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PSC Statement on Foundry Ridge Energy Project, Red Oak Ridge Energy Center Project

MADISON – The Public Service Commission of Wisconsin (PSC) today took up the applications for the Foundry Ridge Energy Center Project (Foundry Ridge) and the Red Oak Ridge Energy Center Project (Red Oak). Following a thorough review of the evidence in each record and the application of pertinent state law, the Commission granted a Certificate of Public Convenience and Necessity (CPCN) with conditions for both projects.

The PSC is a quasi-judicial body that is responsible for independently reviewing an application and the full record of evidence, analyzing and weighing the evidence, and ultimately reaching a decision that complies with state law. Unlike most states, utilities in Wisconsin are not required to develop integrated resource plans (IRP) or conduct other long-term planning processes, which would provide greater insight and transparency of generation and capital spending plans. This means the PSC must review each application on a case-by-case basis and issue a decision based on the evidence presented in the individual record and in compliance with timelines and criteria set in state law.

Wisconsin state law permits a merchant developer – or non-utility – to apply for a CPCN to construct an energy generation project that meets certain criteria. While the Commission has approved renewable energy projects utilizing this two-step approach, these projects are the first time a merchant developer sought permission to build natural gas generation facilities while a utility has requested authorization to acquire the project in a separate application.

All applicants seeking CPCNs must demonstrate that projects are in the public interest; however, under current state law, merchant developer projects, like Foundry Ridge and Red Oak, are not required to satisfy the reasonable needs of the public, and this approach precludes the Commission from considering alternative sources of supply, engineering, or economic factors including cost.

During the open meeting, **PSC Chairperson Summer Strand** delivered opening remarks, including the following:

> “While the PSC does not encroach on the legislature's role in setting energy policy for Wisconsin, I believe it is entirely appropriate for the Commission to welcome arguments questioning the appropriateness of the approach being utilized in these two dockets. However, absent clear demonstration and a finding that a different approach better complies with our existing rules and laws, it will be up to the legislature to consider if and how the current law should be amended.”

> “I also want to highlight Wisconsin's lack of a holistic generation planning requirement, or IRP, which would provide visibility into how the energy requirements of Wisconsin utility customers will be met. In the absence of this, the merchant development model we are left with amounts to a two-step, piecemeal, often whack-a-mole approach that makes it difficult to ascertain if and how a merchant-proposed project meets customer needs and is justifiable from a cost perspective.”

The Foundry Ridge and Red Oak project records included thorough reviews of environmental considerations, including air quality. The applicants must obtain air pollution control permits from the Wisconsin Department of Natural Resources for these projects. However, under current state law, the Commission cannot find that a project is not in the public interest because of air pollution impacts if the project is permittable by DNR.

> “Due to existing specific limitations related to air pollution impacts, and because merchant development project review is limited and confined by governing statutes, the Commission is limited in what we can consider when reviewing these projects. These deficiencies in the current framework are ripe for legislative action,” said **PSC Chairperson Summer Strand**.

The PSC open meeting discussion was livestreamed and the recording is available on the PSC’s YouTube Channel.

Background on the Foundry Ridge Energy Center Project

In August 2025, Foundry Ridge Energy Center LLC, managed by Invenergy, submitted an application to construct a new natural gas-fired electric generation facility with a total capacity of 324 megawatts (MW) in the Town of Darien in Walworth County, Wisconsin. For more information, visit:

Foundry Ridge Energy Center Project
Docket 9835-CE-100 Electronic Records Filing System (see official record)
Docket 9835-CE-100 Decision Matrix (tool used to guide open meeting)

Background on the Red Oak Ridge Energy Center Project

In December 2025, Red Oak Ridge Energy Center LLC (Applicant), managed by Invenergy, submitted an application to construct a new natural gas-fired simple-cycle combustion turbine-based large electric generating facility with a total generating capacity of up to 1,186 megawatts (MW) in the Town of Paris, Kenosha County. For more information, visit:

Red Oak Ridge Energy Center Project
Docket 9837-CE-100 Electronic Records Filing System (see official record)
Docket 9837-CE-100 Decision Matrix (tool used to guide open meeting)

Background on the PSC

The PSC is a quasi-judicial body composed of three full-time Commissioners who make decisions in cases brought to the PSC related to utility operations, rates, and construction projects. In each case, the Commissioners are responsible for independently reviewing the application and the full record of evidence, analyzing and weighing the evidence, and ultimately reaching a decision that complies with state law. For additional information about the PSC and its regulatory authority, visit:

PSC Regulation
PSC How Construction Projects Are Reviewed
PSC Public Participation

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This document is being made available to assist in the reporting of the Public Service Commission's decisions and ensure public transparency of PSC proceedings. This document provides an overview of the preliminary decision(s) verbally made in the Public Service Commission's open meeting. This document is not intended to modify, supplement, or be a substitute for the Commission's orders. The Commission's Final Order is the official action of the Commission and will be available in the coming weeks.

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