

DATE MAILED
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PSC REF#:171939

Public Service Commission of Wisconsin
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PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of Wisconsin Public Service Corporation for Authority to Construct and Place in Operation a New Multi-Pollutant Control Technology System for Unit 3 of the Weston Generating Station, Marathon County, Wisconsin 6690-CE-197

Application for Intervenor Compensation filed by Clean Wisconsin for \$88,935 to Participate in Docket 6690-CE-197 1-IC-469

ORDER

At its open meeting of September 5, 2012, the Commission considered the application for intervenor compensation for the participation of Clean Wisconsin (Clean WI) in the proceeding investigating the application of Wisconsin Public Service Corporation (WPSC) for authority to construct and place in operation a new multi-pollutant control technology system, called ReACT™ (ReACT), as part of WPSC's Weston Generating Station Unit 3 in Marathon County, Wisconsin.

The Commission approves a total of \$78,855 for Clean WI to examine the proposed project. Clean WI requested \$88,935, but the Commission reduces this amount by \$10,080, the amount requested for an unidentified Synapse Energy Economics associate whose qualifications and duties were not specified in the proposal.

Commissioner Nowak dissents.

Docket 1-IC-469, 6690-CE-197

In approving this application, the Commission finds that Clean WI meets the intent of
Wis. Admin. Code ch. PSC 3.

Dated at Madison, Wisconsin, this 12th day of September, 2012.

By the Commission:

A handwritten signature in black ink, appearing to read "Sandra J. Paske", with a stylized flourish at the end.

Sandra J. Paske
Secretary to the Commission

SJP:KCR;jlt:DL:00588312

See attached Notice of Rights

PUBLIC SERVICE COMMISSION OF WISCONSIN
610 North Whitney Way
P.O. Box 7854
Madison, Wisconsin 53707-7854

**NOTICE OF RIGHTS FOR REHEARING OR JUDICIAL REVIEW, THE
TIMES ALLOWED FOR EACH, AND THE IDENTIFICATION OF THE
PARTY TO BE NAMED AS RESPONDENT**

The following notice is served on you as part of the Commission's written decision. This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

PETITION FOR REHEARING

If this decision is an order following a contested case proceeding as defined in Wis. Stat. § 227.01(3), a person aggrieved by the decision has a right to petition the Commission for rehearing within 20 days of mailing of this decision, as provided in Wis. Stat. § 227.49. The mailing date is shown on the first page. If there is no date on the first page, the date of mailing is shown immediately above the signature line. The petition for rehearing must be filed with the Public Service Commission of Wisconsin and served on the parties. An appeal of this decision may also be taken directly to circuit court through the filing of a petition for judicial review. It is not necessary to first petition for rehearing.

PETITION FOR JUDICIAL REVIEW

A person aggrieved by this decision has a right to petition for judicial review as provided in Wis. Stat. § 227.53. In a contested case, the petition must be filed in circuit court and served upon the Public Service Commission of Wisconsin within 30 days of mailing of this decision if there has been no petition for rehearing. If a timely petition for rehearing has been filed, the petition for judicial review must be filed within 30 days of mailing of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition of the petition for rehearing by operation of law pursuant to Wis. Stat. § 227.49(5), whichever is sooner. If an *untimely* petition for rehearing is filed, the 30-day period to petition for judicial review commences the date the Commission mailed its original decision.¹ The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

If this decision is an order denying rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not permitted.

Revised: December 17, 2008

¹ See *State v. Currier*, 2006 WI App 12, 288 Wis. 2d 693, 709 N.W.2d 520.