

Wisconsin Wind Projects

In the state of Wisconsin, utility-scale power generation facilities over 100 megawatts are governed through the state permitting process with the Public Service Commission of Wisconsin (PSC). Wind and solar projects 100 megawatts (MW) or larger submit a Certificate of Public Convenience and Necessity (CPCN) application with the PSC. The applicant will also work with the town and county boards to negotiate a Joint Development Agreement (JDA), allowing local communities to provide feedback regarding the project in their community to the applicant pursuing a permit.

At this time, the size of the Hub City Wind Farm Project in Marathon County is targeted to be 150 MW.

State Permitting Process:¹

Who Oversees the State Permitting Process?

The Public Service Commission of Wisconsin (PSC) oversees the permitting process for utility-scale wind facilities that are 100 MW or greater in size. The PSC oversees the permitting of other power generation sources as well, such as coal, natural gas, and battery energy storage systems (BESS).² Pending the size of Hub City Wind Farm Project, the project will be required to submit a Certificate of Public Convenience and Necessity (CPCN) application for review by the PSC.

Who's Involved in the Permitting Process?

- PSC – permitting authority for state permitted projects
- Wisconsin Department of Natural Resources (WDNR)
- Wisconsin Department of Transportation (WisDOT)
- Department of Agriculture, Trade and Consumer Protection (DATCP)
- The office of the deputy undersecretary of the U.S. Department of Defense
- Permit Applicant – Wisconsin Power & Light (Alliant Energy)

Application Submittal

If the applicant (development company) is seeking to develop a wind turbine with a maximum blade tip height exceeding 600 feet, then 180 days prior to submitting a CPCN application to the PSC, the project is required to submit a pre-application notice to the Commission. The pre-application notice shall include a description of the wind system, size of the planned turbines, a map of the facility, contact information, a list of potential permits, and whether a joint application will be filed.

Within 90-days of filing an application with the PSC, the applicant must file another pre-application notice to be delivered to the following recipients (PSC 128.105):³

- Landowners within one mile of a planned wind turbine host property
- Political subdivisions (towns, villages, cities, county, etc.) within which the wind energy system may be located
- Emergency first responders and air ambulance service providers that serve the project area
- WisDOT
- PSC
- WDNR
- Office of the deputy undersecretary of the U.S. Department of Defense



Application Submittal (continued)

At least 60 days before filing a CPCN application with the PSC, the applicant must submit an engineering plan to the WDNR (PSC 196.49(3)(a)3)⁴, which will be uploaded to the applicant's docket on the PSC website. This plan generally provides a brief overview of the project's proposed plans, as well as a few maps, all of which will be visible to the public. Within 30 days of receiving the engineering plans, the WDNR must provide the applicant with information on the permits required based on the information provided in the engineering plans.

Once the applicant has passed 60 days since filing the engineering plans with the PSC, the applicant may proceed with submitting a CPCN application for its proposed project. Within 30 days of submitting the application, the PSC and WDNR will need to determine if the application is complete. During this time, copies of the CPCN application are sent to local government (town, county, village) clerks in the project area and to the main public library in each affected county.

Environmental Assessment (EA)

If a state permit is required, an EA will be prepared by the PSC and WDNR, which will allow for a 10-day public comment period. The EA is to determine if an environmental impact statement (EIS) is required by the project. When an EA is being prepared, a letter will be sent by the PSC to the mailing list provided by the applicant. The letter will inform the community that an EA is being completed and it will include a map of the proposed project area. Once the comment period closes and the PSC has prepared an EA, they will issue a determination letter regarding whether an EIS is required. In most cases, an EIS is not required, so the EA will be entered into the docket and the PSC will continue through the permitting process.

Technical Hearing & Public Hearing

A technical hearing will be held where PSC staff will admit parties into the case who may provide testimony and exhibits on the project. The PSC will then host either an in-person public hearing in the project area or a virtual hearing. The hearing gives members of the community the opportunity to verbally share their thoughts on the proposed project. Leading up to and after the public hearing, the docket will be open for public comments to be received in a written or typed format. A transcript of the public hearing and comments will be uploaded to the docket for the commission to review.

Final Decision by the PSC

After further review of the application and presenting conditions (changes to the proposed application), the PSC will host a meeting to discuss the conditions and provide their final decision on whether to approve or deny the project's CPCN application. Approval would allow for the construction and operation of Hub City Wind Farm Project in the proposed project area. The state permitting process takes roughly 12 months in total and may be longer pending the number of cases before the PSC.

¹ https://docs.legis.wisconsin.gov/code/admin_code/psc/128.pdf

² <https://psc.wi.gov/Pages/ServiceType/Energy/FilingRequirements.aspx>

³ https://docs.legis.wisconsin.gov/code/admin_code/psc/128/ii/105

⁴ <https://docs.legis.wisconsin.gov/statutes/statutes/196/491/3/d>

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