

Declare that:

1. The Family Project host customer to be served by a DER owned by North Wind Renewable Energy Cooperative (“North Wind”) under the arrangement and the specific facts and circumstances described in this docket is not, by itself, “the public” within the meaning of Wis. Stat. § 196.01(5)(a).
2. The Family Project does not produce, transmit, deliver, or furnish power either directly or indirectly “to or for the public,” as that phrase as defined by statute and interpreted by the courts.
3. As such, North Wind, as owner of the Family Project, a project utilizing third-party financing for the installation of a DER system to provide energy to the customer, is not, by virtue of that arrangement alone, subject to regulation as a public utility pursuant to Wis. Stat. § 196.01(5)(a).