

BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN

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

2708-NC-100

LAKE WISCONSIN LAND AND COMMUNITY ALLIANCE, INC.
REPLY IN SUPPORT OF MOTION TO INTERVENE

Lake Wisconsin Land and Community Alliance, Inc., (“LWLCA”), submits this reply pursuant to Wis. Admin. Code § PSC 2.23(2) to the Response of Midcontinent Grid Solutions Wisconsin, LLC, (“MGS Wisconsin”), to LWLCA’s Request to Intervene and Notice of Appearance. Response of MGS Wisconsin to LWLCA’s Request to Intervene and Notice of Appearance (“MGS Resp.”).

MGS Wisconsin does not dispute that the supporting members of LWLCA own family homes, farms, and land in the vicinity of Segments 13, 14, and 17 of the 765 kV Bell Center, Columbia, Sugar Creek transmission project, (“BECI Project”). MGS Wisconsin does not dispute that a line built on those segments would bring towers of 150 to 200 feet in height onto or next to their land, would eliminate trees and landscaping, would threaten homes and farming operations, would impair property values, and would effectively destroy iconic natural features such as Gibraltar Rock. LWLCA Req. ¶¶ 2, 3. To the contrary, MGS Wisconsin concedes that “LWLCA certainly has articulated an interest that would justify its participation in a future CPCN proceeding.” MGS Resp. at 2.

MGS Wisconsin's only real argument is one of timing. According to MGS Wisconsin, the interests of the landowners who will bear the physical burden of its transmission line are "premature," because this docket concerns whether MGS Wisconsin may become a public utility and not where its line will be built. MGS Resp. at 1, 2. That argument misreads the intervention standard, which asks only whether a person's substantial interests "may be affected." It ignores the fact that the Certificate of Authority, referred to in this reply as the CA, is the first step for MGS Wisconsin before it can seek a Certificate of Public Convenience and Necessity for the BECI Project. Furthermore, this argument cannot be reconciled with MGS Wisconsin's own Application, which asks the Commission to find that the CA is in the public interest *because* of the benefits of the BECI Project itself, including MGS Wisconsin's claimed ability to minimize landowner impacts, and which identifies land use planning as one of the public interest factors the Commission considers when it grants a CA. For the reasons that follow, the Commission should admit LWLCA as a full party.

I. LWLCA's request to intervene is not premature.

A. The intervention standard looks forward to interests that "may be affected," and nothing in the rule prohibits an early request.

Wis. Admin. Code § PSC 2.21(1) provides, "A person whose substantial interests may be affected by the commission's action or inaction in a proceeding shall be admitted as an intervenor." The rule is mandatory. It uses the word "shall." The rule is also forward looking. It does not require that a person's interests be affected immediately, or that those interests be the subject of the Commission's final order. It requires only that the interests "may be affected" by what the Commission does or does not do. The legislature adopted the same standard for contested cases. "Any person whose substantial interest may be affected by the decision

following the hearing shall, upon the person's request, be admitted as a party." Wis. Stat. § 227.44(2m).

Nothing in the code states that a request to intervene may be denied for being premature. Wis. Admin. Code § PSC 2.21(3) sets a deadline, requiring that a request be filed "no later than 60 days after the issuance of the notice of proceeding." It does not state that a request to intervene filed prior to the issuance of the notice of proceeding is premature, let alone that such a request could be denied on grounds of being premature. Parties have requested intervention before the Commission issued a notice of proceeding, and the Commission (at least on some occasions) has granted those requests. *See, e.g.,* CUB Request to Intervene and Notice of Appearance, Docket No. 5-UR-112 (Apr. 22, 2026) (requesting intervention before the Commission's April 30, 2026 Notice of Proceeding). The Wisconsin Utilities Association, WPPI Energy, and Dairyland Power Cooperative each made this same point in reply to MGS Wisconsin's identical argument against their requests. As WPPI Energy explained, "MGS Wisconsin identifies no support for establishing a date before which a request to intervene may not be filed." WPPI Reply at 2. MGS Wisconsin has not identified a single Commission decision denying a request to intervene because it was filed before the notice of proceeding.

The procedure MGS Wisconsin proposes, denying LWLCA's request now so that LWLCA can file the same request again after the notice of proceeding is issued, would accomplish nothing other than cause delay and duplication of filings. LWLCA does not object to the Commission issuing its notice of proceeding and setting an intervention deadline, however there is no reason to deny a pending request that already satisfies the rule, only to require that it be filed a second time.

B. MGS Wisconsin admitted that future harm and concrete interests establish the right to intervene.

MGS Wisconsin's timing argument is also arguably inconsistent with the position it took in this same docket only seven weeks earlier. In opposing the requests of the utility intervenors, MGS Wisconsin described the first element of the right to a hearing under Wis. Stat. § 227.42(1) as requiring a showing of "either the immediate or future harm to a substantial interest through the Commission's action or inaction." Response of MGS Wisconsin to Motions to Intervene of WUA, WPPI Energy, and Dairyland Power Cooperative at 4 ("MGS Aug. Resp."). MGS Wisconsin was correct that the statute describes a substantial interest that is "injured in fact or threatened with injury by agency action or inaction." Wis. Stat. § 227.42(1)(a). A threatened injury is, by definition, an injury that has not yet occurred. Therefore MGS Wisconsin argued in August that future harm is sufficient.

In the same filing, MGS Wisconsin faulted the utility intervenors because they had "not identified any concrete customer interests that would be harmed from MGS Wisconsin's certification." MGS Aug. Resp. at 4. LWLCA has identified concrete interests that MGS Wisconsin said were missing from the other requests. LWLCA's members own the land where their family homes and farms are located, and where they recreate and enjoy the land and waters of the state. LWLCA Req. ¶ 2. If the BECI Project is built on Segments 13, 14, or 17, towers of 150 to 200 feet in height carrying 765 kV conductors will be built adjacent to or on their property. LWLCA Req. ¶ 3. But now that a party has come forward with concrete interests, MGS Wisconsin essentially argues that these interests are too concrete, because they concern where the line will actually be built. Under MGS Wisconsin's conception of things, a utility intervenor's interest is too abstract to support intervention, and a landowner's interest is too concrete to

support intervention. The result would be that no one outside of MGS Wisconsin and Commission staff would ever have an interest sufficient to participate in this docket.

II. The Certificate of Authority is the legal precondition to the BECI Project, so the Commission's action in this docket may affect the substantial interests of LWLCA's members.

MGS Wisconsin treats this docket and the future CPCN docket as if they were unrelated, however they are actually quite related. MGS Wisconsin's own Application explains that this docket comes first, and that the CPCN docket cannot happen without it. "To own transmission assets in the State of Wisconsin, MGS Wisconsin needs authority to be a 'public utility.'" Application of MGS Wisconsin for a Certificate of Authority at 20 ("Application"). Describing the only comparable proceeding, MGS Wisconsin stated, "Like MGS Wisconsin, ITC Midwest was required to obtain a Certificate of Authority from the Commission to operate as a public utility prior to being able to file an application for a CPCN to construct the line." Application at 36. The statute says the same thing. No public utility not already engaged in utility service "may commence the construction of any public utility plant, extension or facility," unless it "has obtained a certificate from the commission authorizing it to transact public utility business." Wis. Stat. § 196.49(1)(am).

Without a CA, MGS Wisconsin is not authorized to transact public utility business in Wisconsin. Without that authority, MGS Wisconsin cannot obtain a CPCN. Without a CPCN, MGS Wisconsin cannot construct the BECI Project on Segments 13, 14, and 17, or anywhere else. Wis. Stat. § 196.491(3)(a)1. The CA is the first link in a chain of events that would be terribly financially advantageous for MGS Wisconsin, but which could have devastatingly negative effects for LWLCA's members, and will certainly have such devastating effects if the line is built on Segments 13, 14, or 17. A Commission decision that is the legal precondition for

the construction of a 765 kV line across a landowner's property is, by any reasonable reading, a decision that "may affect" that landowner's substantial interests. Wis. Admin. Code § PSC 2.21(1).

Public utility status also brings with it the statutory authority under which a transmission utility may take private land for its facilities. MGS Wisconsin itself has explained that when ITC Midwest obtained its CA, it obtained certification not only as a "public utility" under Wis. Stat. § 196.01(5)(a), but also as a "foreign transmission provider" under Wis. Stat. § 32.02(5), the condemnation statute. MGS Aug. Resp. at 5. Chapter 196 likewise contemplates that public utilities will exercise the power of eminent domain under chapter 32. Wis. Stat. § 196.49(3)(c). LWLCA's members are people whose land could be taken with eminent domain by MGS Wisconsin if (and only if) MGS Wisconsin first obtains public utility status. The status MGS Wisconsin asks the Commission to confer in this docket is the status that would allow MGS Wisconsin the eminent domain power to take LWLCA's members' land. It is difficult to imagine an interest that is more directly affected by the grant of a CA than the interest of LWLCA whose supporting members' property may be condemned by the entity receiving the CA.

MGS Wisconsin relies on the ITC Midwest decision, noting that the Commission did not address routing, agricultural, or environmental issues in granting a CA to ITC Midwest. MGS Resp. at 2 n.5. But the fact that a decision did not discuss an issue is not a holding that the issue was irrelevant, that it could never be addressed, or that persons who raised it lacked a substantial interest. The Wisconsin Utilities Association made the same point about MGS Wisconsin's reliance on the ITC Midwest decision with respect to Wis. Stat. § 196.50, observing that the Commission "simply did not reach the issue." WUA Reply at 8. The limited question at this stage under Wis. Admin. Code § PSC 2.21(1) is not what subjects the Commission's final

decision may discuss. The question is only whether the Commission's action or inaction may affect the substantial interests of the person, LWLCA, requesting intervention.

A. MISO's selection of the BECI Project does not authorize its construction in Wisconsin, and it does not make the Commission's decision irrelevant to LWLCA's members.

MGS Wisconsin next argues that LWLCA is premature in asserting that the BECI Project will not be built if the CA is denied. MGS Wisconsin argues that because the Midcontinent Independent System Operator, Inc., ("MISO"), selected the BECI Project in its regional planning process. MGS Resp. at 3,, denial of the CA "would not eliminate the regional transmission need identified by MISO or establish that the BECI Project will not be constructed." *Id.* This argument fails for several reasons.

First, MGS Wisconsin conflates the identification of a regional need by MISO with an actual authorization for a specific developer to build a specific facility. MISO identifies regional transmission needs and selects developers. MISO does not authorize construction of a transmission line in Wisconsin, and it does not decide where in Wisconsin a line will go. Only the Commission can do that, and only if an application is filed. Wis. Stat. § 196.491(3)(a)1 provides that "no person may commence the construction of a facility unless the person has applied for and received a certificate of public convenience and necessity under this subsection." MGS Wisconsin's own Application concedes this point. "The Commission will have jurisdiction over the Project's siting and routing." Application at 18.

Second, if MISO's selection meant that the BECI Project would be built no matter what the Commission decides in this docket, then the CA would be a meaningless formality. MGS Wisconsin does not take that position. It filed a 44 page Application asking the Commission to exercise its judgment and find that granting the CA is in the public interest. Application at 4 to 6,

22 to 27. The Commission’s decision whether or not to grant a CA is a meaningful decision for purposes of MGS Wisconsin’s Application, for LWLCA’s members, and for the people of Wisconsin.

Third, even if some transmission facility may eventually be built to meet the need MISO believes exists, that does not mean it would be built by MGS Wisconsin, and it certainly does not mean that it will be built on Segments 13, 14, or 17, in newly proposed greenfield corridors. LWLCA’s members are threatened by *this* applicant and by the routes *this applicant* is proposing. LWLCA Req. ¶¶ 1, 3, 6. As LWLCA explained, a future project developed by a different applicant would likely follow the corridor priorities set out in Wis. Stat. § 1.12(6), and would not impact LWLCA’s members in the same way. LWLCA Req. ¶ 6.

Fourth, the standard is whether LWLCA’s interests “may be affected.” Wis. Admin. Code § PSC 2.21(1). At most, MGS Wisconsin’s argument shows that there is some uncertainty about what would happen if the CA were denied. This is what the word “may” contemplates. MGS Wisconsin states that LWLCA’s request “does not seem” to contain a substantial interest. MGS Resp. at 2. MGS Wisconsin states that LWLCA’s participation “may not promote” timely disposition and that LWLCA “likely should not be admitted.” MGS Resp. at 3. MGS Wisconsin does not claim, with any confidence, that the interests of LWLCA’s members are unaffected by this docket. MGS Wisconsin’s factual assertion that the BECI Project would be built even if the CA were denied is incorrect. While it is true that a different project might be built, it also might be built by a different developer on a different route. There is no evidence that a different applicant would choose to apply for a CPCN to build on the same routes as the BECI Project.

III. MGS Wisconsin put the BECI Project, and its effects on landowners and land use, at issue in this docket.

MGS Wisconsin argues that the Commission's inquiry in this docket will be limited to "the financial strength and corporate structure of the applicant, what underlying reporting and financial obligations are appropriate, whether and which rate regulation and reliability standards may apply to the project, and future oversight conditions of MGS Wisconsin as a Wisconsin public utility." MGS Resp. at 2. That description is much narrower than the case MGS Wisconsin actually filed.

MGS Wisconsin's Application identifies the standard the Commission applies in deciding whether to grant a CA. "In determining whether granting a CA is in the public interest, the Commission has considered benefits such as rate reductions for customers, efficient control of utility services, integration of utility services, and land use planning." Application at 22, 23. Land use planning is the primary interest LWLCA seeks to protect. MGS Wisconsin identified land use planning as a factor in the CA decision and cannot now argue that the landowners whose land use would be heavily impacted by that decision have no interest in it. Efficient control of utility services is also potentially at issue. It is not efficient, and possibly not even lawful, to build the largest transmission lines in Wisconsin history on new greenfield routes that likely contravene state statute. Wis. Stat. § 1.12(6).

It also bears noting that MGS Wisconsin built its public interest case on the BECI Project itself. The section of the Application explaining why the CA should be granted is titled "Granting This Application is in the Public Interest and Serves Public Convenience and Necessity." Application at 4. That section relies on the investment the BECI Project will bring to the state, the reliability benefits of the 765 kV lines, and the benefits MISO assigned to the individual projects that make up the BECI Project. Application at 4 to 6. MGS Wisconsin then

went further, and asked the Commission to rely on its representations about landowner impacts. MGS Wisconsin told the Commission that its tower design “further improves on prior 765 kV designs to reduce required right-of-way by 20% thereby minimizing landowner impacts, environmental disruption, and tree clearing needs over the life of the asset.” Application at 16. MGS Wisconsin told the Commission that it “has full confidence in its ability to thoughtfully engage the public and various community stakeholders to ensure landowner impacts and disruption during the construction process are minimized to the maximum extent possible.” *Id.* And MGS Wisconsin told the Commission that it “is committed to early, proactive engagement with landowners and stakeholders.” Application at 3.

Having asked the Commission to find that the CA is in the public interest based in part on the BECI Project’s benefits and on MGS Wisconsin’s claimed ability to minimize landowner impacts, MGS Wisconsin cannot exclude the landowners who are in the best position to test those claims. In a contested case, “Opportunity shall be afforded all parties to present evidence and to rebut or offer countervailing evidence.” Wis. Stat. § 227.44(3). MGS Wisconsin will present its evidence of the BECI Project’s benefits and its minimal landowner impacts. The landowners who will actually bear those impacts are the ones with the evidence to rebut it. An applicant may not put the benefits of its project into the record and then argue that the costs of the same project are beyond the scope of the proceeding. MGS Wisconsin warns that LWLCA’s evidence will “unnecessarily expand and confuse the record.” MGS Resp. at 3. But the record MGS Wisconsin fears LWLCA will expand, is a record MGS Wisconsin itself opened the door to and asked the Commission to consider.

A. LWLCA has a substantial interest in the issues MGS Wisconsin concedes are before the Commission.

Even on MGS Wisconsin's own narrow description of the issues, LWLCA has a substantial interest in this docket. MGS Wisconsin concedes that "To the extent LWLCA can demonstrate a substantial interest in those issues, its request to intervene may be warranted." MGS Resp. at 2. LWLCA can make that showing as to each of the issues MGS Wisconsin identified.

The first is the "future oversight conditions of MGS Wisconsin as a Wisconsin public utility." MGS Resp. at 2. The conditions the Commission attaches to a CA will govern how MGS Wisconsin conducts itself for the life of its facilities, including how it deals with the landowners whose property it will cross. LWLCA is entitled to propose conditions that protect its members, such as conditions that require MGS Wisconsin to develop its routes consistent with the corridor priorities of Wis. Stat. § 1.12(6), and conditions that hold MGS Wisconsin to the representations it made in its Application about right of way width and landowner engagement. The legislature has directed that the Commission "shall implement the policy specified in s. 1.12 (6) in making *all* decisions, orders, and rules affecting the siting of new electric transmission facilities." Wis. Stat. § 196.025(1m) (emphasis added). A decision that authorizes a new entity to site a 190 mile, 765 kV transmission line in Wisconsin, and that sets the conditions under which it will do so, is a decision affecting the siting of new electric transmission facilities.

The second is the "financial strength and corporate structure of the applicant." MGS Resp. at 2. MGS Wisconsin "will own no assets other than the Project." Application at 6. The landowners whose property will be burdened by MGS Wisconsin's easements for decades have a direct and substantial interest in the financial capacity and accountability of the single asset company that will hold those easements, that will be responsible for compensating them, and that

will be responsible for maintaining and restoring their land. That interest is heightened by the fact that MGS Wisconsin asks the Commission to exempt it and its upstream affiliates from the Wisconsin Utility Holding Company Act, from chapter 201, and from a long list of provisions of chapter 196. Application at 41 to 43. Those requests will determine how much Wisconsin oversight will stand behind the company that holds rights in LWLCA's members' land.

The third is whether MGS Wisconsin's approach to routing bears on whether it should be granted authority to become a Wisconsin public utility at all. LWLCA Req. ¶¶ 4, 5. Wisconsin has established a policy that, to the greatest extent feasible, new electric transmission facilities should use existing utility corridors first, followed by highway and railroad corridors, followed by recreational trails, with new corridors used only as a last resort. Wis. Stat. § 1.12(6). MGS Wisconsin has proposed routing for the BECI Project that would create new transmission corridors in greenfield. LWLCA Req. ¶ 4. An applicant's demonstrated approach to the state's mandatory siting policy is relevant to whether it is in the public interest to authorize that applicant to site a transmission line in Wisconsin. LWLCA seeks to present that evidence to the Commission.

IV. LWLCA satisfies each element of Wis. Stat. § 227.42, and this docket should proceed as a Class 1 contested case.

Although LWLCA seeks intervention under Wis. Admin. Code § PSC 2.21, LWLCA also satisfies each element of the right to a hearing under Wis. Stat. § 227.42(1), which MGS Wisconsin invoked against the utility intervenors. MGS Aug. Resp. at 4, 5.

First, a substantial interest of LWLCA's members is "injured in fact or threatened with injury by agency action or inaction." Wis. Stat. § 227.42(1)(a). As shown above, the CA is the legal precondition for the construction of the BECI Project on or next to their land, and for the exercise of the authority to take their land.

Second, there is no evidence of legislative intent that the interests of landowners are not to be protected. Wis. Stat. § 227.42(1)(b). The evidence of legislative intent points entirely in the opposite direction. The legislature has required the Commission to consider exactly these interests before a high voltage transmission line may be approved.

3. The design and location or route is in the public interest considering alternative sources of supply, alternative locations or routes, individual hardships, engineering, economic, safety, reliability and environmental factors

4. The proposed facility will not have undue adverse impact on other environmental values such as, but not limited to, ecological balance, public health and welfare, historic sites, geological formations, the aesthetics of land and water and recreational use.

Wis. Stat. § 196.491(3)(d)3, 4. The legislature has also required that a proposed facility “will not unreasonably interfere with the orderly land use and development plans for the area involved,” Wis. Stat. § 196.491(3)(d)6, that the Commission implement the corridor priorities of Wis. Stat. § 1.12(6) in “all decisions” affecting the siting of new transmission facilities, Wis. Stat. § 196.025(1m), and that “[a]ny person whose substantial rights may be adversely affected” by a CPCN decision may seek judicial review. Wis. Stat. § 196.491(3)(j). Individual hardships, historic sites, geological formations, aesthetics, recreational use, and orderly land use are the precise interests LWLCA’s members have identified. LWLCA Req. ¶¶ 2, 3, 6.

Third, the injury to LWLCA’s members is different in kind and degree from any injury to the general public. Wis. Stat. § 227.42(1)(c). The general public may have an interest in the reliability and cost of the transmission system. LWLCA’s members have an interest in whether a 765 kV line will be built across their land or next to their homes and farms. No other party in this docket represents that interest. The intervening utilities represent their own systems and their ratepayers. None of them represents the landowners along a proposed route of the BECI Project. LWLCA Req. ¶ 6.

Fourth, there are disputes of material fact. Wis. Stat. § 227.42(1)(d). These include whether MGS Wisconsin's representations about minimizing landowner impacts are accurate, whether MGS Wisconsin's routing approach is consistent with the corridor priorities of Wis. Stat. § 1.12(6), whether the land use and public interest factors MGS Wisconsin identified in its Application favor or disfavor the grant of a CA, and whether, as MGS Wisconsin now asserts, the BECI Project would be constructed even if the CA were denied. MGS Resp. at 3.

This docket should also be designated a Class 1 contested case. A Class 1 proceeding is one "in which an agency acts under standards conferring substantial discretionary authority upon it," and includes "the granting of a certificate of convenience and necessity" and "the granting or denial of a license." Wis. Stat. § 227.01(3)(a). MGS Wisconsin itself acknowledges that the Commission designated the ITC Midwest CA proceeding as a Class 1 contested case. MGS Aug. Resp. at 5. There is no reason to provide less process for an applicant that proposes to build the first 765 kV transmission line in Wisconsin, and that asks for broader exemptions from Wisconsin oversight than ITC Midwest received. Application at 16, 36 to 43.

V. In the alternative, LWLCA should be admitted as a permissive intervenor.

MGS Wisconsin notes that LWLCA has not requested permissive intervention. MGS Resp. at 3. To the extent the Commission concludes that LWLCA has not satisfied the standard for intervention as of right, LWLCA requests permissive intervention in the alternative. A person may intervene if "the person's participation likely will promote the proper disposition of the issues to be determined in the proceeding or docket and if the person's participation will not impede the timely completion of the proceeding or docket." Wis. Admin. Code § PSC 2.21(2). LWLCA satisfies both requirements.

LWLCA's participation will promote the proper disposition of the issues. MGS Wisconsin has placed the benefits of the BECI Project, its effects on landowners, and land use planning before the Commission. Application at 4 to 6, 16, 22, 23. The Commission is required to implement the corridor priorities of Wis. Stat. § 1.12(6) in all decisions affecting the siting of new transmission facilities. Wis. Stat. § 196.025(1m). No other party will present the perspective of the landowners who will live with the BECI Project. The Commission will make a better decision with that perspective in the record than without it.

LWLCA's participation also will not impede the timely completion of this docket. LWLCA filed its request early, before the Commission has issued a notice of proceeding and before any procedural schedule has been set. LWLCA will comply with whatever schedule the Commission or the Administrative Law Judge establishes. MGS Wisconsin's concern that LWLCA will "unnecessarily expand and confuse the record," MGS Resp. at 3, is misplaced. LWLCA does not ask the Commission to select a final route in this docket. LWLCA asks to address the issues MGS Wisconsin itself raised, including the public interest, land use planning, the accuracy of MGS Wisconsin's representations about landowner impacts, whether a CA should be granted, and the conditions that should be attached to any CA. To the extent there is any question about the scope of the issues, the Administrative Law Judge has ample authority to address it at a prehearing conference. Wis. Stat. § 227.44(4)(a)1.

Finally, MGS Wisconsin's invitation for landowners to participate in its own route feedback discussions, and later in the CPCN docket, is not a substitute for party status in this docket. MGS Resp. at 1. Informal outreach conducted by the applicant gives landowners no right to present evidence, no right to rebut the applicant's evidence, and no right to seek review of the

Commission's decision. *See* Wis. Stat. § 227.44(3). LWLCA should be allowed to intervene in this proceeding.

VI. The Commission should issue a notice of proceeding and decide LWLCA's pending request in the ordinary course.

LWLCA does not oppose MGS Wisconsin's request that the Commission issue a notice of proceeding. LWLCA joins in that request, and asks that the notice designate this docket as a Class 1 contested case and provide for a public hearing, as LWLCA requested in its original filing. LWLCA Req. at 1. LWLCA further requests that the Commission treat LWLCA's pending request as timely filed, and that the Commission or the Administrative Law Judge decide it together with the other pending requests, rather than denying it only to require that it be filed again. MGS Wisconsin "recognizes that the public has a notable interest in the development of its proposed Project." MGS Resp. at 3. The full contours of that interest are best explored by admitting the LWLCA as a full party.

Conclusion

For the reasons stated above, LWLCA respectfully requests that the Commission reject the arguments set forth in MGS Wisconsin's Response, grant LWLCA's request to intervene as a full party under Wis. Admin. Code § PSC 2.21(1), or in the alternative under Wis. Admin. Code § PSC 2.21(2), issue a notice of proceeding designating this docket as a Class 1 contested case, and hold a hearing pursuant to Wis. Stat. § 227.44(1).

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Petition to Intervene of LWLCA was served upon all current parties and upon the Commission this 30th day of September, 2026.

/s/ Erik S. Olsen

Erik S. Olsen