APPLICATION FILING REQUIREMENTS MUNICIPAL ELECTRIC PROJECTS

Public Service Commission of Wisconsin
Wisconsin Department of Natural Resources

October 2017

Table of Contents

Application Filing Requirements
Municipal Electric Projects

October 2017

This document lists information required for a complete application for projects often not requiring a CPCN, such as the construction of distribution facilities, a new substation, or modification of an existing substation, whether as a stand-alone project or as part of a larger transmission or power plant project. Proposed projects that would exceed the cost thresholds described in Wis. Admin. Code § PSC 112.05(3) require a Certificate of Authority (CA) under Wis. Stat. § 196.49 from the Public Service Commission of Wisconsin (PSC).

Often, substations are part of transmission or power plant application which may require either a CA under Wis. Stat. § 196.49 or a Certificate of Public Convenience and Necessity (CPCN) under Wis. Stat. § 196.491. If the proposed substation or substation modification is part of a larger project, it is recommended to combine the substation application materials into the power plant or transmission application. The combined application should be organized in the most logical manner possible and contain all filing requirement information for all proposed facilities.

Overall, the filing requirements are intended to organize information consistently and to facilitate application reviews.

Joint PSC/DNR Pre-Application Consultation Process

An applicant must consult with both the PSC and DNR prior to submitting its application (Wis. Stat. § 30.025(1m) and Wis. Admin. Code § PSC 4.70(1)). This pre-application consultation process is a series of discussions with the staff of these two agencies. Each agency has its own requirements, but the two agency reviews interrelate.

Topics that may be discussed during the pre-application process include:

- PSC and DNR staff contacts
- Applicable portions of the filing requirements for each agency
- Appropriate application formats and subject matter, such as for maps and diagrams
- Specific permits and approvals required for the project
- PSC's and DNR's projected review timelines and important milestones
- Appropriate type, scope, and timing of required field work (habitat assessments, archeological surveys, wetland delineations, biological surveys, etc.)

DNR Application Needs

Like the PSC, the DNR requires a complete application for the project review to proceed. The applicant must consult DNR staff to ensure that particular requirements for the DNR project review are met.

Permits and application requirements

DNR permits required for the project will be identified during the pre-application process.

Under Wis. Stat. § 30.025, the two agencies must follow a common review timetable, if wetlands or navigable waters are involved. For this reason, a complete application containing both DNR and PSC required information is submitted to both agencies at the same time. Specific DNR permit application requirements can be confirmed by the DNR Bureau of Environmental Analysis and Sustainability (BEAS). The requirements include information and materials needed for analysis of potential impacts to rare species and natural communities, and wetland or waterway construction permits. Applications must include an Endangered Resources (ER) review from the DNR or obtain concurrence from DNR for an ER Review completed by a certified individual. The ER Review includes an analysis of the information contained in the Natural Heritage Inventory (NHI) database.

Habitat Assessments and Biological Surveys

Habitat assessments or biological (plant and/or animal) surveys may be required for the DNR portion of the application or at some point in the application process. Natural resources of particular concern include (1) areas that support high quality, rare, or important wetlands, rivers, or natural communities or habitat features (e.g., bat hibernacula or bird rookeries); and (2) areas where state or federal endangered, threatened, or special concern species occur or may occur.

The applicant should meet early in the pre-application process with DNR staff to determine the type of field work, if any, that should be completed. DNR may require fieldwork to be conducted (1) prior to submitting an application, (2) while the application is under review, (3) prior to the start of construction, and (4) post construction. At least two to four months before the beginning of the appropriate field season, DNR will require project information such as the project schedule, major project actions, and current aerial photos of the project area. For most species, the field season begins in the second quarter of the year; however, some rare species may require that field work be conducted earlier or later in the year. DNR will discuss with the applicant the timing and scope of the required studies based on project specifics and the application schedule.

Application Formats

Geographical Information System Submissions

Geographic Information Systems (GIS) data files must be submitted in shapefile format, in the current version of ArcGIS (ESRI ArcGIS 10.X). Geodatabases may also be used. Data files should clearly describe the contents and be appropriately named.

Provide the following GIS related items as part of the application:

- GIS shapefiles or a geodatabase that contains all the data used to produce all maps submitted as part of the application.
- A spreadsheet listing all GIS data files, a file description, the source of the data, and the date when the data was collected or published.
- Map files in ESRI ArcView *.mxd format for all GIS maps in the application.
- ESRI ArcReader published map files in *.pmf format for all applicable GIS maps in the application.

All GIS data must include a *.prj file. Wisconsin state agencies use the Wisconsin Transverse Mercator (WTM) projection system.

Photographic and Line Drawing Submissions

- Line drawings must be in AutoCad and may be in either *.dwg or *.dxf format. The preference is *.dwg.
- Any photographic renderings (photo simulations) of proposed facilities on the existing landscape must be submitted in a high-resolution raster format.
- Digital aerial photographic images must be properly georeferenced and must be accompanied by the geographic coordinate and projection system.
- Scanned maps and diagrams that cannot be submitted in any other format must be submitted in *.gif format at a depth of 256 colors or less.

Confidential and CEII Materials

Organize the application so that all confidential materials are only in Appendices and separated from non-confidential materials. Submit confidential materials in compliance with the confidential materials handling procedures of each agency.

DNR Natural Heritage Inventory (NHI) related information must be submitted confidentially to both agencies.

Prior to submitting any critical energy infrastructure information (CEII) related to the project, contact the Commission staff docket coordinator for instructions regarding how to do so.

PSC Electronic Regulatory Filing (ERF) System

The ERF system is the official file for all dockets considered by the Commission. Use the ERF system to post all ***confidential*** and ***non-confidential*** application materials, including all materials provided to DNR. Items submitted in native formats, such as ESRI ArcGIS shapefiles, Microsoft Excel tables, Microsoft Word versions, modeling, etc. should be documented in a letter filed on ERF.

Instructions for submitting documents to the ERF system can be found on the PSC web site. (http://apps.psc.wi.gov/vs2015/ERF/documents/ERF%20Filing%20Procedure.pdf)

Application Completeness

PSC and DNR staff will examine the application for completeness. The applicant will be notified additional information is required for the review of the application. Applicants should

be aware that complete applications rarely answer all the questions that the PSC and DNR must address. It is likely that applicants will be called upon to provide additional information and data to support their applications throughout the review process. Applicants will be expected to respond to all staff inquiries in a timely, complete, and accurate manner.

Filing the Application

For CA applications, check with the PSC docket coordinator during the pre-application process to determine how the application should be filed and how many paper copies are necessary.

Post to the PSC ERF, all application materials both confidential and non-confidential, including all materials provided to DNR.

Prior to submitting any CEII related to the project, contact the Commission staff docket coordinator for instructions regarding how to do so.

Contact for Questions

Adam Ingwell, PSC, (608) 267-9197, Adam.Ingwell@wisconsin.gov.

Application Filing Requirements
Municipal Electric Projects

A complete application must contain the following information or a showing must be made as to why the information is not applicable. The application's organization should follow the major format and numbering system of these filing requirements. Questions about the applicability of specific information requirements should be discussed with PSC and DNR staff during pre-application consultation.

1. Project Overview

1.1. Describe the location of the proposed project sites and routes.

1.2. Identify what sites or easements would need to be acquired. State whether condemnation could be used to acquire these sites and easements. State whether a purchase agreement has already been negotiated with the site owner.

1.3. Provide the city, village, and/or township and counties of the proposed project and any other areas of proposed construction activities.

1.4. PSC Review

1.4.1 Identify the expected type of Commission action under Wis. Admin Code § PSC 4.10.

1.4.2 Discuss if the proposed project is contingent or part of a transmission, substation, or generation project under another docket.

1.5. Project Details and Project Area Information

Provide descriptions of the project area(s) including the following:

1.5.1 Generalized description of the project area, including land cover and zoning.

1.5.2 Special or unique natural or cultural resources in the project area.

1.5.3 Areas of residential concentrations and urban centers in the project area.

1.6. Other Agency Correspondence/Permits/Approvals

1.6.1 Provide copies of all official correspondence between the applicant and all state, federal, and local government agencies.[1]

1.6.2 Provide a list of all state and federal permits/approvals that would be required for this project and their status.

[1] The applicant must continue to submit copies of all official correspondence between the applicant and any federal, local government, or other state agency while the application is under review.

1.6.3 Provide a list of all local permits and/or ordinances that apply to the proposed project and the status of those permits.

1.6.4 If any portion of the associated facilities would occupy property or easements owned by railroad or pipeline companies or WisDOT, provide documentation from these entities that the sharing is acceptable to the entity, if possible.

1.7. Construction Schedule

1.7.1 Provide the anticipated general construction schedule, identifying any potential seasonal or regulatory construction constraints.

1.7.2 Generally discuss any generation or transmission outage constraints that may have to be accommodated.

1.8. Project Area Maps

1.8.1 Provide project maps that use the best and most recent data available. Maps must clearly portray the project in a format and scale that is unambiguous and easy to understand. Labels and symbology used on the maps must be clearly visible. The scale of the maps, the number of map sets necessary to show all relevant data, and whether they will be submitted electronically or on paper will be discussed during pre-application consultations.

- Aerial photographs not more than three years old
- Project Data
  - Proposed substation, if any
  - Proposed substation fenced area
  - Proposed access roads
  - Proposed electric poles (distribution and transmission) outside of the fenced area
  - Proposed new or altered distribution and transmission right-of-way (ROW)
  - Proposed associated facilities and features including stormwater detention ponds
- Project Area Environmental Data
  - Rivers, lakes, and other waterways
  - Wetlands
  - Soils
  - NHI rare species occurrences (confidential)
  - Topographic maps
  - Floodplains
- Parcel Data Adjacent to the Proposed Site/Routes
  - Private properties.
  - Public properties (symbolized differently than private properties)
  - Tribal or other types of properties
  - Political subdivision boundaries
  - Township, range, section divisions
- Land Use Within 500 Feet of the Proposed Site/Routes
  - Land cover
  - Zoning
  - Active mines and quarries
  - Sensitive sites (for example daycare centers, schools, hospitals, cemeteries, etc.)
  - Airports, airstrips (public and private) within one mile

  - Recreation areas, trails
- Utility/Infrastructure Data
  - Roads, highways, interstates
  - Existing transmission, distribution, pipelines, and other applicable infrastructure
  - Existing distribution lines that would be modified or relocated due to the proposed project or are in the project area
  - Applicable infrastructure ROWs (*e.g.*, DOT, pipeline, electric distribution, electric transmission, railroad, trail)
- DNR-required information such as locations of possible Chapter 30 activities (*e.g.*, grading, riprap), temporary clear span bridges, Wisconsin Wetland Inventory, wetland/waterway field data, hydric soils, etc.

2. Engineering

2.1. Project Need

Describe the purpose or need for the project with supporting data.

2.2. Area Load Information

Submit historical peak load, number of customers, and type of customers, by substation, if available, for the study area. Indicate for each substation whether the load data is coincident peak or annual peak. Explain each component of the forecasted load with quantitative detail. Any changes in the projected growth rates over the forecast period should be fully explained.

2.3. Discuss no-build options and their potential electrical supply and environmental impacts. In addition, discuss other possible project alternatives, if applicable.

2.4. Provide an analysis of the ability of energy conservation and efficiency and load response to reduce, alter, or eliminate the need for the proposed project.

Analysis should include:

2.4.1 A description of the energy conservation and efficiency and load response programs and services available to customers in the project area.

2.4.2 An indication of the amount of additional energy efficiency and demand response, not already included in the demand forecast, needed to reduce, alter, or eliminate the need for the proposed project.

2.4.3 A discussion of the feasibility of achieving the level of energy efficiency and demand response identified in Section 2.5.2.

3. Project Costs

Cost tables should be based on the projected in-service year of the project. Tables must be submitted in a Microsoft Excel format, in addition to Adobe Acrobat (*.pdf) format. In addition, include the projected annual revenue requirement impact resulting from constructing the proposed project. In the filing, provide both the nominal impact to revenue requirements and the percentage impact to revenue requirements as a result of constructing the proposed project.

3.1. Construction Route Cost Estimate Tables

Provide table(s) detailing the projected total costs for each proposed route or alternative broken into the major categories listed below. Each major category of costs should be broken into their respective Plant Account Numbers. If portions of the project are to be constructed underground,

those costs should be separated from overhead construction costs. Substation costs should also be separated out by Plant Account Number (see Substation Application Filing Requirements).

3.1.1 Material costs
3.1.2 Labor costs
3.1.3 Other costs
3.1.4 Pre-certification costs
3.1.5 Operation and maintenance costs
3.1.6 Removal costs and salvage value

4. Site and Construction Information

4.1. Provide descriptions, diagrams, and graphics for the proposed project.

Include the following details:

4.1.1 The location, size, and dimensions of the proposed facilities, access roads, detention ponds, and associated facilities.
4.1.2 The topography, land cover, zoning, and land use of the proposed site(s).
4.1.3 Layout of the proposed substation equipment (if applicable).
4.1.4 Dimensions of the property boundaries and substation fenced area (if applicable).
4.1.5 Vertical profile and topography of the proposed substation and property (if applicable).

4.2. For any electric structures or lines that would be constructed, including the following:

4.2.1 Electric line configuration (such as single-circuit or double-circuit with existing line, overhead or underground, conductor replacement or new construction, etc.).
4.2.2 A description and location of the proposed ROWs (for example new ROW, partially overlapping existing transmission ROW, completely within existing ROW, etc.).

4.3. Describe the construction impacts of the proposed project and any proposed associated facilities, including:

4.3.1 The area and depth of excavations.
4.3.2 The type of construction machinery that would be used.
4.3.3 The construction disturbance zone, including access from public roads.
4.3.4 How spoil materials would be managed on and off-site.
4.3.5 For any distribution electric lines proposed to be constructed, provide the following:
4.3.5.1 Construction methods for the electric lines.
4.3.5.2 A description of any unique construction methods (*e.g.*, directional boring, jack and bore, helicopter, vibratory caissons, etc.

4.4. For building projects, information on energy efficiency, or conservation features, including:

4.4.1 The whole building heat loss in Btu/square foot of the building envelope.
4.4.2 The type and R-value of insulating material used for walls, ceilings, roofs, doors, and windows.

4.4.3 The type of heating and cooling system selected and the annual end-use energy estimate in Btu/square foot/year for space heating, space cooling, and any process use.

4.4.4 The type and source of fuel or fuels selected.

4.4.5 The type of lighting system selected and the annual end-use energy estimate for lighting.

5. Community Impacts

5.1. Community Issues

Discuss any concerns that groups or potentially impacted communities have raised**.**

5.2. Land Use Plans

Provide relevant portions of land-use plans that describe future land uses potentially impacted by the project. (Land use plans include recreational plans, agricultural plans, etc.)

5.3. Agriculture

For each part of the project affecting agricultural land, provide the following:

5.3.1 Type of farming that could be impacted by the proposed project, such as pasture, row crops, or other type (*e.g.* orchards, tree plantations, cranberry bogs, etc.).

5.3.2 The amount of land that would no longer be farmed.

5.3.3 Any impacts to farming operations (including windbreaks) from the construction or operation of the project.

5.4. Residential and Urban Areas

5.4.1 Discuss anticipated impacts to residential/urban neighborhoods and communities such as noise, dust, duration of construction, time-of-day of construction, road congestion, impacts to driveways, etc.

5.4.2 Discuss how anticipated impacts would be mitigated.

5.5. Aesthetic Impacts

5.5.1 Discuss the potential aesthetic issues associated with the proposed project as it relates to the surrounding land uses.

5.5.2 Describe any plans for landscaping or other measures used to mitigate the potential aesthetic impacts to the surrounding land uses.

5.6. Parks and Recreation Areas

5.6.1 Identify any parks and recreation areas or trails that may be impacted by the proposed project and the owner/manager of each recreation resource.

5.6.2 Discuss how short- and long-term impacts to these resources might be mitigated.

5.7. Communication with Potentially Affected Public

5.7.1 List all attempts made to communicate with and provide information to the public.

5.7.2 Provide a description of public information meetings and who was invited.

6. Natural Resource Impacts

6.1. Forested Lands

Forested lands are defined as any wooded landscapes (greater than 20% canopy cover) excluding narrow windbreaks located between agricultural areas, but including wooded areas adjacent to waterways.

6.1.1 For each electric line and/or substation property describe the woodlands that would be impacted by the proposed project. Include the following information in the description.
- 6.1.1.1 Type of woods
- 6.1.1.2 Dominant species
- 6.1.1.3 Average age, size of trees
- 6.1.1.4 Ownership (private, county, etc.)
- 6.1.1.5 Use (recreation, timber, riparian habitat, etc.)

6.1.2 Provide specific details for mitigating or minimizing construction impacts in and around forested lands.

6.2. Grasslands

Grasslands are defined as any undeveloped landscape dominated by herbaceous (non-woody) vegetation.

6.2.1 For each electric line and/or substation property describe the grasslands that would be impacted by the proposed project. Include the following information in the description.
- 6.2.1.1 Type of grassland (prairie, pasture, old field, etc.)
- 6.2.1.2 Dominant species
- 6.2.1.3 Ownership (private versus public)
- 6.2.1.4 Use (agricultural, non-productive agricultural, recreation, natural area, etc.)
- 6.2.1.5 Provide specific details for mitigating or minimizing construction impacts in and around grasslands.

6.3. Wetlands (see Section 7.0)

6.3.1. Identify any wetlands that would be affected by the proposed project.

6.3.2. Identify the location of any wetland crossings required for the construction of the project.

6.3.3. Identify any structure or facility that would be constructed within wetlands.

6.3.4. Provide the methods to be used for avoiding, minimizing or, if necessary, mitigating construction impacts in and near wetlands.

6.3.5. For “significant” or “high-quality” wetlands in the project area, identify:
- 6.3.5.1. The location where the proposed project would cross or potentially impact these wetlands.
- 6.3.5.2. The wetland type (forested, shrub, emergent, or open water).
- 6.3.5.3. The specific methods that would be used to mitigate the potential impacts.

6.4. Waterbodies/Waterways (see Section 6.0)

6.4.1. Identify the waterbodies or waterways in the project area.

6.4.2. Identify any proposed facilities that would be constructed below the ordinary high-water mark (OHWM) of a waterbody or waterway.
6.4.3. For each proposed waterbody and waterway crossing, identify the need and method for constructing the crossing.
6.4.4. Provide the methods to be used for avoiding, minimizing, and finally mitigating construction impacts in and near waterbodies and waterways.
6.4.5. Identify the waterways in the project area that are classified as follows and the site-specific methods that would be used to mitigate potential impacts to these waterways:
6.4.5.1. Outstanding or Exceptional Resource Waters
6.4.5.2. Trout streams
6.4.5.3. Wild or scenic rivers

6.5. Rare Species and Natural Communities (see Section 8.0)

6.5.1. Document communication with DNR and USFWS, as applicable.
6.5.2. Document compliance with DNR and USFWS direction, as applicable.
6.5.3. For the project area, discuss concerns and potential impacts to rare species as identified in the Endangered Resources Review and field studies.
6.5.3.1. For any DNR-identified follow-up actions that must be taken to comply with endangered species law, discuss how each action or rare species identified would affect the proposed project and the specific site.
6.5.3.2. For any DNR-identified recommended actions to help conserve Wisconsin's rare species and high-quality natural communities, discuss which actions would be incorporated into the proposed project.

6.6. Historical Resources

6.6.1. Provide a copy of the results of a Wisconsin Historic Preservation Database (WHPD) historical resources search for the entire project construction area, whether it is completed in-house or by a consulting archaeologist. In the search results, list each historical resource from the WHPD that would be found in areas of project-related construction, by State Site number, Burial Site number (if any), and Name. Submit this information to the PSC Historic Preservation Officer under separate cover and do not enter it into the ERF. Reference and summarize the review in the application.
6.6.2. For each historical resource identified, describe without showing the specific location of the resource how the proposed project might affect the resource and how the project could be modified to reduce or eliminate any potential effect on the resource. Modifications to the proposed project could include site modification, route changes for access roads, crane paths, or collector circuits, and/or mitigation could include route changes and avoidance, modified construction practices, protective barrier placement, monitoring, excavation, recordation, data recovery and/or relocation.

7. DNR Permits and Approvals for Impacts to Waterways and Wetlands

Submit the appropriate waterway and wetland permit application materials for all proposed project construction that may impact a waterway or wetland. DNR permit materials can be

found at http://dnr.wi.gov/waterways/permit_apps/permit_apps.html. Permits may also be required from the U.S. Army Corps of Engineers. Application materials will also include the following items.

7.1. Wetland Practicable Alternatives Analysis (Wis. Admin. Code Ch. NR 103)

7.8.1 Describe how wetlands were factored into the site selection process.

7.8.2 Describe how the proposed location of the site(s) and the design of project avoids and minimizes wetland impacts including consideration for placing structures outside wetlands. Include how proposed access routes also avoid or minimize wetland impacts.

7.8.3 For proposed construction that will impact wetlands, detail why project alternatives are not practicable after taking into consideration cost, available technology, and logistics in light of overall project purpose.

7.8.4 If wetland impacts cannot be avoided, describe all temporary and permanent impacts, as well as the construction and restoration methods that would be used to minimize wetland impacts.

7.2. Wetland Delineations

Identify all wetlands on a map in accordance with the U.S. Army Corps of Engineers' January 1987 Technical Report Y-87-1 entitled, "Corps of Engineers Wetland Delineation Manual" and relevant guidance documents. Wetland delineation reports should not be submitted as part of the printed application but in electronic format only.

8. Endangered, Threatened, Special Concern Species and Natural Communities

Pre-application meetings with DNR staff are required to determine the information necessary to be included in the application. DNR staff will indicate the type, scope, and timing of required field work relative to the application process. In the *Introduction, pages ii* of this document, additional details about performing habitat assessments and how to file results of DNR-required field surveys is provided. More information can be found on the DNR website: http://dnr.wi.gov/topic/endangeredresources/laws.html.

8.1. An Endangered Resource (ER) Review is required for all projects.

The review may be done by either requesting a review from the Utility and Energy Reviewer in the DNR Bureau of Endangered Resources (BER) or by submitting a proposed ER review completed by a certified individual to the Utility and Energy Reviewer for concurrence. Please note that NHI-related information (*i.e.*, the names and locations of endangered, threatened, special concern species, natural communities, and habitat features) are considered confidential. Submit information in both a redacted (non-confidential) and confidential version. Submit both a redacted (non-confidential) and confidential version of the DNR-ER review for all route segments and sites.

8.2. Submit both a redacted (*non-confidential*) and *confidential* version of maps and/or data files showing NHI occurrences.

8.3. Submit both redacted (*non-confidential*) and *confidential* results from habitat or natural community assessments and biological surveys for the proposed project that DNR has requested to be included in the application.

Results from additional surveys conducted during the review of the application, prior to the start of construction, and/or post-construction must be submitted as they are completed.

8.3.1 For any DNR-identified follow-up actions that must be taken to comply with endangered species law, discuss how each action or rare species identified would affect the proposed project.

8.3.2 For any DNR-identified recommended actions to help conserve Wisconsin's rare species and high-quality natural communities, discuss which actions would be incorporated into the proposed project.

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