

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Thursday, May 4, 2023

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

Minutes

The Commission approved the minutes of the open meeting of Thursday, April 27, 2023.

5-AG-119 - Application of Wisconsin Electric Power Company-Gas Operations for Approval of Gas Pipeline Capacity Release Transaction

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

137-CE-200 - Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Authority to Expand its Existing Kittyhawk Substation, Connect the Kittyhawk 345 to new 138 kV buses, Construct a New 0.47 mile Kittyhawk-Town Line Road 138 kV Line, Rebuild a Portion of Rock River – Colley Rd 138 kV Line (X-23), and Related Facilities in the Towns of Beloit and Turtle, Rock County, Wisconsin

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

1470-CE-102 - Application of the City of Cuba City, as an Electric Public Utility, for Certificate of Authority to Construct the Monroe Street Substation Transformer Addition Project, in the City of Cuba City, Lafayette County, Wisconsin

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

2510-PFP-100 - Application of Village of Hazel Green, Grant and Lafayette Counties, Wisconsin, as a Water Public Utility, for Authority to Change its Method of Cost Recovery for Providing Public Fire Protection Service

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

5-TI-2998 - Rescission of Certification or Registration of Multiple Telecommunications Providers for Failure to File 2023 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-AE-219 - Application for Approval of a Generation-Transmission Interconnection Agreement and Guarantee or Letter of Credit Transaction for the Nemadji Trail Energy Facility between American Transmission Company LLC and ALLETE Inc.

Draft Order to Reopen and Request for Comment

The Commission approved the draft order to reopen and request for comment in docket 5-AE-219 and directed it to be signed by the Commission Secretary.

9400-2023 – Public Service Commission of Wisconsin Report to the Legislature on Wisconsin Holding Companies - 2023

The Commission approved the 2023 Report to the Legislature on Wisconsin Holding Companies and directed the Division of Energy Regulation and Analysis to submit the report to the Legislature.

5-UF-2023 - Administration of the Universal Service Fund

Appointments to Universal Service Fund

The Commission approved the proposed reappointments of David Byers, Nicole Mauritz, Michelle Reinen and Janet Zander.

The Commission approved the proposed appointment of Teri Hatchell.

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

3960-WI-100 - Investigation into the Village of Mount Sterling, Crawford County, Wisconsin, as a Water Public Utility, for Potential Failure to Charge Reasonable Rates

The Commission opened a summary investigation under Wis. Stat. § 196.28(1) to determine whether the Village of Mount Sterling Utility's (Utility) rates are reasonable and directed Commission staff to issue an order requiring the Utility to provide additional information by filing a Conventional Rate Case (CRC) application within 30 days of service of the Order. If the Utility fails to provide the additional information by filing a CRC application, Commission staff is directed to prepare the necessary filings and open a docket to establish reasonable rates for the Utility which may involve contracting with an outside consulting firm. Should the Utility fail to

timely submit a CRC filing, then the Utility shall work with Commission staff to provide a bill insert with standardized language to explain the additional cost to its customers.

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

5730-WI-100 - Investigation into the Stone Lake Sanitary District, Washburn County, Wisconsin, as a Water Public Utility, for Potential Failure to Charge Reasonable Rates

The Commission opened a summary investigation under Wis. Stat. § 196.28(1) to determine whether the Stone Lake Sanitary District Utility (Utility) rates are reasonable and directed Commission staff to issue an order requiring the Utility to provide additional information by filing a Conventional Rate Case (CRC) application within 30 days of service of the final decision. If the utility fails to provide the additional information by filing a CRC application, Commission staff is directed to prepare the necessary filings and open a docket to establish reasonable rates for the Utility which may involve contracting with an outside consulting firm. Should the Utility fail to timely submit a CRC filing, then the Utility shall work with Commission staff to provide a bill insert with standardized language to explain the additional cost to its customers.

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

5-TE-101 - Joint Application of Wisconsin Electric Power Company and Wisconsin Public Service Corporation for Approval of Modifications to the Solar Now and Dedicated Renewable Energy Resource Pilot Tariffs and Approval of the Renewable Pathway Pilot Tariff and Deferral Requests

Renewable Pathway Pilot Follow-Up

The Commission reviewed the joint application of Wisconsin Electric Power Company (WEPCO) and Wisconsin Public Service Corporation (WPSC) (together, applicants) for approval of the Renewable Pathway Pilot Program and made the following determinations:

1. The Commission modified and approved the applicants' proposed Renewable Pathway Pilot programs.

Chairperson Valcq dissented.

2. The Commission accepted the applicants' proposed renewal and transfer tariff language as filed and modified the early termination fee of the 5-year subscription from the

proposed 12-month billing period to a 6-month billing period. The applicants shall work with Commission staff on developing standard notifications to customers.

3. The Commission approved the applicants' proposed waiver provision as filed.
4. The Commission approved the applicants' deferral request for the implementation of the applicants' Renewable Pathways Pilot with carrying costs at applicants' the short-term debt rate on the express condition that authorization is for accounting purposes only and does not bind the Commission to any specific treatment (i.e., recovery) for this item in any future proceeding involving rates or other matters before the Commission

Chairperson Valcq dissented.

The Commission directed the Division of Energy Regulation and Analysis to draft an order consistent with its discussion and with its earlier discussion at its open meeting of March 16, 2023.

4220-TE-113 - Application of Northern States Power Company-Wisconsin for Approval of Electric Vehicle Programs

Multi-Family Electric Vehicle Service Pilot Follow-Up

The Commission approved Northern States Power Company-Wisconsin's (applicant) Multi-Family Electric Vehicle (EV) Service Pilot program (Pilot Program) with all of the annual reporting requirements as filed, and the following additional conditions:

1. The applicant shall develop participant customer outreach explaining how any EV payment issues could translate into issues with other participant customer services.
2. The applicant shall include the comprehensive list of responsibilities as part of the 10-year agreement with site hosts to ensure each potential site host clearly understands their roles and responsibilities.
3. The applicant shall report back on meter accuracy standards as they relate to all approved new and modified programs in this docket within 14 days of the date of this final decision, using the finalized National Institute for Standards and Technology (NIST) standard and explain any differences between the final standard and the applicant's current accuracy and testing standards, and shall demonstrate how it will incorporate the final NIST accuracy and testing standards into the approved programs.

4. The applicant shall include in its annual reporting, the number of customers that enroll and drop out of the program, and the number of disconnections of customers under the Assigned Parking Billing Option.

The Commission approved the proposed request to maintain and extend waivers approved in docket 4220-TE-104 for the residential (EVR-1) and commercial (EVC-1) programs to the EVC-2 tariff as filed. The Commission also approved the proposed EVC-2 waiver request of Wis. Admin. Code § PSC 113.0406(4) as filed with an additional requirement to include the statement: Any customer choosing to be served on this rate schedule waives all rights to any billing adjustments arising from a claim that the bill for service would be cheaper on any alternative rate schedule for any period of time, including any rights under Wis. Adm. Code § PSC 113.0406(4).

The Commission directed the Division of Energy Regulation and Analysis to draft an order consistent with its discussion and with its early discussion at its open meeting of March 16, 2023.

9808-CE-100 - Application for a Certificate of Public Convenience and Necessity of Apple River Solar, LLC to Construct a Solar Electric Generation Facility in the Towns of Clayton, Beaver, Apple River, and Lincoln, Polk County, Wisconsin

Request for Additional 100 MW AC Battery Energy Storage System

The Commission approved the request of Apple River Solar, LLC of additional construction of up to a 100 MW AC battery energy storage system (BESS) in the Towns of Clayton, Beaver, Apple River, and Lincoln, Polk County, Wisconsin with the following conditions:

1. All of the conditions set forth in the Commission's final decision dated October 15, 2021 ([PSC REF#: 423202](#)) shall continue to apply.
2. The applicant shall provide the Commission with detailed engineering plans for the project, including the final designs and equipment plans for both solar and BESS portions of the proposed project. If Commission staff identifies safety or reliability issues upon review of these plans, when considering safety and reliability, final location, individual hardships, and environmental factors, then the matter shall be returned to the Commission.
3. Prior to commencement of operation of the BESS, the applicant shall have an established protocol prior to operation that discusses what follow up steps would occur for site treatment and materials disposal after a fire or thermal runaway event. A copy of this protocol shall be provided to the Commission prior to operation of the facility.

4. The applicant shall provide reporting on any safety incidents at the BESS and any alteration to the technology or facilities at the BESS within 60 days of the incident or alterations to allow for the future consideration of best practices and the need for any changes to the battery systems installed.
5. The applicant shall construct, maintain, and operate the BESS facilities to follow the best industry safety practices for ensuring battery fire safety.
6. The Commission has complied with WEPA pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4.

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

The Commission adjourned the meeting at 11:09 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:01942916