Wisconsin Energy Corporation (WEC) and Integrys Energy Group, Inc. (Integrys) agree to the modified schedule proposed by the Moving Intervenors.  

WEC and Integrys request that the order approving the modified schedule also address the scope of the supplemental direct and rebuttal testimony concerning the Michigan Agreements. The Michigan Agreements will be the subject of a separate Commission proceeding under Wis. Stat. § 196.80. The merits of the actions contemplated by those agreements will be debated in that docket. WEC anticipates filing an application in that docket in the near future. 

In this proceeding, testimony about the Michigan Agreements should be limited to a description of the terms of those agreements and the potential effect, if any, of the agreements on WEC’s acquisition of Integrys. This scope appears consistent with the Moving Intervenors’ request for testimony “explaining how the Michigan Agreements impact this proceeding and identifying the Michigan Agreements’ details.” (Moving Intervenors’ Br. p. 4). In other words, testimony in this proceeding should be limited to the intersection of the Michigan asset

---

1 The terms “Moving Intervenors” and “Michigan Agreement” have the same meanings as in the Moving Intervenors’ motion.
2 Since WEC’s acquisition of Integrys is contingent on closing the Michigan asset transaction, WEC will seek an expedited schedule for administrative review of the Michigan asset transaction.
transaction and the larger WEC/Integrys deal. This proceeding is not the proper forum to debate the merits of WEC’s decision to sell its Michigan assets. That debate, if it becomes necessary, can occur in the separate proceeding concerning the Michigan transaction.

WEC and Integrys propose slightly longer periods for responses to discovery than proposed by the Moving Intervenors -- 10 days prior to filing of the supplemental direct testimony, and six days after filing the supplemental direct testimony. To give the parties to this proceeding a head start on anticipated discovery, WEC is providing as Exhibit A the “Agreement for Merger Settlement” that was signed by WEC, Michigan’s Governor, Michigan’s Attorney General, the Mines and Michigan PSC Staff. WEC is also providing, as a confidential Exhibit B, the confidential term sheet between WEPCO and the Upper Peninsula Power Company to Staff and those parties that have signed a confidentiality agreement allowing them to see competitively-sensitive information. These two documents are the operative agreements at the heart of the Michigan transaction. WEC and Integrys also seek clarification that the shortened discovery periods apply only to discovery about the Michigan transaction; for all other discovery in this docket, the normal time periods should apply.

Finally, some housekeeping. The current Prehearing Conference Memo does not contain a time for the various hearings. WEC and Integrys respectfully request that times be set for the public and technical hearings.
Dated: January 20, 2015

Brian D. Winters
Joe Wilson

/s/Joe Wilson
QUARLES & BRADY LLP
411 East Wisconsin Avenue
Suite 2350
Milwaukee, WI 53202-4426
Attorneys for WEC

Catherine Phillips
Wisconsin Electric Power Company
231 West Michigan Street
Milwaukee, WI 53203

Bradley D. Jackson

/s/Bradley D. Jackson
FOLEY & LARDNER LLP
Verex Plaza 150 E. Gilman Street
Madison, WI 53701-1497
Attorneys for Integrys Energy Group, Inc.