



## ENVIRONMENTAL LAW & POLICY CENTER

Protecting the Midwest's Environment and Natural Heritage

January 17, 2012

David Duebner  
Midwest Independent Systems Operator  
1125 Energy Drive  
St. Paul, MN 55108

Re: **Comments For Consideration By MISO and West Technical Studies Task Force**

Dear Mr. Duebner:

Thank you for agreeing to accept stakeholder comments for consideration by the West Technical Studies Task Force (“WTSTF”) on ATC’s “Northern Plan” transmission proposal in Northern Wisconsin and the Upper Peninsula of Michigan. Especially in light of We Energies’ and Wolverine Power Cooperative’s announcement that they have entered into a joint venture to conduct a detailed study and then implement comprehensive environmental retrofits and upgrades to the Presque Isle coal plant, the Environmental Law & Policy Center and Citizens Utility Board of Wisconsin respectfully request that:

1. MISO conduct a “normal” MTEP review process for considering the Northern Plan transmission proposal instead of the rapidly accelerated “Out-of-Cycle” process that has been started.
2. WTSTF factor the cost impacts of transmission line siting issues into its analysis of the Northern Plan, which involves new lines going through two National Forests that each have vital habitat and ecosystems.
3. WTSTF consider transmission alternatives to the Northern Plan proposal that run between the upper and lower portions of Michigan as opposed to considering only lines that run through Wisconsin.

1. **THE WE ENERGIES AND WOLVERINE POWER COOPERATIVE JOINT VENTURE REDUCES THE LIKELIHOOD THAT PRESQUE ISLE WILL IMMINENTLY CLOSE AND, THUS, MAKES IT UNNECESSARY FOR THE OUT-OF-CYCLE REVIEW PROCESS TO CONTINUE.**

The WTSTF was convened because ATC requested Out-of-Cycle review and approval for the Northern Plan. The reliability reasons underlying the need for Out-of-Cycle review are largely based on the presumption of Presque Isle’s imminent closure. We Energies’ recent

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announcement that it continues to explore the possibility of upgrading rather than closing Presque Isle, as well as the US Court of Appeals' decision to stay the U.S. EPA's Cross-State Air Pollution Rule, make it unlikely that the Presque Isle coal plant is likely to be closed imminently. Out-of-Cycle review, therefore, is no longer necessary.

We Energies recently announced that the Presque Isle coal plant may remain open through a joint venture with Wolverine Power Cooperative (see attached news article and press release). The joint venture participants would provide upgrades and retrofits necessary to keep Presque Isle in compliance with federal clean air standards. The first step in this joint venture is a study by the two companies to determine the feasibility of upgrading Presque Isle. We Energies has made it clear that the coal plant will remain open during the duration of the multi-month feasibility study and is likely to remain open for the foreseeable future after environmental improvements. Without the previously suggested pressing reliability issue, there is no need for MISO to rush through an Out-of-Cycle review and analysis of an approximately \$1 billion proposed new transmission project.

**2. ANY TECHNICAL ANALYSIS UNDERTAKEN BY THE WTSTF REGARDING THE NEED FOR THE PROPOSED NEW NORTHERN PLAN TRANSMISSION LINES SHOULD INCLUDE THE POTENTIAL SITING COSTS AND ISSUES RAISED BY GOING THROUGH TWO NATIONAL FORESTS THAT EACH HAVE VITAL HABITAT AND ECOSYSTEMS.**

The WTSTF should consider the cost impacts of potential transmission line siting issues in its analysis. Siting transmission lines can be a very uncertain process with possible delays and litigation. One of ATC's Northern Plan proposed transmission lines – Gardner Park-Venus-National – is slated to be built through the Chequamegon-Nicolet National Forest and potentially through the Ottawa National Forest. Proposals to site new transmission lines through often-sensitive habitats in a National Forest require very thorough review. The Northern Plan transmission proposal could raise significant natural resources impact concerns as well as potentially be incompatible with the National Forest management.

Siting a new transmission line through a National Forest presents important cost implications. It also presents the real possibility that the line won't be built at all in that location, thereby calling into question any technical analyses that depend on the line's construction. Ignoring these potential costs and challenges to building the Northern Plan transmission lines is contrary to an accurate reliability analysis. The WTSTF should not and cannot ignore these factors and, thereby, underestimate costs. MISO should not analyze transmission in a vacuum, but instead take the realities of transmission siting into account in its analyses.

**3. THE WTSTF SHOULD CONSIDER MICHIGAN TRANSMISSION SOLUTIONS TO SOLVE ANY MICHIGAN RELIABILITY PROBLEMS, AS OPPOSED TO CONSIDERING ONLY WISCONSIN TRANSMISSION SOLUTIONS.**

The Northern Plan assumes two new high-voltage transmission lines are needed to run through Wisconsin to the Upper Peninsula of Michigan in order to serve primarily Michigan load. If there is a need for more transmission to serve this area, the WTSTF should first examine whether one or more transmission lines could be run through the lower portion of Michigan, rather than Wisconsin, to serve any Michigan customers' needs.

The Environmental Law & Policy Center and the Wisconsin Citizens' Utility Board appreciate MISO's and the WTSTF's consideration of these requests for action. Please let us know if you have any questions regarding the above requests.

Sincerely,



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