

BEFORE THE PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of the City of Waukesha, as a Water Public Utility, for Authority to Construct Water Transmission Main, a Booster Station, Reservoirs and a Water Supply Control Building in the City of Waukesha, the City of West Allis, the City of Greenfield, the City of New Berlin, and the Town of Waukesha, Waukesha County, and in the City of Milwaukee, Milwaukee County, Wisconsin

Docket no. 6240-CW-117, Limited Order To Reopen PSC REF #:392647

REQUEST TO INTERVENE AND NOTICE OF APPEARANCE BY STEPHEN EDLUND

Pursuant to WIS. ADMIN. CODE § PSC 2.21(1) Stephen Edlund, hereby requests to intervene in the above captioned matter. The Commission should grant the request because the requester satisfies the requirement of INTERVENTION BY RIGHT.

The COMMISSION should grant permission for Intervention in this Limited Reopening because Stephen Edlund is a Waukesha Water Utility ratepayer and has been since 1998. Waukesha ratepayers will be substantially financially impacted by the decision of the LIMITED REOPENING of this Docket as well as the joint construction project with the city of Milwaukee Water Works PSC 3720-CW-135 and the portion of this Docket not requested to be reopened.

There are 3 main issues to the ratepayers and the PSC with this limited reopening of the docket

1. Waukesha has entered into an IGA with New Berlin whereby Item 17 requires Waukesha ratepayers to provide a water connection to Waukesha's new \$116 million project. The financial impact of this LIMITED REOPENING can substantially reduce costs to Waukesha ratepayers by distributing an equitable share of the project cost to New Berlin for

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providing a transmission main. The COMMISSION should also give reconsideration to reopen the entire project for cost sharing as well as cost sharing for the Milwaukee pumping station. If equitably and proportionally shared with New Berlin, which is requesting a 3MGD connection point to Waukesha's system for free, Waukesha ratepayers would see some financial relief for the unaffordable capital cost of the project in addition to the cost of water purchased from Milwaukee. Also noted in the IGA is the absence of future operational and maintenance costs which can also equitably be shared in a future rate setting case.

2. Waukesha has failed to justify or even directly respond to a question from staff as to whether the connection is permitted by the stipulations and conditions within the FINAL DECISION of The Great Lakes Compact Council allowing Waukesha's Diversion Exception. PSC 394484, Response to Data Request PSC Butzlaff-1 . PSCW-KAB-17 and Response to PSCW-KAB-17. From Section II, FINDINGS (5a) Of the FINAL DECISION:

"5a. The Applicant's public water supply system is the only public water provider to be served by the Diversion."

3. Waukesha petitioned the PSC for a limited reopening claiming there were no changes within the transmission main to the east of the Minnoka Park location for the storage tanks and pumping station. Months after being granted the limited reopening, Waukesha provided a revised drawing to the DNR inserting the tee connection for New Berlin at the intersection of Coffee Rd and Calhoun Rd on the transmission main. This connection (if even permitted by the FINAL DECISION of the GLCC) is worth tens of millions of dollars in financial relief to Waukesha's ratepayers as a joint construction project with New Berlin. As such, this connection represents a major change to the portion of the Docket which Waukesha requested to not be reopened and amounts to a bait and switch.

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For the above stated concerns affecting Waukesha ratepayers, full party status is hereby requested.

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