

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, May 23, 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, May 9, 2024.

5-AE-248 - Joint Application for Approval of a Project Commitment Agreement between American Transmission Company LLC and Wisconsin Public Service Corporation

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

5-FE-105 - Quadrennial Planning Process V

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

137-CE-204 - Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Authority to Construct the Superior Substation Project located primarily in the Township of Parkland, Douglas County, Wisconsin

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

137-CE-206 - Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Authority to Construct the North Arlington Substation Project Located Primarily in the City of Arlington, Columbia County, Wisconsin

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

1140-GP-2024 - City Gas Company Gas Supply Plan for the Period Beginning November 1, 2024

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

3270-PL-2024 - 2024 Pipeline Safety Enforcement for Madison Gas and Electric Company

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

3670-GP-2024 - Midwest Natural Gas, Inc. Gas Supply Plan for the Period Beginning November 1, 2024

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

5105-CW-101 - Application of the City of Ripon, as a Water Public Utility, for Authority to Construct a New Utility Building to be Shared with the Department of Public Works, in the City of Ripon, Fond du Lac County, Wisconsin

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

6510-WR-103 - Application of the Village of Whitelaw, Manitowoc County, Wisconsin, as a Water Public Utility, for Authority to Adjust Water Rates

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

5-TI-3040 - Rescission of Certification or Registration of Multiple Telecommunications Providers for Failure to File 2024 Annual Questionnaires per Wis. Stat. § 196.25

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

5-BF-2022 - FY 2022 Broadband Expansion Grants

Draft Order for Limited Reopening, Notice and Request for Comments

The Commission approved the draft order for limited reopening order and directed it to be signed by the Secretary to the Commission.

1-AC-261 - Repeal of Unauthorized Rules Pursuant to Wis. Stat. § 227.26(4)

Draft Final Rule Amending Wis. Admin. Code § PSC 185.61(1) to conform to 2021 Wisconsin Act 86

The Commission approved the draft final rule and directed it to be signed by the Secretary to the Commission and that the final rule be submitted for publication.

5-UF-2024 - Administration of the Universal Service Fund

The Commission approved the proposed reappointments of John Van Ooyen and Ted Hankins to Universal Service Fund Council.

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

5-AE-246 - Joint Application for Approval of Project Commitment Agreements between American Transmission Company LLC and Wisconsin Electric Power Company

Commissioner Nieto is recused in this docket.

Chairperson Strand and Commissioner Hawkins approved the Project Commitment Agreements (PCAs) between American Transmission Company LLC and Wisconsin Electric Power Company (together, applicants) and made the following determinations:

1. The applicants shall provide notice to the Commission within 10 business days of any suspensions, modifications, or termination of the agreements.
2. The Commission shall have full access to all books and records related to the underlying services under the agreement.
3. Approval of the agreements are not a determination by the Commission that the charges are just and reasonable.
4. The applicants shall submit to the Commission within 30 days of execution copies of the fully executed Payment and Cancellation Agreements with the end-user customer.
5. 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).

6. Approval of the agreements are not a determination by the Commission on the need, scope or design of the facilities, and is not a determination regarding whether or not the facilities require Commission authorization prior to commencement of construction or operation.

The Commission delegated authority to the Administrator of the Division of Energy Regulation and Analysis to issue Final Decisions related to PCAs where standard PCA terms are subject to the standard conditions previously imposed by the Commission as a condition of approval and the Payment and Cancellation Agreements with the end-use customer provide for reimbursement that corresponds to the amounts in the PCAs are submitted to the Commission.

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

6630-AF-102 - Application of Wisconsin Electric Power Company for Approval of Accounting Treatments for Investments to be Made in Distribution Facilities to be Installed in the Village of Mount Pleasant in Racine County, Wisconsin

The Commission authorized Wisconsin Electric Power Company (applicant) to accrue Allowance for Funds Used During Construction (AFUDC) on 100 percent of the Distribution Project Construction Work In Progress (CWIP) balance and restricted the applicant from earning a current return on CWIP for any costs associated with the Distribution Project during the procurement of the equipment and construction of the Distribution Project as identified in the application, subject to the conditions listed below. The Commission also requires that the calculation of AFUDC shall not be based on a cost greater than the estimated \$304 million net of the customer contribution amount and requires that the applicant used its most recent authorized AFUDC rate of 8.45 percent.

1. The Commission shall have full access to all books and records related to the expenditures associated with the Distribution Project.
2. Authorization to accrue AFUDC on the Distribution Project is not a determination by the Commission that the costs incurred are just and reasonable.
3. Authorization of the requested accounting treatment is for accounting purposes only and does not bind the Commission to any specific treatment for these costs in any future proceeding involving rates or other matters before the Commission.
4. The applicant shall begin accruing AFUDC on costs associated with the Distribution Project one day after the date of service of the Final Decision in this docket.

5. Authorization of the requested accounting treatment is not a determination by the Commission on the need, scope or design of the Distribution Project.
6. The Commission, consistent with its past practice, shall review in a future rate proceeding the recoverability of costs associated with the Distribution Project. If it is discovered or identified that the project cost, including force majeure costs, may exceed the estimated cost of \$304 million, excluding AFUDC, 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 cost 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.
7. Beginning with the quarter ending on a date to be determined by the Commission in the Final Decision, the applicant shall file with the Commission quarterly progress reports relating to Distribution Project that include the following:
 - a. The date that construction commences;
 - b. A description of the components of the Distribution Project constructed during the reporting period, including, as applicable, a description of:
 - i. The design, material, size, capacity, voltage and location;
 - ii. The purpose and necessity with supporting data; and
 - iii. The effect on cost of operation and on the quality and reliability of service.
 - c. Major construction and environmental milestones, including permits obtained, by agency, subject, and date;
 - d. Summaries of the status of construction of the Distribution Project, the anticipated in-service date, and the overall percent of physical completion;
 - e. The actual project costs to-date;
 - f. Customer contribution estimates or contributions made to date;
 - g. Revised total cost estimate for the Distribution Project; and
 - h. The date that the facilities are placed in service.
8. The applicant shall separately record the capital expenditures associated with the Distribution Project.
9. The applicant shall submit to the Commission the final actual costs, segregated by major account, within one year after the in-service date of the Distribution Project. For those accounts or categories where actual costs deviate significantly from cost estimates provided in its application, it shall itemize and explain the reasons for such deviations in the final cost report.
10. The applicant is authorized to accrue AFUDC on 100 percent of the Distribution Project CWIP balance through December 31, 2026.

11. The applicant shall report to the Commission the initial estimated customer contribution to the Distribution Project within 30 days of the development of the initial estimate, and shall update the Commission quarterly as to any changes or updates to the estimated contribution amounts.
12. Customer contributions received by the applicant for the Distribution Project shall be netted against the CWIP balance prior to the calculation and accrual of AFUDC.
13. Within 30 days after completion of the Distribution Project, the applicant shall provide to the Commission the final accounting entries and AFUDC calculations.
14. The applicant shall provide the Commission with a copy of any agreement entered into between the applicant and the customer pursuant to Wis. Admin. Code ch. PSC 113, Subchapter X, and Section 200 of the applicant’s tariff.

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

5-TF-2024 - FY 2024/2025 Telemedicine Equipment Grants

Telemedicine Equipment Grant Program Awards

The Commission reviewed the applications for 2024/2025 Telemedicine Equipment Grants and made the following determinations.

1. The Commission makes the following awards in the amounts shown.

Grant Applicant	AWARD
Ascension Calumet Hospital, Inc. * (conditional award, see below)	\$53,721.25
Black River Memorial Hospital Inc.	\$122,100.61
Edgerton Hospital Capital Foundation * (conditional award, see below) DBA Edgerton Hospital Foundation	\$69,270.00
Meriter Foundation Inc. DBA UnityPoint Health-Meriter Foundation	\$47,417.80
Muslim Community and Health Center of Wisconsin Inc.	\$79,137.35
Scenic Bluffs Health Center, Inc. DBA Scenic Bluffs Community Health Centers	\$128,758.65
Sixteenth Street Community Health Centers	\$141,750.00
The Lakes Community Health Center DBA North Lakes Community Clinic	\$99,415.00
Total	\$741,570.66

2. Ascension Calumet Hospital, Inc. is required to provide additional information demonstrating that the applicant serves patients in medically underserved areas before signing a grant agreement.
3. Edgerton Hospital Capital Foundation, Inc. is required to provide the Commission with a Budget Form and price evidence for the proposed project before signing a grant agreement.
4. The Commission delegated authority to the Division Administrator to decide whether the information received from Ascension Calumet Hospital and Edgerton Hospital Capital Founding, Inc. is sufficient to proceed with signing a grant agreement.

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

9713-FG-2022 - Preventing Outages and Enhancing the Resilience of the Electric Grid Formula Grant funded by The Bipartisan Infrastructure Law Awarded by the US Department of Energy

Wisconsin Grid Resilience Program Grant Awards

The Commission reviewed the applications for the inaugural round of the Wisconsin Grid Resilience Program and awarded the following grants.

Activity Category	App ID	Applicant	Award
Undergrounding or Wire Replacement	580	Eau Claire Energy Cooperative	\$666,600.00
	627	Adams-Columbia Electric Cooperative	\$649,500.00
	665	Central Wisconsin Electric Cooperative	\$405,339.36
	667	Central Wisconsin Electric Cooperative	\$887,666.66
	673	Jackson Electric Cooperative	\$641,966.00
	681	Jump River Electric Cooperative, Inc	\$571,665.00
	691	Reedsburg Utility Commission	\$536,500.00
	701	Clark Electric Cooperative	\$599,940.00
	705	Pierce Pepin Cooperative Services	\$968,060.00
Monitoring or Automation	576	Oconto Electric Cooperative, Inc.	\$164,060.00
	583	Polk-Burnett Electric Cooperative	\$163,836.00
	679	Eau Claire Energy Cooperative	\$499,950.00
	692	East Central Energy Cooperative	\$757,680.00
	697	Dunn Energy Cooperative	\$77,442.00

Activity Category	App ID	Applicant	Award
	699	Oakdale Electric Cooperative	\$266,360.00
	703	Vanguard Electric Commission	\$10,533.00
	711	Reedsburg Utility Commission	\$110,800.00
Other: Advanced Metering Infrastructure (AMI) System	710	City of Arcadia	\$234,989.33
Other: Diversification of Back-Up Generator Fuel Type	708	City of Fennimore	\$300,000.00
			\$8,512,887.35

The Commission delegated any additional determinations resulting from U.S. DOE review of Commission-awarded projects to the Delegated Commissioner.

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

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

Wisconsin Utility Association, Inc. v. PSCW – 23-CV-1188, Dane County Circuit. Court.

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

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

The Commission adjourned the meeting at 11:32 a.m.



Cru Stublely
 Secretary to the Commission