



JUDGE AMY R SMITH
Dane County Circuit Court, Branch 4
215 S. Hamilton St., Room 8107
Madison, Wisconsin 53703-3292



Colleen Peterson, Clerk
Phone: (608) 266-4352

Nicole Smith, Secretary
Phone: (608) 266-4351

Nadine Ripp, Court Reporter
Phone: (608) 266-9123

Office Fax: (608) 266-4080

August 31, 2012

VIA FAX

Attorney Carol Overland ✓
1110 West Avenue
Red Wing, MN 55066

Attorney Cynthia E. Smith, General Counsel
Assistant General Counsel Justin W. Chasco
Assistant General Counsel Diane M. Ramthun
Public Service Commission of Wisconsin
P. O. Box 7854
Madison, WI 53707-7854

Re: NoCapX 2020 and Citizens Energy Task Force v. Public Service
Commission of Wisconsin
Case No. 2012 CV 3328

Dear Counselors:

As you know, I am the judge assigned to the captioned action. The court has received a request for and objection to Attorney Overland's *pro hac vice* admission, as well as a request to extend the time for the return of the record.

Prior to addressing any of these issues, I thought it prudent to apprise you of my prior professional experience in matters which may be related to the subject matter of the captioned case.

From 2004 to 2007, I served as the Administrator of the Division of Enforcement and Science at the Wisconsin Department of Natural Resources ("DNR"). In that capacity, I directly supervised DNR's Director of the Office of Energy, which I understand is now called the Office of Energy and Environmental Analysis. That Office provided review and coordination of energy and utility projects in the State of Wisconsin, including power transmission lines. The Office of Energy Director was one of three of my direct reports as Administrator, and I believe about half of that Office's present staff are individuals that I either directly or indirectly supervised, including its Director. I do not recall the particular project at issue in this case was pending during my time at DNR; however, I do remember a number of transmission line projects, including at least one involving the American Transmission Company, which were active during my tenure.

Given the limited information I presently have regarding this lawsuit, I do not now see a need to recuse myself from this matter. However, I wanted to make sure that the parties were aware of my past experience in this subject area, in the event these facts may inform any decisions you may wish to make regarding this lawsuit.

I will take no action on scheduling this case for further proceedings for about ten days to allow the parties time to consider the information provided in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy R. Smith', written in a cursive style.

Amy R. Smith
Dane County Circuit Court Judge
Branch 4