

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of Midcontinent Grid
Solutions Wisconsin, LLC for Authority
to Become an Electric Public Utility

Docket No.: 2708-NC-100

NOTICE OF APPEARANCE AND REQUEST TO INTERVENE OF
WISCONSIN UTILITIES ASSOCIATION

Pursuant to Wis. Admin. Code § PSC 2.21, Wisconsin Utilities Association (“WUA”) respectfully requests to be admitted as a full party to this proceeding, a hearing as required under Wis. Stat. §§ 196.49 & 196.50, and to appear by the counsel identified below.

I. STATEMENT OF INTEREST

Midcontinent Grid Solutions Wisconsin, LLC (“MGS”) seeks a Certificate of Authority (“CA”) to operate as an electric public utility in Wisconsin, pursuant to Wis. Stat. § 196.49(1)(am).¹ More specifically, MGS seeks to become a public utility under Wis. Stat. § 196.01(5)(a), and to do business as “a transmission company” under Wis. Stat. § 196.795(1)(p).² MGS asserts a new category of public utilities exists under the statutes: “a” transmission company exempt from Commission regulation under both the Wisconsin Utility Holding Company Act (“WUHCA”) and Wis. Stat. §§ 196.485(3m) and 196.487, which – MGS asserts – only apply to “the” transmission company.³

¹ *Application* (PSC REF#: 593329) (June 4, 2026) at 1.

² *Id.* at 20-21 (owning transmission meets the definition of public utility); *id.* at 27-30.

³ *Id.* at 32-41 (arguing “a” transmission company is distinct from “the” transmission company, and therefore the Commission’s jurisdiction is much more limited).

WUA represents electric and gas utilities serving customers throughout the State of Wisconsin. WUA and its members have participated in numerous proceedings before the Commission and the Commission would benefit from WUA's participation and expertise. WUA's members rely on Wisconsin's transmission system – and the Commission's regulation of the transmission system – on a daily basis to ensure their customers have an adequate and reliable supply of energy. Many of WUA's members are also part of holding company systems regulated by the Commission under WUHC, and they have substantial experience with the Commission's regulation of holding companies. Many of WUA's members also contributed transmission assets, pursuant to Wis. Stat. § 196.485(3m), to form American Transmission Company, LLC ("ATC") – the only transmission company authorized to do business in Wisconsin – and have substantial experience with the statutes and the Commission's decision authorizing ATC's formation. WUA and its members have a substantial interest in the fair administration of the statutes regulating transmission-owning entities in Wisconsin. Therefore, WUA should be granted full-party status in this proceeding under Wis. Admin. Code § 2.21.

The last time the Commission opened a docket considering an application for a CA to transact public utility business as a transmission utility of this magnitude was in response to ITC Midwest's application in Docket No. 2707-NC-100. There, the Commission determined ITC Midwest's application for a CA to transact business as a public utility and independent transmission owner was a Class 1 contested case under

Wis. Stat. § 227.01(3)(a), which requires a hearing pursuant to Wis. Stat. § 227.44(1).⁴ The Commission has determined that applications for CAs to transact public utility business are Class 1 contested cases in other circumstances, too.⁵ Given that WUA's substantial interests will be affected by the commission's action or inaction, and MGS Wisconsin requests similar regulatory treatment to ITC Midwest, the Commission should open this docket as a Class 1 contested proceeding in which a hearing is required like it did for ITC Midwest's application.

Additionally, MGS Wisconsin has not shown it is exempt from Wis. Stat. § 196.50's requirements, which, if applicable, also require a hearing. Under Wis. Stat. § 196.50(1), the Commission cannot permit ownership, operation, management or control of any plant or equipment for the transmission of power in a municipality "if there is in operation under an indeterminate permit a public utility engaged in similar service in the municipality," unless a hearing is held, and the Commission determines that "public convenience and necessity require the delivery of service by the applicant." MGS Wisconsin applies to develop, construct, and own an approximately 190-mile transmission project running from southwestern Wisconsin through southcentral

⁴ See *Notice of Proceeding*, Docket 2707-NC-100 (PSC REF#: 192740) (Nov. 4, 2013); Wis. Stat. § 227.44(1) ("In a contested case, all parties shall be afforded an opportunity for hearing after reasonable notice.").

⁵ See e.g., *In Re Town of Ithaca*, No. 2710-CW-100, 2003 WL 21545874, *1 (June 10, 2003); *In Re Vill. of Lannon*, No. 3045-CW-102, 2007 WL 2535263, *1 (Aug. 8, 2007); *In Re Bluffview Sanitary Dist.*, No. 627-CW-100, 2005 WL 2294449, *1 (June 13, 2005). The Commission's process to approve the formation of ATC occurred prior to the current version of Wis. Admin. Code Ch. PSC 2; however, the Commission still issued a Notice of Proceeding, convened a procedural conference, and invited participation from parties throughout the state. See *Notice of Proceeding*, Docket 137-NC-100 (PSC REF#: 2333) (July 13, 2000); cf. Wis. Admin. Code Ch. PSC 2 (repealed and recreated effective July 1, 2002).

Wisconsin to the Wisconsin-Illinois border,⁶ yet does not show that its transmission services do not overlap with those of other utilities in any municipalities throughout the state.⁷ Absent such a showing, a hearing is required under Wis. Stat. § 196.50(1).

II. NOTICE OF APPEARANCE

If the Commission approves its request for admission, WUA will appear through its counsel at Quarles & Brady LLP and respectfully requests that further correspondence and communications include the undersigned attorneys.

Dated: July 23, 2026

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Electronically signed by
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⁶ Application at 1 (describing the Project as the “approximately 190-mile, 765 kV Bell Center-Columbia-Sugar Creek-IL/WI State Line transmission project”).

⁷ See generally *id.* (not referencing Wis. Stat. 196.50, much less showing it does not apply).