

# Catching Wind

A Newsletter of RENEW Wisconsin

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## Wind Siting Deadlock Likely to Go to the Wire

By Michael Vickerman  
RENEW Wisconsin

With the statewide siting rule still in abeyance going into 2012, utility-scale wind development activity in Wisconsin has slowed considerably. Apart from Hubertus-based Emerging Energies, which has an active prospect in St. Croix County, wind developers have suspended work in Wisconsin and have shifted their focus to states that have more favorable permitting environments.

As long as the suspension of the wind siting rule (PSC 128) remains in effect, there are no standards in place that local land use authorities must consider when reviewing an application to construct a wind energy system. Several municipalities have taken advantage of the ongoing suspension to adopt stricter standards than what the rule would have allowed. These local examples of backsliding are precisely the kinds of actions that PSC 128 was intended to prevent.

The suspension does not have a direct effect on proposed wind projects that the Public Service Commission (PSC) reviews, such as Emerging Energies' 41-turbine Highland Wind development in eastern St. Croix County. When reviewing projects greater than 100 megawatts, the PSC must consider the standards contained in the rule, but it is not bound by them. As a practical matter, the standards that the PSC incorporated in the statewide siting rule are very similar to the conditions applied to the recently completed Glacier Hills project.

### Legislative Threats

Following the March 1 suspension vote, several bills have been introduced to marginalize wind development fur-

ther. One pair of bills would repeal PSC 128 altogether and direct the Public Service Commission (PSC) to promulgate new permitting standards within six months' time. Another measure, introduced by Sen. Frank Lasee, would impose an immediate moratorium on large wind turbines (greater than 100 kilowatts), and maintain it until an analysis of wind energy's impacts on human and animal health is presented to the PSC. Lasee's measure, SB 263, is backed by the Brown County Citizens for Responsible Wind Energy, a local antiwind group, and the Wisconsin Realtors Association (WRA), which also advocated for the suspension of PSC 128.

In an accompanying press release, Sen. Lasee said: "It's plain un-American to have wind turbines twice as tall as the State Capitol right next to someone's house that they are forced to look at, which makes them dizzy, nauseous and sick." Opposition to wind development runs strong in pockets of Sen. Lasee's district, including the stretch of southern Brown County where a 100-turbine project had been proposed. Following the rule suspension, the developer cancelled the project.

Sen. Lasee's district also includes the towns of Lincoln and Red River in Kewaunee County, where 31 wind turbines owned by two Wisconsin utilities—Madison Gas & Electric and Wisconsin Public Service—were erected in 1999. The permit hearings were very contentious, especially in Lincoln, where the conditional use permits were approved by a slim majority (3-2).

Both townships adopted moratoria on wind development in the summer of 1999, immediately after the two projects were placed in service. The purpose of the moratoria was to provide room for town officials to design--and

deliberate on--a wind ordinance for reviewing and permitting future wind turbines. As things turned out, this was an objective neither township could achieve, and both moratoria lapsed quietly.

Thirteen years later, there are no longer any traces of the rancorous debate that had polarized the local communities in 1998 when the wind projects were initially proposed. In Lincoln and Red River, it would appear, wind turbines have become an accepted part of a landscape that is represented by Frank Lasee.

### Outlook

Though the Public Service Commission has signaled an interest in brokering a negotiated settlement that can be folded into legislation, the WRA has shown no appetite for backtracking from some of its more extreme positions, such as on setback distances (one-half mile separation between wind turbines and adjoining property lines). Meanwhile, wind developers say that the suspended rule is, in fact, a compromise, and that there is no more ground to give.

In the absence of any negotiations, the impasse will be resolved in early spring of 2012, either through legislative action or inaction. If the Legislature decides to repeal PSC 128, then the onus falls back on the PSC to start the rulemaking process over. One can surmise that this would not be an undertaking that the PSC would pursue with any relish.

However, if the Legislature fails to pass the repeal bills out of both houses before its 2012 adjournment, then PSC 128 becomes "unsuspended," as it were, and takes effect as written.

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# WE Completes Wisconsin's Largest Wind Farm

by Tom Content

Milwaukee Journal Sentinel

Construction of the largest wind farm in the state is complete, with the Glacier Hills Wind Park northeast of Madison online and generating power for We Energies.

With 90 turbines, the Columbia County wind project is expected to generate 162 megawatts of power, or enough over a year's time to power 45,000 homes. We Energies also operates the 88-turbine Blue Sky Green Field Wind Center in Fond du Lac County.

"The completion of Glacier Hills on time and on budget was achieved largely through the talents of Wisconsin companies and Wisconsin labor," Gale Klappa, the utility's chairman and chief executive, said in a statement announcing the wind farm was placed into commercial service.

Wisconsin contractors participating in the project included Boldt, Broadwind Energy, formerly TowerTech, in Manitowoc.

When all costs are finalized, We Energies said, the project will come in below the target of \$363.7 million set by the state Public Service Commission.

The two We Energies wind farms are part of the utility's plan to meet Wisconsin's renewable energy standard, which requires the utility to supply about 8% of its power from renewable sources by 2015.

Construction began this year on another project, a 50-megawatt biomass plant in Rothschild. Once that is completed in 2013, We Energies will be in compliance with the renewable energy standard, the utility said.

With 1.1 million electric customers, We Energies is the state's largest utility. The biomass project is expected to create more than 400 construction jobs and



*In addition to hosting a major ethanol plant, Columbia County now boasts the state's largest windpower installation with a capacity of 162 MW.*

support approximately 150 permanent jobs related to the plant's activities.

Under a deal worked out this year with the state Public Service Commission, We Energies' parent company, Wisconsin Energy Corp., will be able to start earning a return on its investment in the wind farm in 2012, even as customers' base electric rates remain flat.

The costs to pay for the wind project and a \$900 million air quality control system under construction at the Oak Creek coal-fired power plant would have resulted in about a 6.2% electricity rate increase in 2012. The utility will seek a rate increase in 2013 instead for those projects.

Rates still could go up slightly next

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month under a fuel-cost plan the utility has filed with the PSC. Higher coal plants and costs tied to the Point Beach nuclear plant are projected to result in an increase of less than 1%, or less than \$1 a month for a typical residential customer now paying more than \$104 a month.

*Reprinted from the Milwaukee Journal Sentinel, <http://tinyurl.com/jsonlineglacierhills>*

## Wind Siting Deadlock

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Moreover, under Wisconsin law, a rule can only be suspended once. Thus, a failed repeal vote has the effect of making the PSC 128 permanent.

Given this peculiar political dynamic, the fate of PSC 128 will not be known until the gavel comes down signaling the adjournment of the 2011-2012 Legislature.