BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

JOINT APPLICATION OF WISCONSIN ELECTRIC POWER COMPANY AND WISCONSIN GAS LLC FOR AUTHORITY TO ADJUST ELECTRIC, NATURAL GAS, AND STEAM RATES

Docket Nos. 5-UR-109

CERTIFIED ORIGINAL TRANSCRIPT

EXAMINER MICHAEL NEWMARK, PRESIDING
Tr. 381-444
PUBLIC HEARING SESSION

Reported By:
LYNN M. BAYER, RPR, RMR,
Halma Reporting Group
(414) 271-4466

HEARING HELD:
October 15, 2019
United Community Center
Milwaukee, Wisconsin
2:00 p.m.
EXAMINER NEWMARK: The first one is Ricardo Diaz.

RICARDO DIAZ, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. DIAZ: I am Ricardo Diaz, executive director at the United Community Center. Good afternoon. And, again, thank you for being here at the United Community Center. It's really a pleasure for us to host this hearing.

The United Community Center and Wisconsin Energy have had probably a 25-year relationship, so we are very supportive of Wisconsin Energy as a strong partner for many, many years. Wisconsin Energy is not only a good partner by volunteering in many of our organizations' facilities and events, but also have been a financial contributor to our organization for many years. That is not only true here with the United Community Center; but as we talk about the Milwaukee community, with United Way, with UPAF and the arts, probably one of the organizations that you go to as you're trying to do a major project in Milwaukee and southeastern Wisconsin, whether we're talking economic
development, the arts or education, Wisconsin Energy is the company that you can call on as a strong partner. Thank you very much for the opportunity.

EXAMINER NEWMARK: All right. Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Next we have Linda Flashinski.

MS. FLASHINSKI: If you say it fast, it's easier.
LINDA FLASHINSKI, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. FLASHINSKI: My name is Linda Flashinski, and I am a retired educator and a community volunteer. I live at 55508 River Hills Road in Caledonia, Wisconsin. So I would like to thank the Public Service Commission for holding these hearings. It's tremendously important.

I'm here today to request that the PSC deny We Energies' request to raise the rates on their customers. I remain amazed that We Energies continues to fill train cars in Wyoming with dirty, polluting coal -- and then along the tracks much coal as we know is dropped along the way and there's coal ash -- all the way from Wyoming to Oak Creek, Wisconsin, endangering the health of many. We all know these facts. We know, first of all, that clean, renewable energy is much cheaper to use than the coal we are burning. Current statistics demonstrate that the South Oak Creek plant is costing consumers $75 million a year more than the cost of buying energy off the grid, electric grid. It's ^ unfair to pass costs onto consumers when we know the great cost savings that could be had if We Energies moved to cleaner, safer and cheaper
energy. We also know the benefits for our state and our planet of converting to renewables.

    Secondly, while I know this is a rate hearing, I just want to say that if this rate increase goes through, we would not only be paying higher prices while the coal plant could run much less expensively with renewables; but we also know that we have been paying a greater price financially and medically in our area in terms of the health and well-being of our citizens.

    Lastly, the American Lung Association gives Racine County, Kenosha County and Milwaukee County Fs on air quality. This poor air quality results in higher rates of asthma, lung cancer, bronchitis and other respiratory issues for our families, our senior citizens and our children. Why should we be paying a higher price for energy that is dirty and polluting when We Energies has converted or closed many other plants? And, in fact, our South Oak Creek plant should be closed due to its age and its poor condition. And there also seems to be a justice issue in all of this.

    I just ironically want to say that my husband and I moved to Wisconsin from California in 1976 seeking a better environment for ourselves and...
our children than California was at the time. And California, of course, has cleaned up their act enormously while southeast Wisconsin has become more and more polluted. We are, by the way, under the Obama administration, we were classified as a severe non-attainment area for air quality. And you can look at those if you go to lungassociation.com. They have every county in the country. And we're an F. Madison, by the way, is an A.

So I end with this question for you to consider. If you lived near these coal-burning plants, would you think it to be socially just to raise prices so dramatically when the consumers are already bearing the financial and human price that dirty air brings with it? When -- will the population near the Oak Creek plant get the very same consideration that plants in Madison, Green Bay, Pleasant Prairie and other communities have been given?

We ask We Energies to please consider our needs for clean energy at the Oak Creek plant and we ask the PSC to deny this clearly unfair proposed rate hike. Thank you for your consideration.

EXAMINER NEWMARK: Thank you, ma'am.

(Witness excused.)
EXAMINER NEWMARK: Let's go off the record.

(Discussion off the record.)

EXAMINER NEWMARK: Let's get back on. It's Tom Rutkowski.
THOMAS RUTKOWSKI, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. RUTKOWSKI: So I live at 2615 North Main Street in Racine. In defense of the proposed fixed cost recovery charge, otherwise known as the solar tax, a We Energies spokesperson appealed to a sense of fairness, arguing that people who generate their own electricity should pay their fair share of the costs of the electrical grid components. The mission statement of the Wisconsin Public Service Commission also mentions fairness, describing its role as overseeing the efficient and fair provision of utility services in Wisconsin.

Though it's sometimes hard to identify or measure, fairness matters, especially in the context of a utility that affects the lives of so many people. Perhaps fairness matters most when we feel it is lacking. Asking for higher rates to maintain an outdated coal plant at Oak Creek strikes me, as a ratepayer and a resident, as acutely unfair.

Over the last ten years, We Energies has purchased homes around the plant to create a buffer zone, spending millions because people weren't happy having a 15-acre coal pile for neighbors. Recently We Energies spent close to 10 million to construct a
wind barrier to keep the coal dust from blowing into nearby homes. Now, due to tighter regulations from the DNR, We Energies will spend millions more to limit their mercury emissions and change the way they treat white ash.

It isn't fair to spend millions more trying to clean up what is inherently a dirty business. We've borne the cost of living near a coal plant for decades because there were no viable alternatives. Now that there are better cleaner alternatives, it seems unfair and deeply ironic that we must pay more for our fuel source that pollutes our air and water and greatly contributes to our climate crisis.

In these times it's difficult to argue that coal is an energy source that aligns with the Public Service Commission's goal to ensure utility services are provided in an efficient and environmentally responsible manner. In recent weeks, We Energies executives have presented us with a stark choice. Either we continue to burn coal or we risk losing power during the next polar vortex. It's a false dilemma, a fear tactic that's much more persuasive than arguing to protect a shareholder return. The truth is that as more coal plants are
retired, utilities have successfully adopted a variety of strategies and technologies to keep pace with a rapidly evolving energy industry. No one's been left shivering in the dark.

There are other ways for the PSC to fulfill its responsibility to deliver reliable power. The Public Service Commission strives to educate Wisconsin citizens on utility issues and to promote their involvement in the decision-making process.

I thank you for conducting these hearings and listening to the people who face the consequences of this decision, to the people who feel just how unfair it is to pay more for something inferior and harmful. It is my hope that the Commission will reject We Energies' proposed rate increase, and by rejecting this increase steer We Energies to a path that is both economically and environmentally responsible and is more fair as well.

EXAMINER NEWMARK: Okay. Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Sister Janet Weyker.
SISTER JANET WEYKER, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY SR. WEYKER: I'm Sister Janet Weyker, a Racine Dominican. I live two miles from the Oak Creek Power Plant, and most of our sisters and many of our associates, about 140 of us, live about six miles from the Oak Creek Power Plant. And I'm speaking on their behalf, many of who cannot come today.

I'm at -- thank you, first of all, for letting us come to this hearing. And I'm really asking that the Public Service Commission denies the rate increase that We Energies is asking. Our community is dedicated and committed to truth and justice. And we feel this rate case is about truth and justice. The truth about what the coal power plant is doing to the environment, to people's health and to our economy.

We have heard from expert witnesses that the Oak Creek Power Plant is costing an extra $75 million a year. That is not a good use of money. $75 million could go a long way in helping build a renewable energy system. It's also unfair and unjust to the health of the people that live around the coal plant. It's not just the 15
families whose houses have been bought out, but the pollution from the power plant through the air and through the water affects many people many miles away.

So for the sake of the health of the people around, that plant ought to be shut down. And for the sake of the environment. It's not only people's health, but the plants and animals that have a right to exist as well.

So I would urge We Energies to close the dirty coal power plant and switch to 100 percent renewable energy. Thank you.

EXAMINER NEWMARK: Okay. Thank you, ma'am.

(Witness excused.)

EXAMINER NEWMARK: William Moore.
DIRECT TESTIMONIAL STATEMENT

BY MR. MOORE: My name is William Moore, and I am a long-time resident of the Milwaukee metropolitan area. Several years ago, as the clean air committee chair of the Great Waters Group of the Sierra Club, representing 4,000 area members, I spoke at a hearing before the Public Service Commission about the dangers of building a coal-fired power plant at the Oak Creek location, including its carbon dioxide adding to climate change and other fumes spewing toxins that would compromise the health of thousands of people.

Your predecessors ignored the warnings that I and almost every person at the hearing testified would occur. Now, not only did every warning come true with climate change getting worse and people contracting airborne-caused breathing problems, but unexpectedly coal ash has also become a problem. At the time, I was perfectly healthy. I now have asthma.

Clean energy was recommended then and clean energy is recommended now. You have a chance now to make things right. Shut down this plant. Save the health of thousands. Transition to clean energy.
energy, and work to save the health of our fragile planet. Protect the health of my daughter, son-in-law and infant grandson by shutting down coal-fired plants. They won't have to follow my paths of asthma if you do the healthy, the right thing and shut down this plant.

EXAMINER NEWMARK: Okay. Thank you, sir.

MR. MOORE: Thank you.

(Witness excused.)

EXAMINER NEWMARK: Jill Ferguson.
JILL FERGUSON, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. FERGUSON: Okay. So I don't have a prepared statement, but I did just get back from a three-day convergence on forestation that -- you know, deforestation and all the problems and all the false solutions to energy. And it was about clean energy and teaching us about false solutions that they're putting forth to us. And one of them being clean coal. Clean coal is a dirty lie. Right? There's no such thing. But they're pushing it off as a solution, and it's not.

And I absolutely reject the demand that we pay more to make our children ill, to create more asthma which in turn creates, you know, an increased healthcare system that we don't even have to begin with and what is there is not affordable to anybody. But, yeah, let's continue this dirty extraction of Mother Earth.

And I just have a poster that I made to bring along, and pardon the language. This is a book called Greedy Bastards that I highly suggest. It's by Dylan Ratigan, it's his book. And it's corporate communists, gangsters and the other vampires who suck America dry, which We Energy is
doing and asking us to pay more to do so. And so I added to that the Greedy Bastards Kill Their Own Mother, Mother Earth. So I absolutely reject this proposal. It's absolutely nonsensical to me, and I stand in rejection of it. Thank you.

EXAMINER NEWMARK: All right. Thanks very much.

(Witness excused.)

EXAMINER NEWMARK: Mary Janes.
MARY JANES, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. JANES: My name is Mary Janes, and I am testifying as an impacted neighbor. I have lived in Mount Pleasant for four years. I'm a retired nurse, and I have seen more than my fair share of asthma and cancer. We Energies is asking the Public Service Commission to raise our rates to pay for uneconomic coal plants. Expert analysis shows that the South Oak Creek Coal Plant is costing customers $75 million a year more than the cost of buying energy off the electricity grid or marketplace. The cost of running economic coal plants shouldn't be passed on to ratepayers, and it's time for We Energies to move to clean energy.

Wisconsin DNR listened to hundreds of Wisconsin residents who raised their voices and demanded a stronger discharge permit at WEC's Oak Creek coal plant. Now we need We Energies to listen. One of the most startling facts revealed in that testimony was that We Energies and their parent organization, WEC Energy Group, could save customers 75 million annually by retiring South Oak Creek and replacing it with wind and solar energy. We know that the South Oak Creek plant -- coal plant is not
profitable and every day that we choose to keep it open costs customers more and more.

We are tired of corporate greed. We are tired of paying for We Energies' mistakes. We want We Energies' shareholders to pay their fair share.

I would like to finish with a quote from Greta Thunberg, "Change is coming whether you like it or not." Thank you.

EXAMINER NEWMARK: Great. Thank you.

(Witness excused.)

EXAMINER NEWMARK: Mark Potochnik.
MARK POTOCHNIK, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. POTOCHNIK: Here I am. I'm Mark Potochnik, lifetime resident of Milwaukee and We Energies. The price of renewable energy goes down 20 percent per year, yet We Energies raises the prices all the time. Every year We Energies is starting to lose excuses now because of new technologies. We are not in a CortiCom era anymore. This is not -- this is 2019, not 2010. Renewable energy is getting bigger, solar energy is getting bigger. And the same with wind.

The problem with renewables not being constant is not an excuse that they can cause -- you can use anymore. Battery storage is getting bigger. Late last July, Tesla created something call a Megapack which is a big battery and --

( Interruption in proceedings. )

EXAMINER NEWMARK: Just a second.

( Discussion off the record. )

EXAMINER NEWMARK: Continue then. Thanks.

MR. POTOCHNIK: Okay. Tesla created this Megapack which can hold over one gigawatt hour of power or bigger. ^ you can go probably two bigger. So, and battery storages are being deployed all over
the world now. No reason why we can't do it in Milwaukee. In Australia, they created the Hornsdale Battery Power Plant. It lowered the cost of peak power 90 percent even though the size of the battery was only 2 percent of the grid, of their grid.

There are offshore wind farms in the ocean. We can do it in our lake right now. They can do it right next to the Oak Creek Power Plant. As I look -- I was at -- looking on a map, Oak Creek Power Plant is right there on the lake. They can face north, you go out to the lake and put a big wind farm out there; and then across the street, about 4,000 feet away, there's room for -- you can put a monster battery storage, and you can put those up in months, not years. And there would be no need to even move the wires because your battery is right there. No reason why you can't do it. No more excuses.

And they're also creating what's called virtual power plants. They load houses up with solar and battery storage, and it's all -- it's like a battery power, and that system has worked great in Australia. Now they're trying to expand it now.

Now they're creating home systems now where the houses are going to be able to go off the
grid and you would be running on your own. This provides you're given a right to create your own power and freedom to create your own power. That's another thing we need.

And it only makes sense to make power from Wisconsin wind and sun than spending $12 million on out-of-state sources. You can power your heating, your cooking and your transportation also.

EXAMINER NEWMARK: Okay. Thank you very much, sir.

(Witness excused.)

EXAMINER NEWMARK: Okay. Susan Modder.
SUSAN MODDER, PUBLIC WITNESS, DULY SWORN
DIRECT TESTIMONIAL STATEMENT

BY MS. MODDER: My name is Susan Modder, and I'm a Milwaukee County resident. I'm very concerned about We Energies' request to increase rates for all customers. The rate increase will continue to sustain the South Oak Creek coal-burning power plant. We Energies' coal-burning power plant imperils both our air and water, specifically Lake Michigan which is still being polluted by We Energies' release of mercury. Mercury in trout and whitefish in Lake Michigan has increased by 20 percent. Also, the residue of burned coal from We Energies' Oak Creek Plant, coal ash containing mercury, arsenic and lead, is in the food chain to stay. Heavy metals don't go away.

Of course, the solution is at hand. Renewable energy. Now I've learned that the South Oak Creek Power Plant is costing its customers, which includes me, $75 million more a year than the cost of buying renewable energy off the electricity grid or marketplace. Here's where it gets personal. I already feel complicit in the pollution of Lake Michigan by being a customer of We Energies and paying my electric bill. It's astounding and
unacceptable to me and many others that We Energies is proposing this rate increase and continuing business as usual. The WEC Energy Corporation, the parent company of We Energies, needs to stop polluting Lake Michigan, retire its fossil fuel plants well before their projection of 2050, and join the growing U.S. and global movement of committing to 100 percent renewable energy.

I request that the Public Service Commission deny We Energies' rate increase. Thank you.

EXAMINER NEWMARK: Okay. Thank you, ma'am.

(Witness excused.)

EXAMINER NEWMARK: Carl Lindner.
CARL LINDNER, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. LINDNER: My name is Carl Lindner. For the past 50 years I have lived in Racine, and 38 of those years have been spent as a professor of English in the University of Wisconsin-Parkside English Department.

Of late, I have become increasingly educated and concerned about the cost of fossil fuel on people's health and the life of the planet. When I learned that We Energies and its parent company were requesting a rate hike, I was surprised and infuriated at the hypocrisy and the greed that that entailed. For many years shareholders of We Energies have enjoyed annual returns of 15.1 percent. And that is a very large return on one's investment. The CEO, Gale Klappa, several years ago was receiving an annual salary of over $14 million. And this is the company that wants to raise the rates. It seems to me they're doing awfully well. It seems to me then that it is unreasonable and unnecessary to accept their request for a rate hike.

When renewable energy, clean energy can be distributed throughout Wisconsin for considerably less than the cost of coal energy, it's unreasonable
to give a rate hike to people who are spending more on keeping a plant going than they are taking in. It is also unnecessary to give a rate hike to We Energies because, as I said, they are doing very well financially. The rate hike is not in keeping with the cost of energy throughout the midwest. We Energies' rates are among the highest in the midwest. So hand over fist they've been making money, and now they're asking for more money. And we haven't even really spoken about something that can't easily be quantified, and that is the cost of human health.

We probably could be doing some kind of a survey in southeast Wisconsin asking people about the medical bills they've been paying for respiratory diseases and illnesses, for COPD among others, along with bronchitis, emphysema and asthma from the coal dust. We might also wonder about the cancer rates which are higher in this corner of Wisconsin than anywhere else. Southeast Wisconsin consistently receives an F rating from the American Lung Association. And while We Energies is not solely responsible for the quality of the air in this corner of the state, it makes its contribution unquestionably.
Therefore, I am asking that you deny the request for a rate hike; and I would finish by saying that when a company deals with poisonous fuel knowingly, then that company is guilty of trafficking inhuman health for short-term profit.

Thank you.

EXAMINER NEWMARK: Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Okay. Next is James Buchen.
JAMES BUCHEN, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. BUCHEN: My name is James Buchen, and I'm the executive director of the Wisconsin Utility Investors, Incorporated, a nonprofit association that represents the interests of individual shareholders of Wisconsin utilities stock. I appear today to express our support for the settlement agreement application and the settlement agreement itself for the years 2020 and 2021 filed with the Commission on August 30th, 2019, by Wisconsin Electric Power and Wisconsin Gas.

The Wisconsin Utility Investors has approximately 5,000 individual shareholder members who own stock in Wisconsin Gas and Electric utilities. While representing our members' interests, we also strive to serve the best interests of the more than 50,000 individuals who hold Wisconsin utilities stock.

The majority of our members are retirees of modest means who rely on their utility investments to supplement their social security and other retirement income. Their stock ownership also supports an important public interest by supplying the necessary capital to help finance the
construction of power plants, transmission lines, solar arrays, wind farms and other needed utility infrastructure. Without the billions of dollars of equity supplied by utility investors, companies would be forced to rely on unacceptably high levels of borrowing and/or massive government subsidies to function. Therefore, it's critical that the Public Service Commission carefully balance the consumer demand for lower rates with the need to ensure adequate rates of return for investors.

Concerns that carbon emissions from fossil fuel-based electric generation are contributing to climate change have both the general public and policymakers across the nation demanding that utilities find ways to reduce such emissions as soon as possible. As a result, Wisconsin utilities are in the midst of a fundamental transformation, moving away from fossil fuel-based generation to renewables as the primary means of generating electricity. One of the consequences of this transformation is that existing generating capacity, particularly coal plants, may become redundant or otherwise obsolete before the normal end of their useful lives. How to recover costs associated with these stranded assets has become one of the biggest challenges facing the
industry and the Public Service Commission.

Utility investors believe that the solutions need to strike a proper balance between the demands of consumers for limited rate increases and the need for the utility companies to remain a good investment providing attractive rates of return. In the long run, consumers ultimately benefit from maintaining financially sound utility companies that are able to attract much needed equity capital.

With that in mind, the Wisconsin Utility Investors supports the settlement agreement proposed by the applicants and the intervenor groups. We believe that it strikes the proper balance between consumer and investor interests by addressing the issues of stranded assets with the combination of rate increases and an innovative securitization mechanism. The agreement establishes revenue requirements and rates of return that are lower than those originally sought by the utility and calls for Wisconsin Electric to seek a financing order under Wisconsin's Environmental Trust Bond Statute that will authorize it to securitize a portion of the undepreciated value of the Pleasant Prairie Power Plant. We also encourage the Commission to approve
such a financing order as it is a critical component of the settlement agreement.

Wisconsin Utility Investors appreciates the opportunity to provide these public comments to the Commission and thanks you for your time and attention.

EXAMINER NEWMARK: Thank you, sir.
(Witness excused.)

EXAMINER NEWMARK: Let's just go off the record for a minute.

(Discussion off the record.)
STEVE BAAS, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. BAAS:  Well, thank you. I am Steve Baas, senior vice president for Public Policy and Government Affairs at the Metropolitan Milwaukee Association of Commerce, and I appreciate the opportunity to testify today on behalf of the proposed We Energies rate settlement before you.

The MMAC represents nearly 1,800 businesses employing over half a million individuals in the metro Milwaukee area. While our membership is extremely diverse, from service to manufacturing and from mom and pop shops to Fortune 500 companies, nearly all of them share one thing in common. They cannot achieve success without reliable and affordable access to power. That is why the MMAC is pleased to support the rate settlement We Energies has reached with nearly all the major consumer groups in the region.

The settlement controls costs and incent continued steps -- and incent the continued steps We Energies is making toward increased investments in clean energy technologies. We are proud that We Energies has made more investment in clean energy than any other Wisconsin utility and is one of the
leaders nationally in this emerging area. The commitment to a sustainable future is evidenced by the dramatic steps they have taken recently to replace or refit outdated coal plants generating excess capacity with renewable and clean energy generation. More importantly, the steps they have taken have been done in a prudent fashion that moves toward a cleaner energy future without putting energy affordability and reliability at risk for their consumers.

We are aware that a single Madison-based special interest group is advocating against this settlement and aggressively calling for We Energies to shut down baseload clean coal plants in the immediate future. Their position is irresponsible and makes a political point at the risk of economic peril. The approach they suggest is not practical and cannot ensure sufficient sustained baseload energy capacity for our growing economy.

While we share their goal of a cleaner energy future, we believe the steps to that future must be taken in responsible sequence that does not jeopardize our energy reliability.

The MMAC joins with other major consumer groups in supporting the proposed settlement because
we view it as a compromise that responsibily balances current need with future aspirations. The settlement before you will allow us to move forward toward a cleaner energy tomorrow without jeopardizing the energy affordability and reliability fueling our regional economy today.

    Thank you again for your attention to this important matter.

    EXAMINER NEWMARK: Thank you, sir.

    (Witness excused.)

    EXAMINER NEWMARK: Next is Julio Guerrero.
JULIO GUERRERO, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. GUERRERO: Okay. I'll make this quick. I just want to say that I think that the settlement is better than the first try and I hope that the Commissioners will support the settlement. Thank you.

EXAMINER NEWMARK: Okay. Thanks.

(Witness excused.)

EXAMINER NEWMARK: Barbara Richards.
BARBARA RICHARDS, PUBLIC WITNESS, DULY SWORN

EXAMINER NEWMARK: I just want to ask you, I see you're affiliated with Sierra Club and they are a party in the case. I just want to make sure that you're speaking on your own behalf, your own personal comments, not on behalf of the parties.

MS. RICHARDS: That's correct.


DIRECT TESTIMONIAL STATEMENT

BY MS. RICHARDS: We need electric energy for our present and our future needs. This needs to be affordable for all. Keeping rates as low as we can from now forward is so very important. It just jumped on me, sorry.

Please deny a rate increase for We Energies. It is necessary to lessen the disparities in our community. I stand with the members of my city who are to be the most impacted by your decision on this rate increase request by We Energies. I travel by Milwaukee County Transit System buses and by bicycle. As I travel on the bus, I see and listen to people's stories. I become a witness to the disparity in my community. It is time we all listen to these voices.
Consider the present as a benchmark. We need to keep the start level as low as possible and then hold that cost to ratepayers low. The fact is the present fossil fuel production is costing ratepayers more than if we were paying for clean energy. If We Energies can't have the higher rates, then perhaps they will acknowledge that business as usual is not good for shareholders, residents, ratepayers and the planet.

Those of less resources are also more impacted by the negative effects of polluted air. They have fewer resources to care for their family's health. We Energies is acting against the best health interests of these ratepayers. Please deny a rate increase.

As we move toward an uncertain future, hopefully with an electric facility powered by renewables, we need to keep these rates as low as possible. So please deny We Energies' rate increase. Thank you.

EXAMINER NEWMARK: Thank you.

(Witness excused.)

EXAMINER NEWMARK: Reverend Jonathan Barker.
REV. JONATHAN BARKER, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY REV. BARKER: My name is Reverend Jon Barker. I serve at Grace Lutheran Church in Kenosha. Before I get too deep into this, let me just say that I was at my church council meeting right before coming up to this hearing and my whole council is begging that there won't be a rate increase. That would be a huge blow to our church. And so I speak for my whole council saying please don't increase the rates.

I also want to speak for the broader faith community, and maybe I'm especially privileged, many faith communities do get paid by We Energies in different ways and grants to make their bills lower. Our particular community doesn't, so I can say how this will impact those who get services from our church.

As a pastor, I'm deeply invested in justice, and our scriptures speak to that often. Isaiah 1:17 says we are to seek justice, we are to defend the orphans and the widows and the oppressed. Justice is at the very center of our faith.

And this seems profoundly unjust to ask ratepayers to pay more for a power plant that costs
the company 75 million a year. Basically what we're here to talk about is they want to increase our rates because they're running an uneconomic, dirty coal plant. They want to take my money, they want to take my church's money, they want to take my neighbor's money. I imagine each of us is a ratepayer. They want to take all of our money to pay for this plant that is not profitable. Where is the justice in that?

I want to list up a family that comes to our soup kitchen every week, and I get to see many vulnerable people at our church each week. We have a food pantry, a soup kitchen, a clothing closet. And for those that are lucky enough to have apartments, oftentimes affording their utility bill is just brutal in terms of stretching their tight budgets to the very edges. I think of one family in particular. This family last spring had four kids, the youngest was just two months old. And they've had some hard time over the winter and they'd gotten behind on their bill. And they had their power shut off. They were in the dark for two weeks.

We're going to ask families like this that are having a hard time making it by, just scraping by, we're going to ask these families to make up and
to pay the difference for a coal plant that's dirty, uneconomic, pollutes our communities for our dear brothers and sisters in Racine?

There is no justice in this. So I strongly ask that this Commission does not grant a rate increase to We Energies. Thank you very much.

EXAMINER NEWMARK: Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Charles Michna.
CHARLES MICHNA, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. C. MICHNA: Hi, Charles Michna. I am the closest neighbor on the south side to We Energies. I walked out my door this morning and I saw the plant, there's no smoke coming out of there. As a matter of fact, that thing hasn't generated any electricity totally for the last three weeks. So the gentleman that was here earlier, all worried about electricity going to disappear because they'll shut the plant down, he didn't get anything out of it anyway. So I don't know what his concern was about our businesses. Plenty of electricity out there. Lots of it.

Oh, and by the way, I'm also an investor in We Energies and I'm not for a rate hike. So, the other guy, not everybody here was for that. Okay?

Now, onward with this. What's going to happen here as far as I can see is that they're probably going to get it. They really don't need to sit down and keep running this plant. If it -- it's sitting there not doing anything and it's actually saving the ratepayer money by not running. That just astounds me. I can't figure out for the life of me why the heck we haven't sat down and dozed.
this thing and gone over to renewable energy. I mean, at least convert one of them over to gas, for crying out loud, just to sit down and get it started and then convert it over if they're worried about any extra. But to pollute the country like this, the way they're doing it, it's nuts.

Okay. So pretty much as far as I'm going to sit down and wind this up, I'm going to say I'm against this, they don't need a rate hike, because if they can sit down and have that plant sitting there doing nothing, they don't need the money.

EXAMINER NEWMARK: Great. Thanks for your comment.

(Witness excused.)

EXAMINER NEWMARK: Frank Michna.
FRANK MICHLNA, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. F. MICHLNA: Hello. My name is Frank Michna. I live at 7765 Michna Road. I lived in the Village of Caledonia 66 out of my 68 years. The other three I was in the service, along with Charlie was at the same time, Vietnam era. I have a mother that lives on Michna Road, seven brothers, four sisters, nieces, nephews, brother-in-laws, sister-in-laws. In other words, there's a mess of Michnas out there. And I'm going to say every one of us suffer from some ailment. COPD, asthma, Crone's, childhood cancer, heart disease, bronchitis. None of us smoke. None of us have ever smoked. We all live in a plume of the Oak Creek Power Plant.

So living there has been not only an economic disaster for us, we pay a lot of money for healthcare. And now they want to dump more rate pay. And there's a lot of other people out there. There's veterans that are struggling, there's homeless people, there's people that have low income. I just recently retired. I'm on a fixed income. I don't get a rate pay increase every year and neither does a lot of other people.
But these people, they can just -- I don't want to say, but piss away our money on a dead horse. I mean, We Energies keeps riding into the Kentucky Derby on a broken down mule saying look at my thoroughbred, put money into it for me, we'll win the race. What a bunch of BS. So I just want to say I vote no.

EXAMINER NEWMARK: Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Dan Bukiewicz.
DAN BUKIEWICZ, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. BUKIEWICZ: My name is Dan Bukiewicz. I'm a 30-year resident of Oak Creek. I'm not going to make any predictions on what the power plant does health-wise to anybody. I am not a doctor, I do not have that the capability to be able to say that whatever is being said today here is true.

So I'm here, I'm going to talk about two things. In my time, in my experience, We Energies has been a great community partner. When it's come to the City of Oak Creek, they've been supportive, they help support police, the fire within the community. When there has been issues concerning the plant, they have been responsive. They've engineered ideas to take care of the problems that were perceived existing, and they got right to it.

So when it comes to the PSC -- the Public Service Commission and the proposed rate hike, the Public Service Commission was put in place as an impartial body to listen to all parties. They don't listen to just corporate, they don't listen to just one special interest group. They set the rates based on the average. So they will do -- I have
faith that the PSC will do what's right. It is
their right to petition for a rate hike increase.
And, again, you've heard testimony they do invest
back in. This just isn't for shareholders and what
have you. They literally are the largest investor
in alternative energy in the state.

So, again, going forward, I support their
petition for a rate hike. They are -- they've
proven to be good community partners and responsive.
And I have trust that the PSC will make the right
decision on everybody's behalf. Thank you.

EXAMINER NEWMARK: Okay. Thanks, sir.
(Witness excused.)
EXAMINER NEWMARK: Dana LaFontsee.
DANA LaFONTSEE, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. LaFONTSEE: My name is Dana LaFontsee, and I'm a We Energy customer living in Waterford. Thank you for this opportunity to share my disapproval of We Energies' request to increase rates.

I've worked with the Clean Power Coalition of Southeast Wisconsin for the past two years; so, like my fellow coalition members and probably most of the people in this room, I've been following the rate case more closely than the other 1,135,000 We Energies electric customers likely have been. I know there was expert testimony filed as part of the rate case that showed operation of the South Oak Creek Coal Plant is costing $75 million more than if it were shut down and power purchased from the marketplace.

If every one of the other 1,135,000 We Energies electric customers knew this, you better believe you would need a bigger room for this hearing. Unfortunately, most We Energies customers find out about rate increases when they see the effect on their monthly bill, and then it's too late. To counter the gentleman from the Utilities

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Investors Association who spoke earlier, my husband and I are retired, like he said most of their shareholders that they represent are. We live within a budget, and we have done a lot to keep our energy bills down including investing in the six kilowatt solar array. I don't want to pay more for electricity or be subsidizing their shareholder returns just because We Energies is running an uneconomic coal plant.

We Energies might be a monopoly, but they are a regulated monopoly. And it is the Public Service Commission that does this regulating. So I'm asking the Commissioners, for myself and on behalf of the 1,135,000 other fellow ratepayers who would be here if they could, if they were aware of what's going on, hold We Energies accountable. They should not be allowed to pass on unnecessary costs to customers. Do not approve We Energies' rate increase request. And I ask We Energies to shut down the plant and replace it with cleaner and cheaper alternatives. Thank you.

EXAMINER NEWMARK: Thank you.

(Witness excused.)

think I got that one right. Okay. I'll pull him over here for now. I'm not done yet. We have two more slips for people who want to speak. And there's probably a lot more out there for people who have just wanted to write a comment in, but these are the last two for speakers. So we have Thomas Seery.
THOMAS SEERY, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MR. SEERY: I'm involved with the Group of 350, but we have not been a party to the proceedings.

EXAMINER NEWMARK: Correct.

MR. SEERY: The area that I would like to talk about, a couple of things. I realize the compromise is in. And so odds are that's what's going to happen. But how the Public Service Commission deals with that compromise and shifts things around within it I think is open to the Commission. And I would hope the Commission would recognize that the South Shore Power Plant was approved by the Commission when there was better evidence already available.

I don't know if the Public Service Commission is reviewing the UN intergovernmental panel on climate change. The one that came out in October starts out being a bit scary in the inside. The latest one I have -- I've gotten through most of it, the one from October, but the one in August on land use, reading some of the reviews on that are more nerve-wracking. We have until 2030 to really do something.
The Public -- We Energies is saying they are going to be 80 percent fossil free renewable energy by 2050. That's not acceptable. That's just too late. This needs to be done way sooner than that. A lot of other places and other companies are talking about trying to get there by 2040. That's too late. Again, some of these things in these UN reports are just too much of a problem.

Let me just read one quick couple of sentences here. This is from the -- page 149 of Section 2 of the October report. "One multimodel inter-comparison study (by Luderer) explored the effects on 1.5 degrees Centigrade pathways assuming the implementation of current nationally determined contributions until 2030 and stringent reductions thereafter. It finds that delays in globally coordinated actions lead to various models reaching no 1.5 degrees Centigrade pathways during the 21st Century."

The goal of the UN is 1.5 and we're going way beyond that. You start to look at the damage -- I don't know if the Commissioners or the staff look at what these people, these scientists are saying. But it's pretty bad. Greenland is melting. There's a glacier in Antarctica that's -- the glacier is now
starting to melt. From what the science I read says, when that goes, it's about 20 years from now, the sea level is going to go up 11 feet. 11 feet. Miami is -- I saw that about a year ago. They're raising their buildings three feet. Miami is gone, you know.

You -- I don't know whether the Commissioners or staff reads some of these things and takes these things into account. If not, they're not serving the public. And I realize that the Commission only deals with the State of Wisconsin and the utilities here. They have a very local interest that they can control. And I have a local area that I can control. It's much smaller than what the Commission can do. I can only control my house. So I put solar panels up there. I have a duplex on the northwest side of the city and wanted to put solar panels up there for my tenants, not for anything other than trying to just get them to be more energy efficient. I can't do that. Well, I can if I go through this arduous process, and I'd like the Commission to take a look at this. The arduous process is I have to pay both of those utility bills myself and put them together, and then I can put the solar panels up, and then I can reduce
people's -- that can reduce people's bill. But I have to pay the bill myself. That -- and then the changing of this whole where you put the meters and how many meters you gotta put on is another joke. You know, most other parts of the state have one meter and it runs backwards. But, no, We Energies wants two meters.

All of this just makes it difficult for me to do. So I said I gotta do something. I bought a Chevy Volt. It's all electric. And I thought, okay, this is great. I'll really do something. Well, in the Union of Concerned Scientists, they have an analysis of what happens in different parts of the United States if you got an all electric car. And this area of Wisconsin, in the Union -- you can go to the Union of Concerned Scientists report. Part of the area in the Milwaukee area is a little higher. But most of Wisconsin is 38 miles per gallon of -- compared to the amount of carbon dioxide that that car would have put out. It's not there. Other parts of the country are up in the 70s and 80s and 90s miles per gallon for an all electric car.

So everybody's talking about getting moving on the renewable, and I want to go into one
other area there on that. I think if -- and I know
the compromise. The deal is a deal is a deal is a
deal. And we had Tyler Huebner come to our group
last week. We had somebody from the utility come to
us and talk about the We Energies plans for
renewable energies. We gave him a hard time, but I
understand what he's trying to do and that there is
some change in focus of We Energies to renewable
energy. But 2050 or, you know, 80 percent by 2050
is -- misses completely what's going on in the rest
of the world.

So I want to suggest that any increase
goes just for renewables. Any increase for -- in
the utility bill goes to shift over the South Shore
plant to gas. Gas is not great, but it's better
than the coal. And so I think the Commission can
make those kinds of decisions and I would urge them
to make those kinds of decisions within this
compromise. And you hear the people here, how much
they're going through because of a coal-fired power
plant.

Okay. If this moves to gas, my energy
efficiency of my car goes up. Okay? So -- I mean,
me and the credit union get an advantage of this,
I'm going to pay that off.
So those are the things that I really want to emphasize to the Commission that when they make this decision, just because there's a compromise doesn't mean they can't make some little tweaks in it to make it better. Like I say, if there's an increase that goes for renewable energy, then fine. Then fine. You know, I know other people might not agree with that. But I think that those kinds of things are going to happen.

I understand the economic situation, you know, you know, they have this vast investment in the South Shore plant and they gotta figure out how to pay for that. Okay. I understand that, and there's been some compromise on that already as Tyler Huebner told us about. But I think the -- some of these things need to be focused in on where we're going, where we need to go. Like I say, the 80 percent by 2050, that's something the Commission could change. And they could make it a lot sooner. I don't know whether that's part of the agreement, but that could be something the Commission could do to force them to move more of that money into renewables.

So those are the things that I think would be helpful. And I recognize that -- I think those
are the things I wanted to say.

EXAMINER NEWMARK: Okay. Well, thanks very much.

(Witness excused.)

EXAMINER NEWMARK: Corey Zetts looks like.
COREY ZETTS, PUBLIC WITNESS, DULY SWORN

DIRECT TESTIMONIAL STATEMENT

BY MS. ZETTS: My name is Corey Zetts. With Z, I'm used to being the last one all the time. I'm the executive director of Menomonee Valley Partners. We're a nonprofit organization that's public/private partnership working on redevelopment of the Menomonee Valley in the heart of Milwaukee. If you've been around Milwaukee, you remember 20 years ago there was really not much in the Valley, mostly vacant land, abandoned factories, a forgotten river. And in the last 20 years we've seen an incredible transformation. More than 300 acres of contaminated land has been cleaned up and redeveloped, 50 jobs -- or 50 companies bringing more than 5,000 family-supporting jobs have come in. And in addition to that, there's been 60 acres of parks and trails established.

So we've really benefitted from both the economic development as well as the environmental restoration throughout the Valley. And I wanted to note that We Energies has been a major partner in that effort, both as the provider of power and as a business, a good neighbor in the Valley, and through the foundation.
The Valley is also the home of the Valley Power Plant; and coming up on five years we've seen the transformation of that plant, the conversion from coal to natural gas. And the Valley has really benefitted from that conversion in the Valley. It's really enabled us to look at new economic development opportunities as land has opened that was once for coal and really think about the future of the riverfront a new way. We Energies has also been a partner in working with other entities from the business sector, from philanthropic, like the Fund for Lake Michigan, really leveraging funding to undertake projects that work on both economic redevelopment as well as environmental restoration and really community vitality.

So the Valley Power Plant is adjacent to some of the neighborhoods that have the lowest income levels, highest unemployment rates in the State of Wisconsin. So projects like this that really bring through great amenities, great jobs, repurpose land and create valuable space have been great.

So we'd encourage the Public Service Commission to continue on this route making responsible choices for conversion. It's been
important to make sure that in this conversion of Valley, that all of those residents, the most densely populated neighborhoods in the State of Wisconsin, maintained reliable and affordable power, the businesses down there maintained access to reliable and affordable power at the same time we saw that conversion.

So this path of responsible conversion, we have seen the benefit in the Valley and encourage the Commission to look towards following that path in the future. Thank you.

EXAMINER NEWMARK: Thank you, ma'am.

(Witness excused.)

EXAMINER NEWMARK: I'm just going to give Mr. Newton one last chance. No? Okay. So we don't have any more appearance slips for people who wish to speak at this point. It's 3:10. Let's go into recess for about ten minutes. We'll see if anyone maybe wanders in who might have another comment. But at this point we'll just go into recess and wait, and then we'll reconvene and close up if no one is available to speak. Thanks.

(REcess taken from 3:11 to 3:26 p.m.)

EXAMINER NEWMARK: Let's go back on the record. We do have one more public comment received
between when we last stopped and now. So let me call Mr. Shea. Is that correct? Yes. Come on up. (Discussion off the record.)
STEVEN SHEA, PUBLIC WITNESS, DULY SWORN

EXAMINER NEWMARK: Spell your last name for us.

MR. SHEA: My name last name is spelled S-H-E-A.

EXAMINER NEWMARK: All right. Great.

Thank you. Go ahead.

DIRECT TESTIMONIAL STATEMENT

BY MR. SHEA: And I am county supervisor for District 8 here in Milwaukee County. And the Oak Creek coal plant is just south of my district. I testified half a year ago when they applied for a variance to dump more mercury into Lake Michigan. I opposed that and I oppose this.

The coal plant is an ecological and economic cancer on Milwaukee County. This is 2019, not 1919. We shouldn't be burning coal anymore. It contributes to global warming, it's destructive to public health. My wife suffers from asthma. I know dozens of people who suffer from asthma. And burning coal only makes it that much worse.

There is no reason to still be burning coal at this point in the history of the world. European countries plan to be at 100 percent renewable by 2030, and We Energies is talking about
keeping a coal plant going 'til midpoint of this century? That's just absolute insanity. It was a mistake to build it; and now We Energies wants us, that is, their customers, to pay for their very poor economic environmental decisions. I say hell no.

Thank you.

EXAMINER NEWMARK: All right. Thank you, sir.

(Witness excused.)

EXAMINER NEWMARK: Okay. Anyone else?

With that, we'll adjourn the 2 p.m. session, and we'll be back here at 6 p.m. Thanks.

(The hearing adjourned at 3:30 p.m.)
STATE OF WISCONSIN 

MILWAUKEE COUNTY 

I, LYNN M. BAYER, RPR, CM, Registered Professional Reporter, Certificate of Merit, with the firm of Halma Reporting Group, Inc., 207 East Michigan Street, Milwaukee, Wisconsin, do hereby certify that I reported the foregoing proceedings had on October 15, 2019, and that the same is true and correct in accordance with my original machine shorthand notes taken at said time and place.

Lynn M. Bayer
Registered Professional Reporter
Certificate of Merit

Dated this 16th day of October, 2019.
Milwaukee, Wisconsin.
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