

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, June 27, 2024

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

Minutes

The Commission approved the minutes of the open meeting of Thursday, June 13, 2024.

381-WI-101 - Investigation into the Village of Bay City, Pierce County, Wisconsin, as a Water Public Utility, for Potential Failure to Charge Reasonable Rates

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

4220-AF-113 - Application of Northern States Power Company-Wisconsin for Approval of Certain Accounting Treatment for 2025

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

5377-WI-101 - Investigation into the Town of Sheboygan Sanitary District No. 3, Sheboygan County, Wisconsin, as a Water Public Utility, for Potential Failure to Charge Reasonable Rates

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

5630-TE-108 - Application of City of Spooner, as an Electric Public Utility, Washburn County, Wisconsin, for Approval of Updates to its Pgs-2 Avoided Cost Rate Tariff

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

5820-TE-102 - Application of Superior Water, Light and Power Company for Approval of a Demand Response Tariff

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

137-CE-208 - Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Public Convenience and Necessity to Construct the Eldorado

Substation and Associated Network Upgrades to Lines G-111 and X-50 (Silver Maple Solar Interconnection Project) Located Primarily in the Village of North Fond du Lac and Towns of Eldorado and Friendship, Fond du Lac County, and the City of Oshkosh and Town of Nekimi, Winnebago County, Wisconsin

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

4220-ER-103 - Application of Northern States Power Company-Wisconsin for Approval of its 2025 Fuel Cost Plan

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

5010-WR-110 - Application of the City of Rhinelander, Oneida County, Wisconsin, as a Water Public Utility, for Authority to Adjust Water Rates

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

5380-PW-102 - Application of City of Sheboygan Falls, Sheboygan County, Wisconsin, as a Water Public Utility, for Authority to Adjust Water Rates Through its Purchased Water Adjustment Clause

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

6680-ER-104 - Application of Wisconsin Power and Light Company for Approval of its 2025 Fuel Cost Plan

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

9300-DR-106 - Verified Petition of Vote Solar of Distributed Energy Resource Systems in Wisconsin

Order to Reopen, Notice, and Request for Comment

Commissioner Nieto is recused from this item.

Chairperson Strand and Commissioner Hawkins approved the draft order to reopen, notice, and request for comment and directed it to be signed by the Secretary to the Commission.

1-AC-259 - Proposed Revision of Wisconsin Administrative Code Chapter PSC 114 as Wisconsin State Electrical Code, Volume I for NESC 2023

Proposed Approval of Final Statement of Scope

The Commission accepted the final statement of scope and directed staff to continue the rulemaking process.

5-AE-252 - Application for Approval of a Multi-Party Facilities Construction Agreement and Guarantee or Letter of Credit Transaction for the High Noon Solar Energy Center Project between American Transmission Company LLC and Wisconsin Electric Power Company

The Commission approved American Transmission Company LLC (ATC) and Wisconsin Electric Power Company's (WEPCO) (together, applicants) Multi-Party Facilities Construction Agreement (MPFCAs) and Guarantee and/or Letter of Credit (LOC) Transaction for the High Noon Solar Energy Center Project with the following conditions:

1. The parties shall obtain Commission approval prior to the effective date of any suspension, modification, or termination of the MPFCA and guaranty and/or LOC agreements.
2. The Commission shall have full access to all books and records related to the underlying services and goods exchanged under the agreements.
3. Approval of these agreements is not a determination by the Commission that the charges are just and reasonable for any Wisconsin jurisdiction for ratemaking purposes.
4. The parties shall file with the Commission a final MPFCA, and any guaranty and/or LOC within 10 days of the date such agreement is fully executed.
5. WEPCO shall report an inventory of the project's costs by FERC account, allocated to the project within 60 days of the in-service date for the project as defined in the MPFCA.
6. Approval of the arrangements granted herein is expressly conditioned upon the reserved power of the Commission to terminate or to revise and amend the terms and conditions thereof, if, when, and as needed to protect and promote the public interest as provided in Wis. Stat. § 196.52(5).
7. Approval of these agreements is contingent upon the Commission's approval of the acquisition of the project in docket 5-BS-276.

The Commission delegated authority to the administrator for the Division of Energy Regulation and Analysis to issue Final Decisions related to future MPFCAs and associated LOCs with standard terms and the conditions listed above, including condition 7 noted above when additional approval is required to acquire and/or construct the energy facility.

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

5-ES-112 - Strategic Energy Assessment for January 1, 2024 through December 31, 2030

The Commission approved the draft Strategic Energy Assessment and directed Commission staff to release it for public comment and hearing.

5-GF-268 - Impact of the Renewable Portfolio Standard for 2021 and 2022

The Commission approved the 2024 report to the Governor and Legislature as required under Wis. Stat. § 196.378(4r) and directed that it be sent to the Governor and Legislature.

5-RF-2023 - Electric Provider Renewable Portfolio Standard Compliance for 2023

The Commission accepted the 2023 Renewable Portfolio Standard reports of Wisconsin electric providers and aggregators and directed the Division of Energy Regulation and Analysis to inform each electric provider of its compliance with the statute and to draft an order consistent with its discussion.

4220-AF-112 - Application of Northern States Power Company-Wisconsin for Approval of Certain Accounting Treatment due to the Interchange Agreement

The Commission approved the request of Northern States Power Company -Wisconsin's (applicant) for an exception to the Commission's Uniform System of Accounts (USOA) to record all pre-certification costs to Construction Work in Progress (CWIP), consistent with FERC accounting rules and the applicant's Interchange Agreement. The Commission also modified and approved the applicant's request to accrue allowance for funds used during construction on 100 percent of pre-construction CWIP balances at the weighted average cost of capital for projects requiring a Certificate of Authority or Certificate of Public Convenience and Necessity through December 31, 2025.

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

6630-AF-101 - Application of Wisconsin Electric Power Company for Approval of Deferral Accounting Treatment of Increased Forestry Activity in Response to Continued Severe Storms

The Commission denied the request of Wisconsin Electric Power Company to defer any storm restoration costs incurred during 2024 in excess of \$8.5 million included in rates for 2024 storm recovery and denied the request to defer up to an additional \$25 million in 2024 to accelerate forestry efforts.

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

The Commission adjourned the meeting at 11:17 a.m.

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

Cru Stublely
Secretary to the Commission

DL:02017914