



CUB Reporter

Citizens Utility Board Newsletter • Spring 2015

CUB Slashes \$161 Million Out of Utility Bills in 2014

In 2014, CUB worked on your behalf to cut \$161 million out of utility bills by intervening in more than two dozen cases before the Public Service Commission of Wisconsin. CUB fought excessive utility rate increase requests and unneeded utility construction projects. CUB hammered out agreements that reduced utility rate increases by tens of millions of dollars and set earnings caps on utility profits - if certain utilities exceed their authorized profit margin, money flows back to customers! CUB fought the shocking proposals by numerous utilities to increase the monthly fixed customer charge for electric and gas utility services and continues to battle to ensure that customers receive quantifiable monetary benefits if Wisconsin Energy Corporation's proposed \$9.2 billion takeover of Integrys is approved. It was a very busy year, but because of your generous contributions CUB was able to cut millions of dollars out of Wisconsin utility bills in 2014!

CUB Battles We Energies – Helps Cut Utility Bills by \$149 Million

We Energies Rate Case for Test Year 2015, 5-UR-107

As an example of CUB's victories in 2014, CUB started off the year by hammering out an agreement that slashed \$107 million from We Energies' customer rates in 2015. Following months of negotiations, CUB (along with other stakeholders) entered into a settlement agreement with We Energies drastically reducing the 2015 forecasted revenue requirement by cutting electric costs by \$82.6 million; WE-GO natural gas costs by \$8.2 million; Wisconsin Gas costs by \$15.3 million; and steam costs by \$1.4 million.

CUB also raised issues regarding the costs and revenues associated with We Energies operation of the Presque Isle power plant (PIPP) that were not part of the settlement agreement during the rate case technical hearings before the PSC. In December 2014, the Commission issued an order agreeing with CUB that 2015 costs and revenues associated with PIPP should be deferred, reducing We Energies' electric revenue requirement by an additional \$41.9 million!

CUB's efforts in this case resulted in savings to We Energies' ratepayers of approximately \$149 million!

Summaries of CUB's 2014 Cases

Below are summaries of a select sample of other 2014 cases that CUB was active in before the courts and the PSC. Each PSC case is identified by a docket number which is included in the title of each case summary. You can view most of the documents submitted in each PSC case, including CUB's expert testimony and legal briefs, by entering the docket number on the PSC's website, <http://psc.wi.gov>.

Valley Power Plant Law Suit

CUB files lawsuit to prevent residential ratepayers from subsidizing big business!

On April 16, 2014, CUB sued the Public Service Commission of Wisconsin in Dane County Circuit Court regarding its decision in the Valley Power Plant (Valley) conversion case, Docket No. 6630-CU-101.

In April 2013, We Energies requested authorization from the PSC to make major modifications to the Valley plant at a cost of \$80 million, and to charge the majority of the cost to electric customers. Valley is located in downtown Milwaukee and is relied on by 450 large businesses to provide steam for heating and industrial purposes.

CUB intervened in the case and filed expert testimony showing that We Energies' plan would almost exclusively benefit steam customers, and not residential electric ratepayers. CUB argued that electric customers should not have to pay the vast majority of the costs for a plant they do not need and will not use. However, the

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Watchdog***

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It's an exciting time to be an advocate for residential and small business customers in the energy industry. The challenges are significant, like proposals for increased fixed charges and new large, expensive power plants, but the opportunities are even greater. The 100-year-old model of providing electricity is changing, and CUB is working to help facilitate those changes in a way that gives customers more control over how they receive and use energy while keeping utility bills affordable.

For over 100 years, the electric system in Wisconsin has been made up of large generating plants (mostly powered by coal, natural gas, and nuclear fuel) and high voltage transmission lines that carry the power from those plants to the lower voltage distribution lines that bring it to individual homes, apartments, and businesses. Monopoly utilities, many of them investor-owned, are charged with maintaining that system to ensure that power is reliably delivered to you when you need it. The Public Service Commission, a state agency, oversees those utilities and sets "just and reasonable" rates for the monopoly utilities' service. CUB advocates on your behalf before the PSC, examining utility rate and construction proposals to make sure they are in your best interest and offering alternatives to those proposals when they're not.

As the case description summaries in this newsletter show, CUB fought (and won) many utility proposals in 2014 and worked with some utilities to modify their proposals to provide better outcomes for you. The end result was \$161 million in savings on electric bills, and the installation of mechanisms, like earnings caps, that ensure that more money will be returned to you in the future if certain utilities earn more than they're authorized. Not all battles result in victory, and we lost some tough ones



with the increased fixed charges that were approved in We Energies' and Wisconsin Public Service Corporation's service territories, but we're not giving up the fight.

One bright spot on the fixed charge front was the beginning of CUB's efforts to work with MGE and Clean Wisconsin to figure out better ways of designing rates that don't just load costs into a fixed charge, but that would allow customers to retain control over their bill while ensuring that the utility gets paid what it needs to provide reliable service. This collaboration marks the beginning of a broader effort to facilitate the integration of more distributed energy resources (like rooftop solar panels) into the electric system and to encourage continued reduction in energy use (and lower bills) through energy efficiency and conservation measures.

Your support as we fight these battles remains crucial, and I hope you'll take a moment to drop a donation in the enclosed envelope to help us keep fighting for you. And to all our members and funders, I cannot thank you enough for your generous contributions. You're what keeps us going, and we look forward to growing together as we enter the new energy future!

CUB is a member-supported, nonprofit organization whose purpose is to:

- Provide public interest legal services to ensure effective and democratic representation of residential and small business utility customers before the legislature, 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.

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CUB slashes \$161 million out of utility bills

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PSC approved We Energies' plan, as well as its proposed allocation of construction and electric uneconomic dispatch costs to residential customers.

CUB challenged the PSC's decision by filing a lawsuit to stop residential ratepayers from subsidizing big business interests. The case is currently before the Dane County Circuit Court. All briefing was completed on November 25, 2014, and CUB is waiting for a ruling.

WPL Rate Case, 6680-UR-119, and Fuel Case for 2015, 6680-FR-107

CUB helps negotiate two year rate freeze and utility earnings cap; saves customers millions!

Early in 2014, CUB and other stakeholders began negotiations with Wisconsin Power and Light Company (WPL) regarding its electric and natural gas rates for 2015 and 2016. The negotiations resulted in WPL agreeing not to increase electric and natural gas base rates in 2015 and 2016.

In addition, WPL agreed to the continuation of an earnings cap put in place in a prior settlement. This means that if WPL over-earns during 2015 and 2016 profits will be shared with customers! Also, WPL agreed to not increase its electric monthly fixed customer charge for residential customers. The Commission approved the settlement in July, 2014.

CUB also contested WPL's plan to increase fuel costs for 2015. CUB cross examined witnesses at the PSC hearing and submitted legal arguments opposing WPL's request to accelerate recovery of \$13.5 million of fuel costs that it under-collected from customers in 2014 and opposed \$581,000 of WPL's requested fuel cost increase for 2015.

In December 2014, the Commission issued an order agreeing with CUB's request to not allow WPL to accelerate collection of \$13.5 million of under-collected 2014 fuel costs, and to disallow \$581,000 in unreasonable 2015 fuel costs.

WPSC Rate Case for 2015, 6690-UR-123

CUB helps cut WPSC utility bills by \$11.5 million!

In April 2014, Wisconsin Public Service Corporation (WPSC) filed an application with the PSC to increase electric rates by \$76.8 million in 2015, an 8% increase. WPSC also requested authority to increase the monthly residential electric connection fee from \$10.40/month to \$25.00/month, a shocking increase of 140%.

CUB filed testimony with the PSC stating that WPSC's proposal to increase the residential connection fee should be denied because it would destabilize price signals to consumers for reducing energy usage, disproportionately increase bills for the utility's smallest residential customers, and exacerbate the subsidization of larger residential customers' costs by these lower-usage customers. CUB's recommendation to the PSC was that there should be no increase approved for the monthly electric connection fees for residential and small business customers.

CUB further argued that WPSC should not receive \$9 million of ratepayer payments for non-executive employee incentive compensation programs, and that it should not collect costs for new computer software that the company couldn't justify in its filing. In December 2014, the Commission issued its order approving an electric rate increase of \$24.6 million, a 2.5% increase (\$52.2 million less than WPSC originally requested); denied ratepayer recovery of \$9 million for employee incentive compensation programs; reduced costs for new computer software by \$2.5 million, and increased the monthly residential electric connection charge to \$19/month.

CUB's work helped save ratepayers \$11.5 million!

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CUB slashes \$161 million out of utility bills

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MGE Rate Case for 2015, 3270-UR-120

CUB looks for innovative ways to move away from increasing fixed charges

In April 2014, Madison Gas and Electric Company (MGE) filed an application with the PSC to increase electric rates by \$11.5 million, or 2.8%. In June, MGE filed supplemental testimony proposing to increase the fixed portion of residential customers' electric rates. The proposed changes would have increased the fixed portion of customers' rates from \$10.44 per month to \$21.83 per month in 2015 and \$48.65 per month in 2016. MGE also forecasted a potential fixed/demand charge of \$68.69 per month in 2017.

Given its concern that increasing fixed charges harms low use customers (who are often low income customers) and disincentivizes energy efficiency, conservation, and distributed generation, CUB worked with MGE to reduce the size and scope of the proposed increases to eliminate the 2016 and 2017 proposals and to reduce the 2015 proposed increase to \$19. In addition, CUB and MGE agreed to work together to explore alternative ways for MGE to fairly and appropriately recover MGE's costs to serve customers and to harness the benefits of evolving distributed generation for the benefit of all customers.

NSPW - Wisconsin Rate Case for 2015, 4220-UR-120

CUB worked to limit size of rate increase request; NSPW agrees to earnings cap!

In April 2014, CUB worked with Northern States Power Company - Wisconsin (NSPW) to limit the amount and scope of NSPW's rate

case for 2015. As a result of the discussions NSPW agreed to an earnings cap at its currently authorized return on equity level of 10.2%, meaning it has to refund earnings it receives above 10.2% to customers in 2015. NSPW also agreed not to increase its fixed monthly customer charges for residential and small business customers in 2015. As a result, CUB agreed that NSPW's electric rate case could focus on production and transmission costs that flow through the Interchange Agreement and updates to fuel and purchased power costs.

Subsequently, in May 2014, NSPW requested PSC authority to increase its Wisconsin retail electric rates by \$20.6 million, a 3.2 percent increase, and keep natural gas rates unchanged for 2015. In December 2014 the Commission issued an order authorizing an increase in electric rates of \$14.2 million, a 2.2 percent increase, and no change in natural gas rates.

ATC's Bay Lake Transmission Project, 137-CE-166

CUB submits expert testimony challenging need for \$120 million portion of Bay Lake project!

American Transmission Company (ATC) is seeking approval from the PSC to construct the Bay Lake transmission project between Appleton and Oconto Falls, Wisconsin. The 138 kV and 345 kV high-voltage transmission lines would traverse a route approximately fifty miles long at an estimated cost of \$320 million.

Originally, ATC proposed a larger Bay Lake project that included constructing transmission lines in the State of Michigan. CUB was instrumental in scaling back the size of that project when ATC proposed it to the regional electric grid operator, MISO, in late 2011. The cost for the original project was approximately \$1 billion. The case currently before

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

CUB slashes \$161 million out of utility bills

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the PSC considers new transmission lines only in Wisconsin.

CUB submitted expert testimony to the PSC challenging the validity of ATC's claim that the 138 kV component of the Bay Lake project, at a cost of \$120 million, is needed to preserve reliability in Wisconsin, and whether alternatives to the proposed project would provide a comparable level of reliability at lower cost. CUB filed legal arguments with the Commission in February and March supporting its testimony. The PSC will decide the case in the spring of 2015.

WEC Proposed Acquisition of Integrys, 9400-YO-100

CUB fights for ratepayer protections and savings as multi-billion dollar takeover pursued!

In August 2014, We Energies' parent company, Wisconsin Energy Corporation (WEC), sought PSC permission to acquire Wisconsin Public Service Corporation's (WPSC) parent company, Integrys Energy Group, Inc., for \$9.2 billion. Nearly three million electric and natural gas customers in Wisconsin would be impacted by the proposed takeover. Utility rates and quality of service would be affected in 62 of Wisconsin's 72 counties.

In order to receive PSC approval, WEC, by law, must prove that its proposal is in the best interests of We Energies' and WPSC's ratepayers. However, WEC has not identified any real, tangible benefits that customers would receive from the multi-billion dollar takeover!

CUB submitted testimony that the proposed deal should be denied unless the PSC imposes conditions that provide real savings and protections to customers. CUB testified that an earnings cap be set that requires the affected regulated

utilities to refund money to customers when they over-earn, and that customers should not have to pay for hundreds of millions of dollars of escrowed electric transmission costs. Other stakeholders and PSC staff have also identified multiple conditions that the Commission must impose to keep the takeover from harming customers and to make it beneficial to customers.

We Energies' Multi-Million Dollar Coal Plant Redesign, 5-CE-145

CUB investigates need for multi-million dollar redesign of multi-billion dollar coal plant!

In July 2014, We Energies, Madison Gas and Electric Company, and WPPI Energy applied to the PSC for authorization to spend at least \$25 million to redesign the Elm Road Generating Station (ERGS) to burn sub-bituminous coals or Powder River Basin (PRB) coals as a fuel source. The two ERGS units, each 634 MW in capacity, were originally designed in 2001 to burn bituminous coal. Since the initial design of ERGS the delivered cost for bituminous coal has increased by 35%. Because of this, ERGS owners are redesigning the plants to burn PRB coal.

In October 2014, WEPCO filed an application to spend \$62 million to double the size of the coal storage facility at the shared ERGS/Oak Creek plant site. The application states the expansion is needed to accommodate fuel switching at ERGS and to solve coal storage issues experienced by the Oak Creek generating units. In December 2014, the Commission consolidated WEPCO's two applications.

CUB has filed expert testimony with the Commission calling out significant shortcomings in the utilities' applications. Though there may be cost-savings associated with the burning of lower cost PRB coal, the costs associated with equipment modification to accommodate fuel-flex capability and increased coal storage need to be carefully scrutinized. The capital cost to construct both ERGS units as originally designed to burn bituminous coal, with return on investment, is projected to cost ratepayers approximately \$9 billion over 30 years!

CUB is examining the reasonableness of customers needing to pay even more to receive any value from an already stupendously expensive power plant. The PSC will decide the case in 2015.

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***CUB saves over
\$100 for every
\$1 contributed***

Program Updates 2014

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WPSC Proposal to Construct 400 MW Gas Power Plant, Docket 6690-CE-202

CUB closely monitoring status of WPSC's proposal to build a half-billion dollar power plant - that might not be needed!

In January 2015, Wisconsin Public Service Corporation, a subsidiary of Integrys, applied to the PSC for authority to construct a 400 MW combined cycle natural gas power plant at an estimated cost of \$517 million. The plant would be constructed at the existing Fox Energy Center near Wrightstown, Wisconsin, and would be called Fox 3. WPSC plans for the power plant to be in operation by December 2018.

WPSC is proposing to build the plant to satisfy its forecasted need for electric capacity and energy, place WPSC in a position to comply with pending and future

environmental regulations, and to replace older coal plants. Because of the proposed power plants size and cost WPSC requires PSC approval to construct it. PSC staff reviewed WPSC's original application to construct the plant, found it inadequate to complete the review, and has requested WPSC to provide additional information.

PSC staff asked WPSC to provide an analysis that assesses the claim made in the WEC-Integrys acquisition docket, currently before the Commission, that long-term resource planning based on the combined companies' (We Energies and WPSC) larger generation portfolio and more extensive geographic footprint may reveal opportunities to economize that are not available to stand-alone companies. This type of analysis would explore the possibility that the electric utility subsidiaries of a combined WEC-Integrys corporation may have adequate

existing generation resources such that WPSC would not have a need to construct a half-billion dollar power plant.

CUB is closely monitoring this case and will take all steps necessary to be an active participant in it, if it moves forward at the PSC.

WPL Proposal to Construct 650 MW Gas Power Plant, Docket 6680-CE-176

CUB to investigate need for new power plant costing as much as \$775 million!

In November 2014, Wisconsin Power & Light publicly announced its plan to build a 650 MW combined cycle natural gas fired power plant at an estimated cost of \$725 to \$775 million. The plant would be built at WPL's existing Riverside Energy Center or Rock River generating site, near Beloit, Wisconsin. WPL is proposing to construct the new gas power plant to replace aging coal plants that it plans on shutting down by the end of 2015. WPL plans for the gas fired power plant to be operational by 2019.

In February 2015, WPL filed its Engineering Plan with the Department of Natural Resources describing the power plant project's environmental impacts. This filing is a precursor to WPL's filing an application with the PSC for approval to construct the power plant.

CUB is closely monitoring this case and will actively intervene before the Commission as this three-quarter of a billion-dollar project moves forward.

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in mind.***



CUB
Citizens Utility Board

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CUB Board of Director Nominations

Attention CUB members – the CUB board of directors is seeking nominations for new board members.

Nominees should share CUB's commitment that ratepayers deserve a strong, effective voice to ensure safe, reliable utility service at reasonable rates. Nominees must be current CUB members.

Particularly strong nominees will possess skills in:

- Fundraising
- Finance
- Human Resources
- Marketing
- Nonprofit Management
- Strategic Planning

If you're interested in serving a 3-year term on the CUB board of directors, please submit your resume along with your response to the two questions listed below by May 1, 2015 to CUB board president Russell Wallace at wallacer@orbitec.com or by mail to:

Russell Wallace
c/o Citizens Utility Board
16 N. Carroll Street, Suite 640
Madison, WI 53703

Questions (your response to both questions should be no more than 500 words):

1. Why would you like to be on the CUB board and what do you hope to accomplish during your term?
2. What skills and experience would you bring to the board?

