



Public Service Commission of Wisconsin

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Highland Wind Farm, LLC Files CPCN Application with Public Service Commission

Madison, WI—The Public Service Commission of Wisconsin (Commission) has received an application from Highland Wind Farm, LLC to build a 102.5 megawatt wind project located in the townships of Forest and Cylon, St. Croix County, Wisconsin. When the application is deemed complete, the Commission will have up to 360 days to make a decision on the application.

An electric generation project of 100 megawatts (MW) or greater requires a Certificate of Public Convenience and Necessity (CPCN) from the Commission.

The Commission has siting jurisdiction over all wind energy systems 100 MW or larger and over utility-owned wind energy systems, regardless of size.

A political subdivision (city, town, village, or county) has siting jurisdiction over non-utility wind energy systems smaller than 100 megawatts.

2009 Wisconsin Act 40 made several changes to the state statutes regarding the siting of wind energy systems. The law retained the jurisdictional split between the Commission and political subdivisions; directed the Commission to write wind siting rules; and stated that a political subdivision may not impose requirements that are more restrictive than those in the Commission's wind siting rules.

In response, final Wind Siting Rules promulgated by the Commission (PSC 128) were published in the Wisconsin Administrative Register on February 28, 2011, to be effective March 1, 2011. Currently the rules are not in effect due to legislative suspension.

The Commission and interested parties are currently working to resolve concerns regarding wind siting for non-utility projects under 100 MW. Because Highland Wind Farm, LLC has planned a project surpassing the 100 MW threshold, the project application will be treated like any other CPCN application received by the Commission; however, the Commission is also statutorily required to “consider whether installation or use of the facility is consistent with the standards specified in the rules promulgated by the commission under Wis. Stats. § [196.378 \(4g\) \(b\)](#),” meaning the Commission will need to at least consider whether the application is consistent with the standards in the promulgated, yet suspended, PSC 128 rules.

Once the Commission receives all pieces of an application, the Commission has 30 days to determine whether the application is complete. After a CPCN application is deemed complete, the Commission urges the public to take advantage of the many opportunities to weigh in. The public is encouraged to read the Commission's public notification letter, verify interested parties are included on the Commission mailing lists, review the application posted online, ask questions of the Commission staff, submit comments, and testify at hearings. Information can be found at the Commission's web site, <http://psc.wi.gov>, and at local libraries, government offices, clerks' offices, and within the environmental review documents that will be prepared for the project.

[Wis. Stats. § 196.491](#) describes the procedures related to the issuance of a CPCN. The general application requirements for the CPCN are described in [Wis. Admin. Code ch. PSC 111](#). An overview of a typical application review process can be found at: <http://psc.wi.gov/thelibrary/publications/electric/electric03.pdf>.

Documents associated with the Highland Wind Farm application can be viewed on the PSC's Electronic Regulatory Filing System at <http://psc.wi.gov/>. Type case numbers 2535-CE-100 in the boxes provided on the PSC homepage, or click on the Electronic Regulatory Filing System button.

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