

Citizens Utility Board

Annual Report

January 1 - December 31, 2012



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Madison

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Madison

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Madison

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**Manager of Communications
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From the Executive Director

Welcome to CUB's annual report of our activities for 2012. CUB had a great year in 2012, saving utility customers over \$704 million on electricity rates.

These savings come from the hard work of CUB staff and consultants in cases before the Public Service Commission. Whenever the utilities want to increase rates, or build a new power plant, gas pipeline, or water facility, they need to get permission from the PSC. CUB "intervenes" in these cases, representing the interests of residential, farm, and small business customers of the utilities.

The 2012 savings to ratepayers came from CUB's intervention in rate cases involving the state's major utilities. CUB staff and consultants made numerous suggestions for how rates could be lowered, and thankfully, the commissioners and staff of the PSC followed much of our advice, and reduced the size of the electric rate increases by over \$104 million.

For customers of Alliant Energy, the PSC agreed to freeze its electric rates for 2013 and 2014. The savings to customers of Madison Gas & Electric were \$500,000, \$43 million for customers of We Energies, \$56 million for customers of Wisconsin Public Service Corp., and \$5 million for customers of Xcel Energy.

It wasn't all roses in 2012. The PSC agreed to allow electric customers of We Energies to continue paying subsidies for the steam rates for downtown Milwaukee businesses, which buy steam from the Valley Power Plant. Electric customers pay between \$5 million and \$35 million each year in subsidies to steam users, and will continue doing so for the foreseeable future.

Another disappointment from 2012 was the Wisconsin Supreme Court's rejection of CUB's lawsuit against the Public Service Commission, for allowing a utility to build a power plant out-of-state without receiving a thorough review of whether the plant was in the best interest of ratepayers.



Though two justices dissented, a majority of the court agreed that utilities can build power plants out-of-state, charge their Wisconsin ratepayers for the plant, and receive lesser review of their plans than if the plant was built in Wisconsin.

Back to good news, CUB helped save Wisconsin electricity customers at least \$600 million by opposing a near \$1 billion project proposed by the American Transmission Company to build transmission lines from Green Bay to Michigan's Upper Peninsula.

I'd like to thank several organizations and foundations that have provided critical grants to support our operations: the Public Service Commission of Wisconsin, the Energy Foundation, and the RE-AMP Project.

But most importantly, I'd like to thank you, our Members, for your support in helping CUB help you by fighting for fair and just utility rates.

**SINCE 2008 CUB
HAS HELPED SAVE
\$2.8 BILLION**

2012 In Review

Legal Activities

Bent Tree Wind Farm

On August 28, 2009, CUB and the Wisconsin Industrial Energy Group filed a lawsuit against the Public Service Commission for ignoring state law in approving a 200-megawatt wind power project called the Bent Tree Wind Farm, which is located in Minnesota.

The wind farm is now operating, and is owned by Alliant Energy, and is being paid for by Alliant's Wisconsin customers.

CUB and WIEG contended that the PSC should have reviewed the project for a "certificate of public convenience and necessity," or CPCN, which requires a more thorough review than projects reviewed for a "certificate of authority," or CA. The PSC issued a CA for the project on June 30, 2009.

In filing the lawsuit, WIEG and CUB argued that the PSC ignored Wisconsin law, which states that a utility cannot build a power plant of 100 megawatts or more unless the utility has received a CPCN.

This case was of statewide importance because significantly less review by the PSC is required in granting a CA, and customer groups like CUB and WIEG may have no opportunity to provide testimony and legal opinions regarding a proposed project's appropriateness for providing Wisconsin consumers with electricity at reasonable prices.

Though the Dane County circuit court rejected our lawsuit on September 22, 2010, the Wisconsin Court of Appeals "certified" our case to the Wisconsin Supreme Court on November 23, 2011, and the Supreme Court accepted our case on December 14, 2011. CUB general counsel Kira Loehr spoke on behalf of CUB and WIEG in oral arguments before the court on April 17, 2012.

Unfortunately, on July 11, 2012, the Wisconsin Supreme Court issued a 5-2 decision against CUB and WIEG. The court applied "due weight deference" to the PSC's decision to use the CA statute rather than the CPCN statute for projects to be built by Wisconsin regulated

utilities in other states. Justice Ann Walsh Bradley issued a dissent, joined by Chief Justice Shirley Abrahamson, and expressed concern that ratepayers could be on the hook for expensive out-of-state projects that might receive little scrutiny by the Public Service Commission or members of the public.

Legislative Activities

Below are summaries of legislation that CUB worked on during the 2011-2012 legislative session, which ended in the spring of 2012.

"Economic Development Rates," AB 145 & SB 102. These bills would have forced residential and small business customers to pay higher electric rates so that utilities could offer discounted electric rates to big industries. Under the guise of creating jobs, the bills required neither business expansion nor job creation. Had these bills passed, your electric rates would have gone up to subsidize lower rates for large businesses and potentially higher profits for utilities. CUB fought these bills and they failed in committee.

"Suspension of Wind Farm Placement Rules," AB 72 & SB 50. These bills would have made it very difficult to build renewable energy wind farms in Wisconsin. Legislators tried to permanently suspend administrative rules for the placement of wind farms established by the Public Service Commission after a multi-year process. CUB supports the wind farm placement rules because they set reasonable setback and noise standards for wind farms, allowing wind farms to be placed without unreasonably disturbing neighbors. CUB fought these bills to suspend the rules, and the Senate bill was pulled from the Senate floor without enough votes for passage.

"Land Line Phone Deregulation," January Special Session, SB 13, enacted as 2011 Wisconsin Act 22. This new law removes the ability of the PSC to regulate telephone service, or to handle consumer complaints. Telephone companies that provide landline telephone

service can now raise telephone rates as high as they want, and after May 1, 2013, they no longer need to provide landline service at all. Though CUB successfully fought similar bills in the past, AT&T and other telephone companies rammed the bill through the Legislature in less than two weeks.

About 2 million landlines are in use in Wisconsin, with many elderly citizens preferring landline service. Further, many rural areas have landline phones, but don't have cell phone coverage, or Internet phones. For now, the only recourse to losing landline phone service is to call your provider and complain. The PSC consumer complaint division (800-225-7729) is tracking calls from people who call them about having difficulties with their phone providers, but will not be able to take any action since they no longer have the authority to do so.

"Less Support for Energy Efficiency Programs," AB 40, enacted as 2011 Wisconsin Act 32. Despite a record of saving \$2 billion and creating more than 2,400 good jobs, the Legislature reversed funding increases for *Focus on Energy*, which helps Wisconsin households and businesses save money through energy efficiency. Unfortunately, the cuts to Focus on Energy will likely increase Wisconsin energy bills by at least \$700 million through 2014, since homes and businesses will likely use more energy than they would have without the increased investments in energy efficiency. CUB urged the Legislature and Governor Scott Walker to restore the cuts to Focus on Energy, but they decided otherwise.

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**CUB – fighting
the utilities,
fighting for you!**

Citizens Utility Board (CUB) is a member-supported, nonprofit organization whose purpose is to:

- Provide public interest legal services to ensure effective and democratic representation of residential utility customers before regulatory agencies and the courts;
- Advocate for reliable, affordable, and sound utility service; and
- Educate consumers on utility service through the preparation, compilation, analysis, and dissemination of information and resource materials relating to utility regulation and public energy and telecommunications policy.

Citizens Utility Board

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CUB Board Elections

Thanks to Rodney Stevenson

Rodney Stevenson is stepping down after serving on the CUB Board since 2004.

Rodney is professor emeritus of business and environmental studies at the University of Wisconsin-Madison. He is the founder of the university's Wisconsin



Public Utility Institute and the past chair of the energy analysis and policy program of the university's Nelson Institute of Environmental Studies.

Many thanks to Rodney for his many contributions to CUB over the past 9 years.

Please Vote for CUB Board of Directors!

It's election time to choose directors to serve on the CUB Board.

Current CUB members who paid their membership dues during 2012 or 2013 are entitled to vote in this election. The return envelope enclosed in this newsletter is the election ballot. Please take a moment and cast your vote for the candidate for the Board.

The candidate is Don Wichert, who is running for re-election to the Board. The CUB Board of Directors recommends and endorses the re-election of Don. His biography follows.

Don Wichert is currently the Interim Executive Director of RENEW Wisconsin, a statewide renewable energy advocacy organization with headquarters in Madison.

Don has worked professionally in the environmental and energy fields for over 30 years. He was with the Wisconsin Division of Energy for 22 years, much of it as Chief of the Energy Resources Section. The section was responsible for data collection, technical and policy studies, program administration and public information related to energy use in Wisconsin.

He also was employed by the Wisconsin Energy Conservation Corporation for eight years as Director of Renewable Energy Programs, including six years directing the Focus on Energy Renewable Energy Program.

Don Wichert has a B.A. in Geography, a B.S. in Thermal and Environmental Engineering, and an M.S. in Energy Policy and Analysis. Don has served on previous non-profits boards: Clean Energy States Alliance, Biomass Energy Resource Center, the Solar Rating and Certification Corporation, Interstate Renewable Energy Council, and CUB. He is a licensed professional engineer in Wisconsin.

"I want to serve another year on the CUB Board because I fully support CUB's mission of representing residential customers at utility hearings and in state policy making concerning regulated activities," said Don. "I want to help



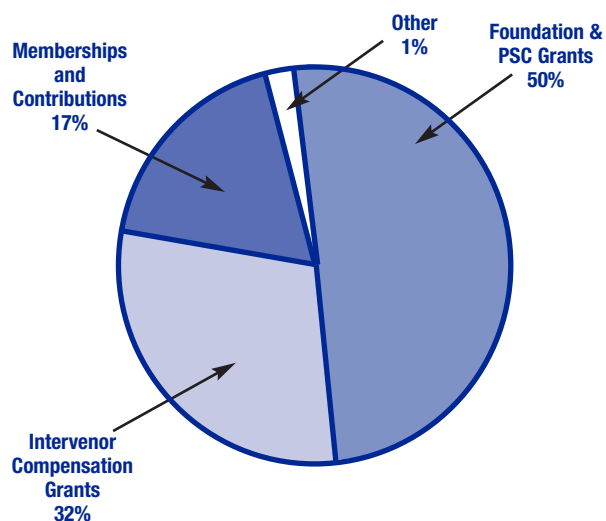
CUB continue to fight for fair regulated utility rates and long term policies that support the wise use of energy in Wisconsin.

I believe my past involvement on the CUB Board and over 30 years working in the public energy and environmental sectors can be an asset to CUB in continuing to be an effective organization that achieves substantial benefits for its members and the public."

*As you are making
your estate plans,
please keep CUB
in mind.*

2012 Financials

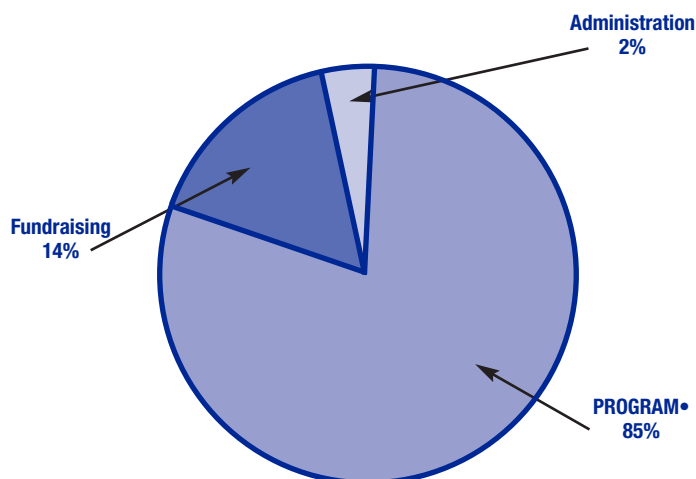
2012 Income by Source



2012 Income by Source

Memberships & Contributions	\$140,905	17.5%
Intervenor Compensation Grants	\$255,116	31.7%
Foundation Grants & PSC Grants	\$399,300	49.8%
Other	\$ 7,239	1.0%
Total	\$802,560	100%

2012 Expenses by Source



2012 Expenses by Source

Programs*	\$755,473	84.6%
Administration	\$ 13,557	1.5%
Fundraising	\$123,883	13.9%
Total	\$892,913	100%

*Program Expenses by Activity

PSC Intervention	\$664,545	88%
Clean Energy	\$ 79,573	10.5%
Lobbying	\$ 11,355	1.5%
Total	\$755,473	100%

ASSETS

Current Assets

Cash	\$ 519,196
Grants & contracts receivable	4,795
Contributions receivables	1,474
Prepaid expenses	<u>850</u>
Total current assets	526,315

Fixed Assets

Office equipment	22,242
Less: accumulated depreciation	<u>-21,699</u>
Net fixed assets	543

TOTAL ASSETS \$ 526,868

LIABILITIES & NET ASSETS

Current Liabilities

Accounts payable	\$ 22,193
Accrued payroll & related	4,231
Accrued compensation absences	<u>20,413</u>
Total current liabilities	46,837

Net Assets (Deficit)

Unrestricted net assets:	
Designated by Board for CUB legal & advocacy trust	\$ 0
Undesignated	145,021
Total Unrestricted	145,021
Temporarily Restricted	<u>335,000</u>
Total net assets	480,021

TOTAL LIABILITIES & NET ASSETS \$ 526,858

Utility Names

Over the years, utilities operating in Wisconsin have changed the names by which they do business. Nevertheless, they still use their older, formal names at the Public Service Commission.

Here's a quick guide for the larger utilities. If you want to review a utility's information at the Public Service Commission, be sure to use the formal name.

<u>Does Business As</u>	<u>Formal Name</u>
Alliant Energy	Wisconsin Power & Light
AT&T	Wisconsin Bell
Madison Gas & Electric	Madison Gas & Electric
We Energies	Wisconsin Electric Power Company
We Energies	Wisconsin Gas
Wisconsin Public Service Corporation	Wisconsin Public Service Corporation
Xcel Energy	Northern States Power



Regulatory Activities

Below are summaries of CUB's 2012 interventions in regulatory cases at the Public Service Commission and other regulatory authorities.

Alliant Energy, Purchase of Riverside Energy Center, 6680-EB-105

On November 30, 2011, Alliant Energy filed an application with the Public Service Commission to purchase Riverside Energy Center, a 600 MW natural gas-fired, combined-cycle power plant located in Beloit, for approximately \$392 million.

CUB intervened in the proceeding and analyzed whether the proposed purchase was in the public interest. In general, CUB supported the purchase of the power plant, provided the PSC would review future maintenance costs for reasonableness.

The PSC approved the purchase on April 5, 2012. The PSC agreed with CUB and will review future maintenance costs for reasonableness in future rate cases.

Alliant Energy, Rates for 2013 & 2014, 6680-UR-118

On May 3, 2012, Alliant Energy filed an application with the Public Service Commission to freeze "base electric rates" for 2013 and 2014, and reduce gas delivery rates in 2013 and freeze those rates in 2014.

CUB and the Wisconsin Industrial Energy Group negotiated a settlement with Alliant in the months before Alliant made its filing. Although settlements of rate cases are rare in Wisconsin, PSC staff believed that Alliant could freeze its electricity and gas rates for two years without going through the full scrutiny of a rate case.

After reviewing a focused set of information regarding Alliant's rates, CUB and WIEG were able to agree with Alliant's proposed rate freeze for 2013 and 2014, though electric rates may change in these years due to changing prices for fuels used to make electricity. In the settlement, CUB and WIEG also negotiated a provision requiring Alliant to refund excess profits to customers if it over-earns during the freeze period. The PSC approved Alliant's rate freeze proposal on June 15, 2012.

Alliant Energy, Retrofit of Edgewater 5, 6680-CE-174

On July 27, 2012, Alliant Energy requested permission from the Public Service Commission to install a \$450 million "dry flue gas desulfurization system" on Edgewater Unit 5, a 430 megawatt coal-fired generator located near Sheboygan. The pollution control equipment would reduce emissions of sulfur dioxide. Another type of pollution control, a "selective catalytic reduction system," is currently being installed that will reduce nitrogen oxide emissions.

CUB intervened in the case to make sure retrofitting the plant is in the best interest of ratepayers. The PSC approved the installation of pollution controls on May 2, 2013.

Alliant Energy, Retirement of Nelson Dewey 1 & 2, 6680-CE-172

In January 2008, Alliant Energy updated its request for permission from the Public Service Commission to install pollution controls on units 1 & 2 of the Nelson Dewey coal-fired power plant located near Cassville, which has a combined generating capacity of 220 megawatts.

Alliant announced in July 2012 that it would retire the plant by the end of 2015, most likely because it would be too expensive to add pollution controls to the 50 year-old plant.

The issue now sits before the Midcontinent Independent System Operator, which must determine whether improvements to the transmission system must be made before the plant can be shut down. MISO will likely make a determination by the end of 2013. CUB will continue to follow this case at MISO and the PSC.

American Transmission Company, "Northern Plan" for Two 345 kV Transmission Lines for the Upper Peninsula of Michigan, 137-CE-166

In November 2011, American Transmission Company announced that it was studying whether two 345,000 volt transmission lines should be built to serve Marquette, Michigan and surrounding areas in the Upper Peninsula. The proposed lines would run from Green Bay to Marquette, and from Wausau to Marquette, with the

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latter line slicing through the Chequamegon-Nicolet National Forest.

If built, ATC's proposals would cost around \$2 billion, and two commissioners at the Public Service Commission immediately expressed concerns about Wisconsin ratepayers paying to serve Michigan's U.P.

ATC's announcement followed several developments in the U.P., particularly the announcement by We Energies that it may shut down its Presque Isle Power Plant instead of adding expensive pollution controls. The Presque Isle plant consists of five coal-fired units that together produce 431 megawatts of electricity.

In the spring of 2012, We Energies announced it was working with Wolverine Power Cooperative (Cadillac, MI) on options for Presque Isle, including repowering with natural gas. In November 2012, We Energies and Wolverine Power announced that Wolverine will invest \$140 million in new pollution controls that will keep the coal plant open, reducing the need for new transmission lines.

During the spring of 2012, CUB, the Environmental Law & Policy Center, and other groups provided several rounds of comments to MISO, stating our concerns about the cost and environmental impact of ATC's proposal.

In June 2012, analysts at MISO recommended a smaller set of transmission lines costing less than \$300 million. In February 2013, ATC estimated the smaller project would cost between \$273 million and \$409 million. In opposing the larger project, CUB helped save Wisconsin electricity customers at least \$600 million in future electricity costs.

Though the cost of these lines is far less than ATC's original proposal, CUB continues to point out that Wisconsin customers will likely pay most of these costs, though the benefits will go to the Michigan economy.

ATC will likely file an application with the PSC to build the line in late 2013. CUB will continue to follow this case at MISO and the PSC.

Dairyland Power Cooperative et al., Alma-La Crosse 345 kV Transmis-

sion Line, 05-CE-136

On December 21, 2010, Dairyland Power Cooperative, Xcel Energy, and WPPI Energy applied for permission from the PSC to build a 345,000 volt transmission line between Alma and La Crosse. The line would cross the Mississippi River at Alma and connect to another transmission line near Kellogg, MN, and this line would run toward Hampton, MN. Minnesota regulators have approved construction of the lines in Minnesota.

CUB intervened in this case, and hired La Capra Associates as an expert witness. La Capra reviewed whether the transmission line was needed, the implications of lower voltage solutions, and whether the cost of the project was reasonable. Based on La Capra's analysis, CUB recommended that a 161,000 volt line be built between Alma and La Crosse rather than the utilities' proposed 345,000 volt line. CUB's alternative was less costly and would more closely match the La Crosse area's need for a new transmission line.

The PSC issued a final decision approving the utilities' proposed transmission line on May 30, 2012. Though they considered CUB's alternative, the three commissioners decided that the proposed 345,000 volt line "was not unreasonably in excess of probable future requirements," one of the findings that the commissioners are required to make to approve a project.

Construction of the 55-mile-long transmission line between Alma and La Crosse will begin in late 2013, and is projected to cost \$210 million.

Madison Gas & Electric, Rates for 2013, 3270-UR-118

On March 23, 2012, Madison Gas & Electric applied with the Public Service Commission to raise electric rates by \$23 million, or 5.8 percent, starting January 1, 2013.

MGE said the main drivers for the increase were two new coal-fired power plants at Oak Creek, south of Milwaukee, in which MGE has an ownership share along with We Energies and WPPI Energy. Other drivers include new pollution controls being installed at the Columbia power plant near

Portage and additional costs for transmitting power from power plants to substations.

CUB intervened in this case and investigated MGE's attempt to dramatically increase a residential customer's "customer charge," the part of the electric bill that more or less stays the same each month, and doesn't change based on usage (another part of the electric bill is the "energy charge," which changes based on usage). When customer charges make up more of a bill, they reduce the cost savings customers can realize by saving energy. CUB is opposed to higher customer charges because they can reduce a customer's incentive to save energy.

On December 14, 2012, the PSC issued its final decision on this case, allowing MGE to raise its electric rates by \$14.9 million, or 3.8 percent. Though CUB challenged MGE's attempt to raise the customer charge by 40 percent, the PSC still decided to increase the charge by 20 percent. This means that customers that use less electricity than average will pay higher rates, and customers will also have less incentive to save energy. CUB also dug through hundreds of pages of utility paperwork and found a math error, saving customers more than \$500,000.

Public Service Commission, Customer Service Conservation Spending, 5-BU-102

On December 23, 2011, the PSC opened an investigation regarding "customer service conservation spending" by the utilities. Since 2001, Wisconsin's major investor-owned utilities had been spending \$26 million annually on customer service conservation activities, which included a broad range of activities from answering customers' questions about energy use to providing specialized engineering services to help customers save energy.

Back in 2000 and 2001, the PSC provided little guidance for how the utilities were to spend these funds. Since customer service conservation spending is funded by ratepayers, the current Commission opened this inves-

2012 Friends of CUB

Those giving \$100 or more in total during the year.

Richard Abdo	Ivan Eckholm	James Hruska	Peter Mischke	Anne Schmidt
Debra Acker	Dr Ivy Edelman	Geoff Hurtado	Chuck Mitchell & Carrie Duffield	Glenn and Mary Schnadt
Norman Akin	Frederick and Juanita Ehrke	John and Irene Igers	James Moore	Jon Schoenbeck
Suzanne and William Ammerman	Carol Endl	Ila Jahns	Anne Morrissey	Robert and Susan Schramm
Michael and Rima Apple	Betty Ermatinger	Brett Jarman	Thomas Morse	Ed and Marilyn Schten
Roy Arndt	Richard Erney	Leslee Jepson	George and Patricia Mueller	Eric and Jane Schulenburg
Jim Arts	Franklin Evans	Paulette Johnson	Sally Mundt & Carolyn Schloemer	Fred and Jan Schulz
Leigh Barker-Cheesebro	Robert Factor	Kathleen Johnson	Marga and Douglas Johnson	William Schutten
Tom Barrett	Denlinger Drumm Family	Rosemary Johnson	Rosemary Johnson	Charles and Anne Scott
David Barrett	Gordon Faulkner	James and Joan Johnston	Patrick Jones	Marguerite Seflow
Warren Bauer	Alice Faust	Ken and Lois Kamps	Ken and Lois Kamps	John Seidl & Karen Huske
Peter and Marie Becher	Wendy Fearnside & Bruce Meier	Steve and Lynn Karges	Steve and Lynn Karges	Gustave Sevela
David and Patti Becker	Herman Felstehausen	Jackie and John Kelley	Jackie and John Kelley	Emil Shelendich
Kathryn Behling & Christopher Hansen	Kristin and Robert Fewel	Phil Kerckhoff	Phil Kerckhoff	Mary Lou and Howard Short
Todd I. Berens	James Fiala	Margaret Kindig	Margaret Kindig	James and Kathlin Sickle
Allan W. Bernat	Mary and James Fico	Marna King	Marna King	John Sieber
Kathleen Bernhart	Sharon Filz-Strawn	Amy Kirkland	Amy Kirkland	Philip and Phyllis Sillman
Sharon Bertrand	Phil Fisher	Marian Klapperich	Marian Klapperich	Ronald Skarie
William and Ann Beverly	James and Barbara Fisher	Lorna Kniaz	Lorna Kniaz	Lyndahl Slayton
Helen Bewick	Nicole Fite	Ruth Knoll	Ruth Knoll	Joe and Marlys Sloup
Eric Bialk	Robert Fitts	Ed and Margaret Knop	Ed and Margaret Knop	Dorothy Smalancke
Robert Bjerke	Charles Flodquist	Jeffrey Knutson	Jeffrey Knutson	Mary Smith
David Bjorklund	Robertta Forman	Mary Koenes	Mary Koenes	Marilyn Smits
Floyd and Barbara Blackmore	Marie Fraser	Janet Koerner	Janet Koerner	Marguerite Soffa
Robert and Diane Bless	Gary and Bonnie Friedman	Robert Kowal	Robert Kowal	Brook Chase Soltvedt
Jonathan Blick	Jacki and Milt Friend	Bruce Krawisz	Bruce Krawisz	Mike and Dru Spitzer
Susanne Blix	Susie Marie Fritz Jablonic	John Kuech	John Kuech	Randal Sprecher
Jeffrey Bloohm	Chuck Gates & Candy Schrank	Hans W Kuhn	Hans W Kuhn	Don Springer & Viking Electronics
Susan Blumer	Jim Gebelian	Paul and Audrae Kulas	Paul and Audrae Kulas	Kurt and Susan Sroka
Dr Charles Boardman	Robert Geiser	Russel Kumrow	Russel Kumrow	Lawrence Sromovsky
Dennis Bolstad	Chris Geisler	Kathy Kuntz & Henry Huemmer	Kathy Kuntz & Henry Huemmer	Barbara St George
Mary Borenz	Chet Gerlach	Mary F Kurth	Mary F Kurth	Martin and Nancy Stabb
Adrian Bourque	Rosemary Giesfeldt	Billie Lambert	Billie Lambert	Rodney and Karen Stevenson
Steven Brachman & Claudia Backus	Ted Goeres	Eugene and Maria Natalie Lambert	Eugene and Maria Natalie Lambert	Robert Storey
Todd Brachman	Charles and Patricia Gohs	Lawrence Landwehr	Lawrence Landwehr	Fred and Patricia Storm
Frederick Brandenburg	James Gonyo	Jennie Lane	Jennie Lane	Bonita Strauss
Isabell Braun	Norma Gracey	Arthur Laskin	Arthur Laskin	Andrew Sullivan
Marcella Brightman	Robert Greenler	Edgar Laube	Edgar Laube	Lawrence and Mary Teofilo
Jim and Mary Brill	Sabine Gross	Mr. Francis Lewandowski	Mr. Francis Lewandowski	Ann Terwilliger
Barbara and Jeffrey Brochtrup	Vern Gumz	Joseph Libnoch	Joseph Libnoch	Gerald Thain
Melinda and Jack Brooks	Susan and Howard Gundlach	Don Lindsay	Don Lindsay	Beverly and Gordon Underwood
Roger Buffett	Janice Gutierrez	Arthur and Susan Lloyd	Arthur and Susan Lloyd	Local 1343 United Steel & Workers Of America
Mary Frances Bullamore	Harold and Ruby Halfin	Mary Loftus	Mary Loftus	William Vail
Lenore and Nicholas Burckel	Pinckney and Susan Hall	Tom Lonsway	Tom Lonsway	Edith Valentine
Elaine Burke	Arthur and Pauline Hall	W H Love	W H Love	Janet and Michael Van Vleck
Chip Burke	Jean Hamann	Barbara Lund	Barbara Lund	Jennifer and Tim Vellinga
Amy and Dave Calkins	Jim Hammitt	Stewart Macaulay	Stewart Macaulay	Jane Villeneuve
Margaret and Michael Canestra	Jack Handley	Moreau and Marilyn MacCaughy	Moreau and Marilyn MacCaughy	Paul Wagner & Cindy Schlosser
Stanley and Ann Carlson	Grace Hansen	Steve and Sue Macejkovic	Steve and Sue Macejkovic	Gloria and Charles Waity
Vernon Childs	Leo Hansen	David Magruder	David Magruder	Bastiaan Wakker
Sandra Christensen	Leesley B Hardy	Sil Maly	Sil Maly	Paul and Donna Watson
Joyce and Thomas Christie	James Harkonen	Alan Manson & Colleen Peters	Alan Manson & Colleen Peters	Kathleen and Don Weber
Ernst and Jany Conrath	Henry Hart	Jim and Patricia Mapp	Jim and Patricia Mapp	Ronald Weisbrod
Cecilia Coyle	Lyle and Ruth Hart	Wayne and Gayle Mauer	Wayne and Gayle Mauer	Edward Wellin
Kevin Crawford	Elizabeth Hartigan	James Mauthe	James Mauthe	Lucille Rosenberg
Jackie Csedo	Richard and Joan Haske	Patrick McBride	Patrick McBride	Janet Ross
Philip Daub	Ann Heidkamp	David McIntosh	David McIntosh	Roland and Beth Rothman
Frederick Davis	James and Lynn Heindl	Neil McIntosh	Neil McIntosh	Mary and David Rothwell
Matthew and Nancy Davis	Joseph and April Heindl	James McLeer	James McLeer	William Rowe
Dante and Arlene De La Pasqua	Margret Heise	Brian McNamara	Brian McNamara	Charles Rumsey
John De Lamater	Gertrude Hessel	Chris and Mary Meixner	Chris and Mary Meixner	Erwin and Joan Russell
Robert De Mars	Eileen Hesselting & James Pietrusz	John and Linda Melski	John and Linda Melski	Dennis and Sharon Ryan
Robert and Marina de Wet	David P Hetzel	Donald and Mary Metz	Donald and Mary Metz	Mick Sagrillo
Dorothy Dean	Peter Hewson	Lou Metz III	Lou Metz III	Bernard Saley
Warren and Nancy DeKraay	Charlie Higley	Sven Midelfort	Sven Midelfort	Carlos Sanabria
Rosario and Penny DePaola	Elizabeth Himpfel	Gerry Miller	Gerry Miller	Randy Sannes
Gretchen Doege	Virginia Hirsch	Lawrence Miller	Lawrence Miller	C J and Joan Schatzman
Michael and Jean Donovan	Dominic and Kay Hoepfer			Roy Schenk & Kathryn Seifert
Margarita Dusek	Alana Holt			David and Carol Schmalz
	Richard Honeyager			Leo G Schmidt
	Kate Houston			

2012 CUB Sustainers

R. K. Aiken	Roberta Forman	Amy Kirkland	Anne Schmidt
Diana Anderson	Susie Marie Fritz Jablonic	Ed and Margaret Knop	Glenn and Mary Schnadt
Charles Benish	Arthur and Pauline Hall	David and Darlene Lee	James and Rose Sime
Mary Frances Bullamore	Jean Hamann	Laurie Low	Bonita Strauss
Amy and Dave Calkins	Charlie Higley	Peter Mischke	William and Hollis Westler
David and Mary Carlson	Veronica Jancek	Louise Petering	Margaret and Daryl Wood
Robert and Marina De Wet	Ken and Lois Kamps	Lucille Repka	

Supporting Businesses & Organizations

AFSCME Milwaukee District Council #48	Greater West Central Area Labor Council AFL-CIO	United Steel Workers of America Local 1343
Community Shares of Wisconsin	Mother Fool's Coffeehouse	Viking Electronics
Culligan Water Conditioning	Public Service Commission of Wisconsin	Wisconsin Energy Conservation Corporation
Fanning Cranberry Company Inc.	The Silent Glide Canoe and Kayak Shop LLC	Wisconsin State Historical Society

Supporting Foundations

Energy Foundation

RE-AMP

2012 CUB Members

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We make every effort to be accurate in our listing of supporters. We regret any errors or omissions.

New Program Expands Membership

Early last year, CUB began a new membership program called: Each 1/Reach 1. In this program, contributing CUB members can give away a complimentary one-year CUB membership to a person of their choosing.

Expanding CUB's membership can be very expensive and this program allows us to reach out to folks in a very cost-effective way. We'd like to welcome our new Each 1/Reach 1 members below and encourage all CUB members to take advantage of this program.

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				Evelyn Weible
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tigation to determine whether this spending was in the best interests of utility customers.

CUB hired Dan York of the American Council for an Energy Efficient Economy as an expert witness. On behalf of CUB, York submitted two rounds of comments, encouraging the PSC to require the utilities to create "voluntary" programs to house some of their activities, so that they can be evaluated for cost-effectiveness, just like energy efficiency programs offered by Focus on Energy. CUB also recommended that the utilities clearly summarize and justify other customer service activities in their rate cases.

The PSC issued a decision in this case on July 13, 2012. The PSC decided that utilities no longer must spend \$26 million on customer service conservation activities. Instead, utilities can propose

conservation activities in their rate cases, and the PSC will review them for appropriateness, the process recommended by CUB. PSC staff are also to review utility conservation activities to ensure their effectiveness, and utilities should make the form of their proposals more uniform, also as recommended by CUB.

Public Service Commission, Payment in Lieu of Taxes Investigation, 5-GF-215

On February 10, 2012, the Public Service Commission opened an investigation into the payments municipalities receive from municipally-owned utilities in lieu of property taxes.

CUB submitted comments to the PSC in October 2012, asking that rates for customers of municipal utilities remain reasonable.

The PSC issued a final report on Jan-

uary 30, 2013, noting that payments in lieu of property taxes made by municipal utilities to their local communities are higher than if municipal utilities instead paid a "gross receipts tax." A gross receipts tax is payment made by a utility to a local government based on the total sales of energy or water. Investor-owned utilities like Madison Gas & Electric have been paying local taxes based on gross receipts since 1985.

Though the PSC determined that a gross receipts tax may be less expensive than payments in lieu of property taxes, the PSC did not make any recommendations to change the way municipal utilities pay local taxes, and closed the investigation.

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Public Service Commission, Strategic Energy Assessment for 2012-2018, 5-ES-106

On June 30, 2011, the Public Service Commission started the strategic energy assessment (SEA) for the years 2012 through 2018. The SEA compiles information about the status of Wisconsin's electric power industry, and summarizes the plans of utilities to meet electricity needs through 2018.

The PSC issued a draft SEA in June 2012. CUB and Clean Wisconsin submitted joint comments on the draft in September 2012, calling for the PSC to re-create an "integrated resource planning" process, which would require the utilities to periodically file 20-year plans showing how they would use generation, transmission, and energy efficiency to meet future electricity needs. Though CUB has made similar requests in the past, PSC Chairman Phil Montgomery and Commissioner Eric Callisto have expressed some support for planning.

The PSC issued the final version of the SEA in November 2012.

Waukesha Water Utility, Water Rates for 2012, 6240-WR-107

On December 15, 2011, Waukesha Water Utility applied with the Public Service Commission to increase water rates by \$2.3 million, or 27 percent, primarily to pay for its proposal to divert water from Lake Michigan to serve local needs.

While this case was pending, Waukesha had yet to receive approval for the diversion from the Wisconsin Department of Natural Resources or the Great Lakes Compact, nor had Waukesha applied for permission to construct the project from the PSC.

CUB intervened in the case to make sure that only appropriate costs for water service are included in rates.

The PSC division administrator for water utilities issued a final decision in this case on July 10, 2012. The PSC disagreed with CUB and allowed Waukesha to increase rates by \$2.3 million, or 27 percent, to cover the costs of its investigation of alternative sources of water, even though the PSC has no way to assess whether the utility's pursuit of alternatives is reasonable.

We Energies, Purchase of Montfort Wind Farm, 6630-EB-103

In August 2012, We Energies applied for permission from the Public Service Commission to purchase the Montfort Wind Farm for \$27 million. NextEra Energy Resources was the owner of the 30 megawatt facility near Montfort, 17 miles west of Dodgeville.

CUB intervened in the case and submitted comments to the PSC, asking the PSC to deny We Energies request to purchase the wind farm. CUB asserted that We Energies failed to show the benefits to ratepayers of buying the wind farm rather than continuing to purchase the power from NextEra.

Unfortunately, the PSC approved We Energies request to purchase the facility on December 6, 2012.

We Energies, Rates for 2013 and 2014, 5-UR-106

On March 23, 2012, We Energies filed a request with the Public Service Commission to raise electric rates by \$99 million, or 3.6 percent, starting January 1, 2013, and another increase of \$100 million, or 3.6 percent, starting January 1, 2014.

We Energies said the main drivers for higher rates were the two new coal-fired power plants at Oak Creek, new pollution controls being installed on the older Oak Creek units, the new Glacier Hills wind farm, and the new biomass-fired power plant being built in Rothschild, near Wausau.

CUB intervened in this case and investigated the cost overruns of \$182 million for the two new coal-fired power plants at Oak Creek, which cost over \$2.3 billion to build. CUB also raised questions about the Valley Power Plant, a two-unit coal-fired power plant that produces electricity and steam for downtown Milwaukee customers. Not only does the Valley plant pollute near-by neighborhoods with toxic emissions, the plant is very expensive to run, and the rates paid by steam customers are heavily subsidized by electric customers.

On December 21, 2012, the PSC issued its final decision, and allowed We Energies to raise its electric rates for 2013 by \$114.8 million, or 4.2 percent. Ratepayers will be hit with another

increase of \$73 million, or 2.6 percent, when 2014 rates start next January.

The PSC agreed with CUB on a number of issues, and reduced the rate increases by \$42 million. Noteworthy reductions include \$24 million for converting the new Oak Creek plants to burn western coal: We Energies can't recover this cost from ratepayers until the plants are actually able to burn western coal. Other reductions in the rate increase totaling about \$12 million were for costs related to building the Oak Creek plants that exceeded the 5 percent "collar" for cost overruns. Typically, utilities get 10 percent cost-overrun collars, but CUB successfully argued in 2003 for a 5 percent collar, saving consumers hundreds of millions of dollars in rate increases.

Unfortunately, the PSC allowed We Energies to increase the "facilities charge" on a consumer's bill by 20 percent. A facilities charge (also known as "customer charge") is one part of the electric bill that more or less stays the same each month, and doesn't change based on usage, whereas another part of the electric bill is the "energy charge," which changes based on usage. CUB argued for no increase in the facilities charge, since higher facilities charges force customers who use less electricity to effectively pay higher rates, and higher facilities charges reduce the incentive for customers to save electricity.

CUB also argued to end the subsidies paid by electric customers that keep the steam flowing from the Valley plant to downtown businesses. Electric customers pay between \$5 million to \$35 million more each year to subsidize the production of steam at Valley. Unfortunately, the PSC decided not to end these subsidies charged to electric ratepayers.

Wisconsin Public Service Corp., Energy Efficiency Pilots

In December 2008, the PSC approved an agreement between CUB and WPS that allows WPS to use revenue-per-customer decoupling for residential and commercial electric and gas customers. Along with decoupling, WPS agreed to double its payments to Wisconsin's statewide energy efficiency program

called Focus on Energy. The ratepayers of WPS have provided Focus with an additional \$40 million between 2009 and 2012.

WPS also agreed to work with CUB and Focus on Energy to implement three community-based pilots to test enhanced energy efficiency programs and innovative rate options. The first pilot started in Brillion in October 2009, the second pilot started in Allouez in October 2010, and the third pilot started in Plover in June 2011. The pilots came to a close at the end of December 2012 and are being evaluated for their energy savings. Final evaluation reports are expected in June 2013.

Wisconsin Public Service Corp., Purchase of Fox Energy Center, 6690-EB-105

On October 12, 2012, WPS filed an application with the PSC for permission to buy the Fox Energy Center for \$440 million. The Fox Energy Center, located near Kaukauna, is a 600 megawatt power plant that runs on natural gas, and was owned by subsidiaries of General Electric and Tyr Energy.

CUB intervened in the case and submitted comments in December 2012, requesting that WPS provide additional analysis about whether buying the plant or continuing to purchase the electricity from the plant would be the best option.

The PSC decided the case on February 8, 2013, and allowed WPS to purchase the Fox Energy Center. The PSC agreed with CUB and added several conditions to the sale, including: WPS can earn income on preliminary purchase costs at the rate of short-term debt as opposed to much higher rates based on the utility's cost of capital; and for WPS to submit periodic reports on the operation and maintenance of the plant.

Wisconsin Public Service Corp., Rates for 2013, 6690-UR-121

On March 30, 2012, Wisconsin Public Service Corp. filed a request with the Public Service Commission to raise electric rates by \$85 million, or 9.2 percent, starting January 1, 2013.

An audit performed by PSC staff during the summer reduced the rate increase to about \$56 million.

While PSC staff were performing the audit, WPS engaged CUB and other parties in settlement negotiations, which resulted in no increase in electric rates for 2013. The PSC approved the settlement and no increase in electric rates in its decision issued on December 7, 2012. CUB helped save ratepayers \$56 million in an unneeded rate increase.

Wisconsin Public Service Corp., Retrofit of Weston Unit 3, 6690-CE-197

On May 7, 2012, WPS filed an application with the Public Service Commission for a certificate of authority to install a multi-pollutant control technology known as ReACT at Weston Unit 3, a 321 megawatt coal-fired unit located near Wausau. The ReACT pollution control system would cost about \$300 million. The technology would primarily reduce sulfur dioxide emissions with some reduction in nitrogen oxide emissions as well.

CUB examined the need for pollution control equipment at this facility, and whether ReACT was an appropriate control technology.

The PSC decided this case on March 20, 2013, and approved the installation of the pollution controls on Weston Unit 3. The PSC agreed with CUB and required WPS to construct the controls with a five percent collar for cost-overruns, rather than the 10 percent collar typical of utility construction projects. The PSC also agreed with CUB and required WPS to report any cost overruns above five percent associated with the purchase of activated coke pellets that adsorb pollutants, and for the costs of their disposal, as well as the disposal of sulfuric acid byproducts from the pollution controls, all to reduce cost risk to ratepayers.

Xcel Energy, Rates for 2013, 4220-UR-118

On June 1, 2012, Xcel Energy filed an application with the Public Service Commission to raise electric rates by \$39.1 million, or 6.7 percent, starting January 1, 2013. The utility also sought to increase rates for delivering natural gas by \$5.3 million, or 4.9 percent.

Xcel said the main drivers for the large increase in electric and gas rates were

new transmission lines, major work on its two nuclear plants in Minnesota, restoration of a contaminated site in Ashland, other maintenance projects, and general inflation.

Xcel needs to clean up a site in Ashland where manufactured gas was made between 1885 and 1947. The site, which is on the shore of Lake Superior, is on the U.S. Environmental Protection Agency's "national priorities list," which is part of the Superfund program to clean up contaminated areas. The site was also used for many other industrial and municipal purposes, and clean-up costs are estimated to be at least \$100 million.

On August 9, 2012, Xcel announced a settlement with the U.S. Department of Justice and other agencies regarding the Ashland project, and will pay about \$40 million to clean the land-portion of the site. CUB investigated Xcel's proposal to charge ratepayers for this clean up. Costs to clean the lake-portion of the site will be investigated in future proceedings.

CUB also tried to reduce the size of the increase in electric and gas rates by questioning the costs charged to customers for fuel to make electricity, the allocation of utility costs between residential and industrial customers, and the design of residential rates.

On December 27, 2012, the PSC issued its final decision, allowing Xcel to increase electric rates by \$36 million, or 6.1 percent. Natural gas delivery rates increased by \$2.7 million, or 2.5 percent. The PSC agreed with CUB and reduced the rate increases by about \$5 million: Xcel can't charge ratepayers for incentive pay for management-level employees, and costs for cleaning up the Ashland Superfund site will be collected over more years. CUB also successfully kept electric customers from having to pay for cleaning up the Ashland site.

**CUB – fighting
the utilities,
fighting for you!**

