustrine scrub-shrub wetlands. The project was sited to avoid impacts to wetlands to the extent practicable. However, due to the length of the project, constructability and engineering constraints, and the extent of wetlands in the project area, complete avoidance of wetlands is not possible.

DNR is responsible for regulating the discharge of dredge and filling material into wetlands under Wis. Stat. § 281.36 and Wisconsin administrative code. As currently proposed, the project is considered permissible under Wis. Stat. § 30.025 and would require an individual wetland permit for temporary wetland fill, permanent wetland fill, and forested wetland conversion. The Southern Route would include approximately 142.9 acres of temporary wetland impacts, 0.14 acres of permanent wetland fill, and 34.7 acres of permanent forested wetland conversion. Compensatory wetland mitigation would not be required for this project, per Wis. Stat. § 281.36(3n)(d)2.

Waterways were identified by evaluating the U.S. Geological Survey's 1:24,000-scale topographic map (24K) hydro layer of the DNR Surface Water Data Viewer, and field observations. All identified waterways are assumed navigable unless determined otherwise by DNR. Temporary clear span bridges (TCSB) would be required to accommodate equipment

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access; the Southern Route includes the installation of 168 TCSBs across waterways. The authorized route would intersect approximately 116 waterways and 13 waterbodies. Eight waterways would be crossed a total of 26 times by an existing bridge or culvert, and the remaining waterways would be avoided. Temporary bridge placement and removal should incur minimal impacts if constructed properly. As currently proposed, the project would require waterway permit coverage from DNR under Wis. Stat. Ch. 30 for the installation of temporary bridges, driving on the bed of waterways, and the temporary and permanent placement of structures on the bed of waterbodies. The U.S. Army Corps of Engineers and/or USFWS may also require additional permits and approvals. DNR staff witness Geri Radermacher stated that DNR has reviewed the application and believes that the mitigation strategy as proposed will fulfill state wetland mitigation requirements necessary for permit issuance. Based on the information provided, the project would be permissible under Wis. Stat. § 30.025. Due to impacts to wetlands, the project would require an individual wetland permit under Wis. Stat. § 281.36. Under the individual permit, the DNR can incorporate conditions to ensure state standards are met. ([PSC REF#: 567564.](#))

Forested Lands and Invasive Species and Disease Management

Oak wilt is a plant disease that has been confirmed to be present in all of the counties in which the project will be located. General guidelines to reduce the spread of oak wilt involve pruning and harvesting oak trees outside of restricted periods. Commission restrictions for oak wilt are established in Wis. Admin. Code § PSC 113.0511 and apply from April 15 through July 1, while the DNR restrictions have a longer date range from April 1 through July 15 in the south zone of the state, where the project is located. Observing a longer restriction period would

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further reduce the risk of oak wilt spread, if the applicant follows the DNR restrictions for oak wilt. Therefore, Commission staff witness Mark Rippke recommended the Commission consider a condition requiring the applicant to avoid cutting or pruning oak trees between April 1 and July 15 in accordance with DNR oak wilt management guidelines. ([PSC REF#: 567912](#) at 5-8.)

The applicant stated that it fully intends to avoid all cutting and pruning of oak trees between April 1 and July 15 during the construction phase of the project. ([PSC REF#: 567490](#) at 4.) The Commission finds it reasonable to include the following order condition:

The applicant shall avoid cutting or pruning oak trees to mitigate the spread of oak wilt in the project area during the period of April 1 to July 15.

Chairperson Strand dissents.

Heterobasidion Root Disease (HRD) treatment guidelines recommend preventive treatment of pine and spruce stumps under the following conditions: harvesting occurs between April 1 and November 30, more than 50 percent of the stand is pine and/or spruce, and the stand is within 25 miles of a known HRD location. All project segments are located within 25 miles of known HRD infections. Witness Mark Rippke proposed a condition for the Commission to consider requiring the applicant to abide by DNR guidelines for HRD treatment, provided that they first receive permission from the affected landowners. ([PSC REF#: 567912](#) at 3-4). The applicant made no objection. The Commission finds it reasonable to include the following order condition:

To the extent practicable, the applicant shall follow the DNR guidelines for HRD treatment. The applicant shall provide notice to landowners that they will be applying preventative fungicide to cut pine and spruce stumps of merchantable size within 25 miles of known HRD infection sites and where more than 50 percent of the stand is pine and/or spruce from April 1 to November 30. The applicant shall only proceed with written permission by the landowners.

Material Adverse Impact on the Wholesale Electric Market

In making its decision, the Commission must consider whether the project will have a material adverse impact on competition in the relevant wholesale electric service market under Wis. Stat. § 196.491(3)(d)7.

The Commission finds that the addition of the project by the applicant will not have a material adverse impact on competition in the relevant wholesale electric service market in that it will increase access to lower cost generation from outside of the project area. Commission staff found no evidence that this project alone, or in conjunction with others, could potentially have a negative impact on wholesale electric service, as energy cost savings for the proposed project are generally competitive with, or better than, compared alternatives. ([PSC REF#: 561020](#) at 31-32.). The applicant's analysis showed that the energy cost savings were consistently highest for the projects in all reviewed futures and sensitivities. ([PSC REF#: 567484](#) at 23.) The Commission finds that the analysis by the applicant that the project, as part of the MVP portfolio, will provide net benefits and increased competition to the region in the form of increased access to low-cost generators.

Public Health and Welfare

As the Wisconsin Supreme Court has declared, issuing a CPCN is a legislative determination involving public policy and statecraft. *Clean Wisconsin, Inc. v. Pub. Serv. Comm'n of Wisconsin*, 2005 WI 93, ¶ 35, 282 Wis. 2d 250, 700 N.W.2d 768; *Town of Holland v. Pub. Serv. Comm'n of Wisconsin*, 2018 WI App 38, ¶ 27, 913 N.W.2d 914, 923. Wisconsin Stat. § 196.491 assigns to the Commission the role of weighing and balancing many conflicting factors. Applying Wisconsin's Siting Priority Laws requires a similar weighing and balancing.

In order to choose a transmission line route that is reasonable and in the public interest, the Commission must not just apply the priority list in Wis. Stat. § 1.12(6), but also must examine the conditions written into that law and consider the purpose of the legislation.

These statutes require that when the Commission reviews a CPCN transmission line application, it must consider the reasonable needs of the public for an adequate supply of electric energy, alternative routes, individual hardships, engineering, economics, safety, reliability, a host of environmental factors, the use of existing ROW, corridor sharing, the effect on electric rates, any interference with orderly local land use and development plans, and potential impacts to wholesale electric competition. Ultimately, the Commission must determine whether granting or denying a CPCN applicant's requests will promote the public health and welfare. After weighing all of these factors and all of the conditions it is imposing, the Commission finds that issuing a CPCN for this project promotes the public health and welfare and is in the public interest.

Compliance with Wisconsin Environmental Policy Act

Wisconsin Stat. § 1.11 requires all state agencies to consider the environmental impacts of "major actions" that could significantly affect the quality of the human environment. In Wis. Admin. Code ch. PSC 4, the Commission has categorized the types of actions it undertakes for purposes of complying with this law.

An EIS was prepared jointly by Commission and DNR staff in accordance with Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4. The purpose of the EIS is to provide the decision makers, the public, and other stakeholders with an analysis of the economic, social, cultural, and environmental impacts that could result from the construction of the new transmission line and its associated facilities. The document spans 212 pages with additional appendices and identifies

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16 individual Commission staff and DNR contributors to the analysis. ([PSC REF#: 560563.](#))

Anticipated impacts, potential mitigation actions, and the status of permits were further described in Commission and DNR testimony. In addition to soliciting comments on the EIS scope and draft EIS, hearings were held on the project in November 2025. No parties to the docket asserted that the final EIS was insufficient or that the Commission has not complied with WEPA pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4.

The Commission finds that the environmental review conducted in this proceeding complies with the requirements of Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4.

The Commission also finds that based upon environmental review and the record developed in this proceeding, as described herein, the project will not have undue adverse impacts on the environment and therefore satisfies the CPCN statutory criteria. To the extent there are some environmental impacts, the Commission finds that these impacts can be mitigated by conditions imposed by this Final Decision and commitments made by the applicant in the proceeding.

Project Cost and Construction Schedule

The applicant estimates the total gross project cost of the proposed project, as modified by this Final Decision, to be \$188,796,752. The estimated project costs do not include AFUDC. The estimated costs are based on 2024 dollars, which includes a 10 percent contingency and are escalated at a rate of four percent based on the anticipated year of expenditure for each cost category, and include transmission line, substation, pre-certification, and environmental impact fee costs.

The estimated total gross project cost is detailed as follows:

DPC Transmission Line Costs

Less than 345 kV Transmission Lines	
Material	\$94,479,959
Construction Labor	\$51,438,659
Real Estate	\$12,752,713
Environmental Construction Compliance Support	\$2,112,470
Other Labor	\$11,892,830
Subtotal	<u>\$172,676,631</u>
345 kV Transmission Lines	
Material	\$5,040,192
Construction Labor	\$3,758,582
Real Estate	\$0
Environmental Construction Compliance Support	\$219,547
Other Labor	\$351,500
Subtotal	<u>\$9,339,822</u>
Distribution Lines	
Distribution Modifications and Induction Mitigation	\$908,535
Subtotal	<u>\$908,535</u>
Transmission Line Subtotal	<u>\$182,924,989</u>
Other Project Costs	
Pre-Certification Environmental	\$4,763,753
Post-Construction Environmental	\$490,000
One-Time 5.0 Percent Environmental Impact Fee	\$466,991
Total Annual 0.3 Percent Environmental Impact Fee	\$28,019
Subtotal Other Project Costs	<u>\$5,748,764</u>
Total Project Cost	<u>\$188,796,752</u>

Construction is expected to begin in the fourth quarter of 2026 with an anticipated in-service date of September 2028.

Discussion of Order Conditions

In issuing a CPCN for a public utility, the Commission has the authority under Wis. Stat. §§ 196.395 and 196.491(3)(e) to include conditions. Commission staff presented various order conditions for consideration. Most of the project-specific conditions that were proposed in the record have already been addressed, and many adopted, in the discussions of environmental impacts above.

Standard Order Conditions

In testimony, Commission staff identified various conditions relating to the authorized construction, reporting, and communication that are considered to be standard order conditions for electric construction projects. The applicant did not object to the inclusion of all standard order conditions suggested by Commission staff. The Commission therefore finds it reasonable to impose all of the standard order conditions identified by Commission staff.

Independent Construction Monitor

While pre- and post-construction conditions specified in the Commission's order and the DNR's permit can avoid, minimize, or mitigate the potential adverse impacts of an approved project, it can be useful to employ an independent environmental monitor (IEM) and/or an independent agricultural monitor (IAM). These independent construction monitors assist the regulatory agencies in ensuring compliance with regulatory requirements and have stop work authority.

For several recent major transmission line projects, the Commission has authorized the hiring of an IEM. An IAM has also been found useful for the most recent high-voltage transmission projects for construction activities that impact agricultural lands. For Badger-Coulee, North Appleton-Morgan, and Cardinal-Hickory Creek, the Commission combined the roles of the IEM and the IAM into one position under the IEM title; however, when the IEM was working in the capacity as the IAM it did not have stop work authority. Similar to IEMs, the benefits of an IAM are for the regulatory agencies to obtain a current record of construction activities and agricultural protection measures and to actively prevent or minimize potential impacts. Independent monitors are typically required by the Commission after considering the

scope of the project, the diversity of landscapes through which the transmission line would be constructed, and the presence of sensitive natural resources. The independent monitors would be funded by the applicant, would report directly to Commission, DNR, and DATCP staff, and would, when authorized by the Commission, have stop work authority. Independent monitors (IEM and IAM) may be appropriately considered for the project given the length of the proposed routes and the corresponding broad range, large number, and high quality of natural resources and agricultural lands that would be impacted as a result of the construction and continued operation of the project. The applicant had no objection to the use of an independent monitor for the project.

The Commission finds that because the project includes a number of locations with environmental and agricultural issues, and because of the complexity and scope of the project, it is reasonable to employ an independent construction monitor (a combined IEM/IAM) during the construction phase of the approved project. The Commission adopts the following condition:

The applicant shall work with Commission staff in the preparation and issuance of an Request for Proposals (RFP) to hire a combined IEM/IAM that shall report directly to the Commission. The RFP shall include the scope of duties, responsibilities, and authority of each position. The applicant shall fund the salaries and expenses of the monitor. The IEM/IAM shall have the authority to stop work at any construction spread if a violation of this Final Decision or any regulatory permit condition is identified; however, such stop work authority shall not extend when acting in the capacity of the IAM. The applicant and their contractors shall promptly stop work on a construction spread if directed to do so by the IEM.

345 kV Environmental Impact Fees

Under Wis. Stat. § 196.491(3g)(a), an applicant who receives a CPCN for a high-voltage transmission line that is designed for operation at a nominal voltage of 345 kV or more shall pay the Wisconsin Department of Administration an annual impact fee and one-time environmental

impact fee for distribution to eligible counties and municipalities. The Commission is responsible for determining the cost basis from which the impact fees will be calculated. The applicant submitted the basis for the calculation of these fees, based on the estimated cost of the proposed project, in the amount ranging from \$188.8 million to \$276.1 million. The basis for the fees generally excludes lower-voltage transmission and distribution line costs, operation and maintenance costs during construction, pre-certification costs, costs incurred prior to receiving a CPCN, AFUDC, the environmental fees themselves, and risk contingency or escalation-related costs, each of which is included in the estimated gross project cost.

The Commission has concerns with the applicant's proposed cost basis and how it determined the ratio for the high-voltage and lower voltage facilities. If the ratio is not calculated correctly, it can significantly impact the costs or revenues that flow to communities. Therefore, the Commission does not find it reasonable to accept the applicant's proposed basis for determining the annual fee and one-time environmental impact fee. Further, the Commission finds it reasonable to adopt the following order condition to allow Commission staff to fulfill the Commission's responsibilities for determining the distribution of the annual and one-time environmental impact fees:

The applicant shall work with Commission staff to determine the appropriate cost basis for the one-time and annual environmental impact fees, as well as adequate information to determine the appropriate distribution of the one-time and annual environmental impact fees, within 30 days from the date of this Final Decision. Approval of the revised cost basis shall be delegated to the Administrator of the Division of Energy Regulation and Analysis.

Certificate

The Commission grants the applicant a CPCN for construction of the Alma to Blair Transmission Line Project using the Proposed South Route, as described in the application, data

request responses, and final EIS, and as modified by this Final Decision, at an estimated cost of \$188,796,752.

Order

1. The applicant is authorized to construct the proposed transmission facility, as described in the application and data request responses and as modified by this Final Decision.

2. 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.

3. The applicant shall conduct an updated ER Review closer to the start date of construction (no more than one year prior to construction start).

4. 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 they will conduct the stray voltage measurements. The applicant shall report the results of its testing to Commission staff in writing.

5. The applicant shall work with Commission staff in the preparation and issuance of a RFP to hire a combined IEM/IAM that shall report directly to the Commission. The RFP shall include the scope of duties, responsibilities, and authority of each position. The applicant shall fund the salaries and expenses of the monitor. The IEM/IAM shall have the authority to stop work at any construction spread if a violation of this Final Decision or any regulatory permit condition is identified; however, such stop work authority shall not extend when acting in the capacity of the IAM. The applicant and its contractors shall promptly stop work on a construction spread if directed to do so by the IEM.

6. The applicant shall avoid cutting or pruning oak trees to mitigate the spread of oak wilt in the project area during the period of April 1 to July 15.

7. To the extent practicable, the applicant shall follow the DNR guidelines for HRD treatment. The applicant shall provide notice to landowners that they will be applying preventative fungicide to cut pine and spruce stumps of merchantable size within 25 miles of known HRD infection sites and where more than 50 percent of the stand is pine and/or spruce from April 1 through November 30. The applicant shall only proceed with written permission by the landowners.

8. The applicant shall work with Commission staff to determine the appropriate cost basis for the one-time and annual environmental impact fees, as well as adequate information to determine the appropriate distribution of the one-time and annual environmental impact fees, within 30 days from the date of the Final decision. Approval of the revised cost basis shall be delegated to the Administrator of the Division of Energy Regulation and Analysis.

9. Should the applicant become aware of possible changes in scope, design, or location that would be significant, the applicant shall notify the Commission within 30 days. Before proceeding with any significant change in the scope, design, size, or location of the approved project, the applicant shall obtain approval from the Commission.

10. 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 EIS, 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.

11. 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.

12. If it is discovered or identified that the project costs including *force majeure* costs may exceed the estimated cost, 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.

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

14. To the extent practicable, the applicant shall mitigate impacts to line-of-sight communications and landowners that can show disruption to broadcast communications post construction.

15. 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.

16. Beginning within 30 days after the end of the quarter during which this 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. As applicable, a summary of competitive bids received within the quarter, if any, for work to be performed and equipment to be procured as part of the project;
- f. Its 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 employed on-site to construct the proposed project.

17. The CPCN is valid only if construction commences no later than one year after the latest of the following dates:

- a. The date the Final Decision is served;
- b. 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;

c. 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. (b.);

d. 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. (b.).

18. 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's project for which construction has not commenced shall become void unless the applicant:

a. File 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.

19. 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.

20. The Final Decision takes effect one day after the date of service.

21. Jurisdiction is retained.

Dated at Madison, Wisconsin, the 10th day of March, 2026.

By the Commission:

Docket 1515-CE-103

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

CS:AEM:dsa:arw DL: 02122960

See attached Notice of Rights

PUBLIC SERVICE COMMISSION OF WISCONSIN
4822 Madison Yards Way
P.O. Box 7854
Madison, Wisconsin 53707-7854

**NOTICE OF RIGHTS FOR REHEARING OR JUDICIAL REVIEW, THE
TIMES ALLOWED FOR EACH, AND THE IDENTIFICATION OF THE
PARTY TO BE NAMED AS RESPONDENT**

The following notice is served on you as part of the Commission's written decision. This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

PETITION FOR REHEARING

If this decision is an order following a contested case proceeding as defined in Wis. Stat. § 227.01(3), a person aggrieved by the decision has a right to petition the Commission for rehearing within 20 days of the date of service of this decision, as provided in Wis. Stat. § 227.49. The date of service is shown on the first page. If there is no date on the first page, the date of service is shown immediately above the signature line. The petition for rehearing must be filed with the Public Service Commission of Wisconsin and served on the parties. An appeal of this decision may also be taken directly to circuit court through the filing of a petition for judicial review. It is not necessary to first petition for rehearing.

PETITION FOR JUDICIAL REVIEW

A person aggrieved by this decision has a right to petition for judicial review as provided in Wis. Stat. § 227.53. In a contested case, the petition must be filed in circuit court and served upon the Public Service Commission of Wisconsin within 30 days of the date of service of this decision if there has been no petition for rehearing. If a timely petition for rehearing has been filed, the petition for judicial review must be filed within 30 days of the date of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition of the petition for rehearing by operation of law pursuant to Wis. Stat. § 227.49(5), whichever is sooner. If an *untimely* petition for rehearing is filed, the 30-day period to petition for judicial review commences the date the Commission serves its original decision.¹⁰ The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

If this decision is an order denying rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not permitted.

Revised: March 27, 2013

¹⁰ See *Currier v. Wisconsin Dep't of Revenue*, 2006 WI App 12, 288 Wis. 2d 693, 709 N.W.2d 520.

APPENDIX A

PUBLIC SERVICE COMMISSION OF WISCONSIN

(Not a party but must be served per Wis. Stat. § 227.53)
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