



**BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN**

---

Joint Application of American Transmission Company  
LLC and Northern States Power Company – Wisconsin,  
for Authority to Construct and Place in Service a 345kV  
Electric Transmission Line from the La Crosse area, in  
La Crosse County, to the greater Madison area in  
Dane County, Wisconsin

**Docket No. 05-CE-142**

---

**NON-PARTY BRIEF OF NO CAPX 2020**

---

***The primary reason for constructing the Project is economic...<sup>1</sup>***

**I. INTRODUCTION**

The Badger Coulee transmission project is admittedly an “economic project.” An economic driver as the “need” justification makes this transmission project a case of first impression in Wisconsin, where a transmission-only company Applicant and a utility Applicant have requested a Certificate of Public Convenience and Necessity for a segmented portion of a multi-project “portfolio” project extending across the region. No CapX 2020 asks that the Commission consider all of the costs and benefits of the MISO 17<sup>2</sup> project MVP Portfolio as a part of this proceeding, because this portion of MVP Project 5 was studied by MISO only as part of the larger portfolio of projects, proposed as such. Badger Coulee, as part of MVP 5, is reliant on the MISO MVP plan as its justification of “need.”<sup>3</sup>

No CapX 2020 also requests that the Commission consider the policy ramifications of promotion of an economic-based project, which is not contemplated in the CPCN Criteria, and

---

<sup>1</sup> Badger Coulee Application, p. 24 of 144 [ERF 204860](#).

<sup>2</sup> 17 or 20 projects, per the MISO MVP Portfolio. See Application, p. 24 of 144, [ERF 204860](#).

<sup>3</sup> As an aside, Applicants also claim “need” in western Wisconsin that was 1) supposed to have been addressed by the CapX 2020 Hampton-La Crosse transmission project, and 2) for which this project as proposed is grossly oversized.

claims of benefits and costs that are not sufficiently jurisdictionally identified – no claim of “Wisconsin” costs or benefits of a segment of a MISO MVP project is credible. Given an overly economic purpose, there is logically no alternative that could be evaluated against a project that’s designed to profit from construction and operation of transmission. Without evaluation of system alternatives, the Commission cannot legitimately issue a Certificate of Public Convenience and Necessity.

The MVP 17 project portfolio is MISO’s promotional business plan to enable marketing of low-cost electricity, transmission serving any and all generation available, generation from points west and northwest of Wisconsin eastward to Madison/Milwaukee, Illinois, and beyond. A marketing plan is not need, nor is it recognized in Wisconsin’s CPCN criteria. Desire to gain financially by increasing marketing range is not need, lowering production costs for outstate generators is not need, nor is wanting a return of 12.38% on the capital costs of transmission construction “need” for a project<sup>4</sup>. Applicants claim a need for this project, but a legally recognized “need” has not been defined or demonstrated. The Badger Coulee application for a Certificate of Public Convenience and Necessity must be denied.

## **II. BADGER COULEE IS NOT “NEEDED” UNDER CPCN CRITERIA**

Wisconsin has specific criteria to use in determining whether a proposed transmission project should be granted a Certificate of Public Convenience and Necessity.<sup>5</sup> As an economic project, the project has not demonstrated that it satisfies the reasonable needs of the public for an adequate supply of electric energy; it has not utilized existing rights-of-way nor minimized environmental impacts in a manner that is consistent with achieving reasonable electric rates; nor

---

<sup>4</sup> The FERC approved 12.38% return on investment has been challenged and is pending. Search for [FERC Docket EL14-12](#), to which Badger Coulee Applicants ATC and NSP– Wisconsin, and MISO are parties.

<sup>5</sup> MISO also sets out conditions for development of transmission projects. Application p. 7; MISO Rausch Ex. 1, p. 8, Tariff Requirements. These MISO criterion and conditions are different from and not relevant to a Wisconsin Commission decision.

has it demonstrated that it provides usage, service or increased regional reliability benefits to the wholesale and retail customers and that benefits are reasonable in relation to the cost. Wis. Stat. §196.491(3)(d)(2),(3r),(3t); Wis. Stat. §196.493(b) and Wis. Stat. §196.491(3)(d)5.

The Badger Coulee Transmission Project is a project jointly proposed by ATC, LLC, a transmission only company, and NSP-Wisconsin. This project is part of the MISO 17 project MVP Portfolio, with a total cost in 2011 dollars of \$5.17 billion. MVP 5 cost was \$714, but given the Badger Coulee increase of \$150 million, from 2011 \$390 million to the present \$540 (Southern Route) to \$576-580 million (northern route), the full cost of MVP 5 is likely \$1 billion. The MVP Portfolio cost higher as well<sup>6</sup>, as high as \$5.86 billion.<sup>7</sup>

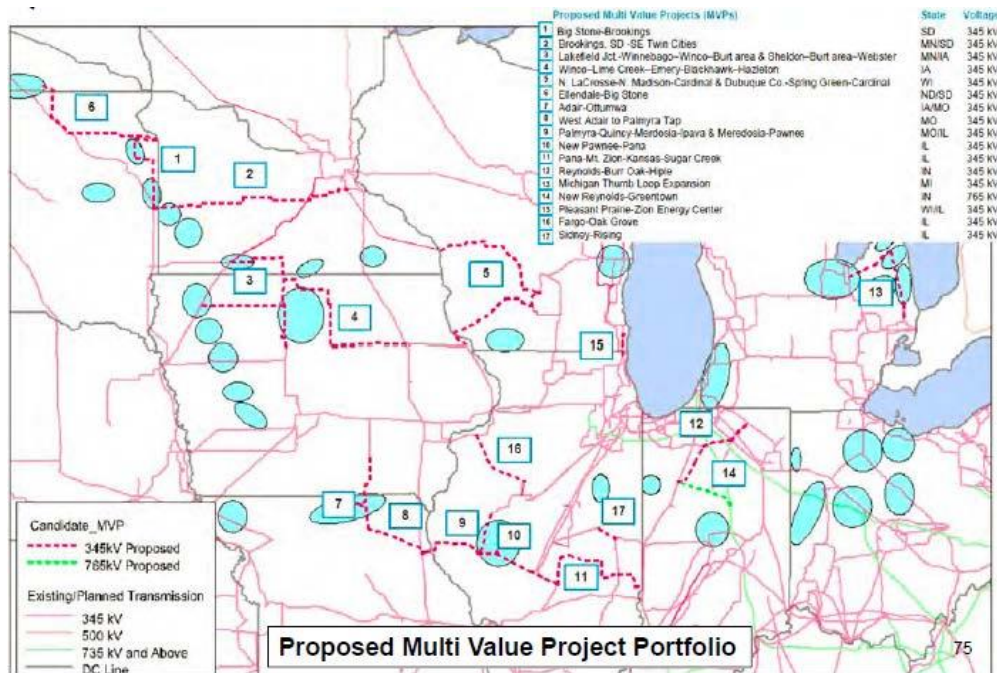
	Project	State	Voltage (kV)	In Service Year	Cost (M, 2011\$) <sup>3</sup>
1	Big Stone–Brookings	SD	345	2017	\$191
2	Brookings, SD–SE Twin Cities	MN/SD	345	2015	\$695
3	Lakefield Jct. –Winnebago–Winco–Burt area & Sheldon–Burt area–Webster	MN/IA	345	2016	\$506
4	Winco–Lime Creek–Emery–Black Hawk–Hazleton	IA	345	2015	\$480
5	N. LaCrosse–N. Madison–Cardinal & Dubuque Co. –Spring Green–Cardinal	WI	345	2018/2020	\$714
6	Ellendale–Big Stone	ND/SD	345	2019	\$261
7	Adair–Ottumwa	IA/MO	345	2017	\$152
8	Adair–Palmyra Tap	MO/IL	345	2018	\$98
9	Palmyra Tap–Quincy–Meredosia–Ipava & Meredosia–Pawnee	IL	345	2016/2017	\$392
10	Pawnee–Pana	IL	345	2018	\$88
11	Pana–Mt. Zion–Kansas–Sugar Creek	IL/IN	345	2018/2019	\$284
12	Reynolds–Burr Oak–Hiple	IN	345	2019	\$271
13	Michigan Thumb Loop Expansion	MI	345	2015	\$510
14	Reynolds–Greentown	IN	765	2018	\$245
15	Pleasant Prairie–Zion Energy Center	WI/IL	345	2014	\$26
16	Fargo–Galesburg–Oak Grove	IL	345	2018	\$193
17	Sidney–Rising	IL	345	2016	\$90
Total					\$5,197

Table 1.1: MVP portfolio<sup>4</sup>

<sup>6</sup> MISO’s Rauch Ex. 1, p. 2, MVP Portfolio January 2012 ([ERF 218120](#)).

<sup>7</sup> PSC Neumeyer Direct, p. 2, l. 16 [ERF 224603](#).

Applicants rely on the MISO MVP Portfolio for project costs and benefits, established in the MTEP 2011, for the “purpose and necessity” of the project<sup>8</sup>. Badger Coulee is roughly the northern half of MISO’s MVP 5, connecting to CapX 2020 Hampton to La Crosse to the north, and MVP 4 to the southwest. Badger Coulee is a segment of just one of the 17 “Multi Value Projects” that fill in the missing links of the extra high voltage (EHV) system to carry electricity eastward from the Dakotas in the northwest, through Wisconsin, to Illinois and beyond<sup>9</sup>:



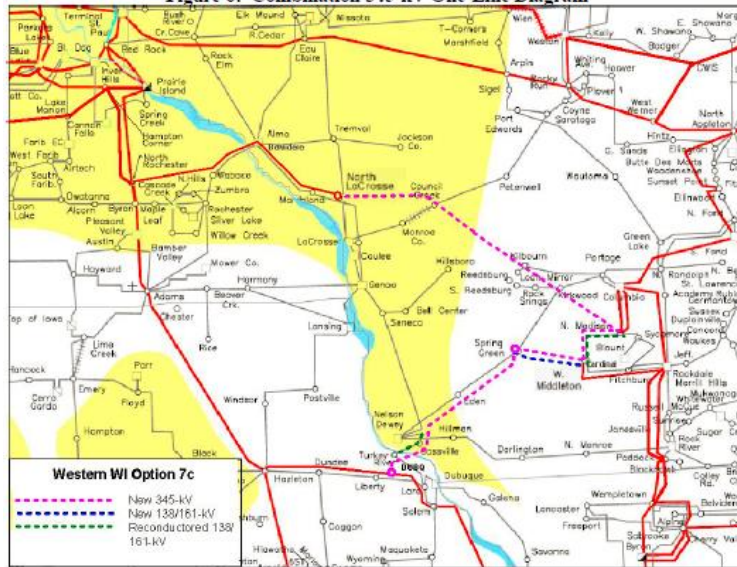
On the above map, and the map on the following page, MVP 5 is the dotted purple line, a sideways “V,” one from the La Crosse Briggs Road substation eastward to the North Madison substation and then on to the Cardinal substation in Middleton, Wisconsin, and the other from Dubuque both going eastward to the Cardinal substation in Middleton<sup>10</sup>. Badger Coulee is the northern dotted red line on the above map. MVP 5 is primarily in Wisconsin. MVP 5 is the larger of Wisconsin, and MVP 15 is a much smaller line between Wisconsin and Illinois.

<sup>8</sup> Application, p. 2, 6, [ERF 204860](#).

<sup>9</sup> MISO’s Rauch Ex. 1, p. 2, MVP Portfolio January 2012 ([ERF 218120](#)); see also JCSP and Upper Midwest Transmission Development Initiative both cited by the Applicants. Application, App. D., Exhibit 1, p. 15 of 346. [ERF 204739](#).

<sup>10</sup> Application, p. 1; MISO’s Rauch Ex. 1, p. 2, MVP Portfolio January 2012 [ERF 218120](#).

Figure 6: Combination 345-kV One-Line Diagram <sup>24</sup>



Application, Appendix D, Exhibit 1, Planning Analysis, p. 25-26 of 346 [ERF 204739](#).

According to Applicants, both parts of MVP 5 are intended to bring power into the Madison area and beyond. PSC Staff found the Cardinal Bluff project to provide increased benefits over Badger Coulee and sought explanation of why that project was not being built before or with Badger Coulees project<sup>11</sup>. “The applicants are not proposing the Badger Coulee project “as a reliability project to address identified concerns that violate system planning criteria.”<sup>12</sup>

**A. The Proposed Facility, As An Economic Project, Is Not to Satisfy the Reasonable Needs Of The Public For An Adequate Supply Of Electric Energy, and Instead Provides Facilities Unreasonably In Excess Of The Probably Future Requirements.**

The Commission must make the determination that the proposed facility satisfies the reasonable needs of the public for an adequate supply of electricity, and the Commission may refuse to certify a project that would provide facilities unreasonably in excess of the probable

<sup>11</sup> See responses to PSC 2.07 [ERF 226012](#), and PSC 1.115 [ERF 199617](#):

The Cardinal Bluffs Project is designed to provide both generation outlet and reliability benefits that are separate from the Badger Coulee Project. On the generation side, the Cardinal Bluffs Project moves power from Iowa into southern Wisconsin where it can then go further east to Milwaukee or further south to Illinois. In combination with the Oak Grove – Galesburg – Fargo 345 kV transmission line, the Cardinal Bluffs Project enables additional wind transfer capability.

<sup>12</sup> Urban Direct, p. 6, quoting Revised Application, p. 28 of 144, [ERF 204860](#).





















