

**BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN**

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Application of American Transmission Company LLC,  
as an Electric Public Utility, for a Certificate of Public  
Convenience and Necessity to Construct and Operate  
the Mill Road-Granville Transmission Line Project,  
Consisting of Two New 138 kV Transmission Lines,  
Rebuilding Two Existing Double-Circuit 345/138 kV  
Transmission Lines, and Constructing the 345 kV Mill  
Road Substation Located Primarily in the City of Milwaukee,  
Milwaukee County, and the City of Brookfield and the  
Village of Menomonee Falls, Waukesha County, Wisconsin

Docket No. 137-CE-212

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**NOTICE OF PROCEEDING, NOTICE OF PROPOSED ALTERNATIVE ROUTE,  
AND NOTICE OF HEARING**

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TO: Erica J. Donovan and Charles Smith  
W180N6029 Marcy Road  
Menomonee Falls, WI 53051

PLEASE TAKE NOTICE that the above-captioned proceedings have been filed to consider the application of American Transmission Company LLC (applicant), as an electric public utility, for a Certificate of Public Convenience and Necessity to construct and operate the Mill Road-Granville Transmission Line Project, consisting of two new 138 kV transmission lines, rebuilding two existing double-circuit 345/138 kV transmission lines, and constructing the 345 kV Mill Road Substation located primarily in the city of Milwaukee, Milwaukee County, and the City of Brookfield and the Village of Menomonee Falls, Waukesha County, and the City of Brookfield and the Village of Menomonee Falls, Waukesha County, Wisconsin. The Commission has opened this docket by its authority under Wis. Stat. ch. 196.

PLEASE TAKE FURTHER NOTICE THAT an alternative route for the proposed transmission lines has been requested which may affect your property located at W180N6029 Marcy Road, Menomonee Falls, WI 53051, known as Tax Key No. MNFV0110994002. A depiction of the proposed alternative route for the transmission line is enclosed herewith.

Also enclosed for your reference are the following:

1. Notice of Proceeding
2. Prehearing Conference Memorandum
3. Notice of Hearing

A public hearing session for this case has been scheduled for Tuesday, May 27, 2025 at 2:00pm and 6:00pm CT. Additional information regarding how to comment at this session is included in the Notice of Hearing enclosed herewith.

A party hearing session for this case has been scheduled for Thursday, May 29, 2025 at 10:00am CT. At the party hearing session, the Commission staff shall receive evidence from the parties and Commission staff. Additional information regarding the party hearing session is included in the Notice of Hearing enclosed herewith.

Dated this 12<sup>th</sup> day of May, 2025.

POLLARD GENERAL COUNSEL, LLC  
*Attorney for Intervenors, Gregg and Jennifer Weymier*

*Electronically signed by Kevin C. Pollard*  
Kevin C. Pollard  
State Bar No. 1074929  
W178 N9912 Rivercrest Drive, Suite 102  
Germantown, WI 53022  
ph: 262-293-9034  
email: [kpollard@pollardgeneralcounsel.com](mailto:kpollard@pollardgeneralcounsel.com)

**EX.-WP-ALTERNATIVE\_ROUTE**





LAND INFORMATION SYSTEMS DIVISION

## Waukesha County GIS Map



0 789.18 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

### Notes:

Printed: 4/9/2025



# Ex.-WP-Alt.\_Route



<b>SERVICE DATE</b> <b>Dec 19, 2024</b>
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**PUBLIC SERVICE COMMISSION OF WISCONSIN**

Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Public Convenience and Necessity to Construct and Operate the Mill Road-Granville Transmission Line Project, Consisting of Two New 138 kV Transmission Lines, Rebuilding Two Existing Double-Circuit 345/138 kV Transmission Lines, and Constructing the 345 kV Mill Road Substation Located Primarily in the City of Milwaukee, Milwaukee County, and the City of Brookfield and the Village of Menomonee Falls, Waukesha County, Wisconsin

137-CE-212

Public Service Commission of Wisconsin  
RECEIVED: 12/19/2024 3:55:00 PM

**NOTICE OF PROCEEDING**

**THIS IS A PROCEEDING** to consider the application of American Transmission Company LLC (applicant), as an electric public utility, for a Certificate of Public Convenience and Necessity to construct and operate the Mill Road-Granville Transmission Line Project, consisting of two new 138 kV transmission lines, rebuilding two existing double-circuit 345/138 kV transmission lines, and constructing the 345 kV Mill Road Substation located primarily in the City of Milwaukee, Milwaukee County, and the City of Brookfield and the Village of Menomonee Falls, Waukesha County, Wisconsin. The Commission opens this docket by its authority under Wis. Stat. ch. 196.

This is a Class 1 proceeding as defined in Wis. Stat. § 227.01(3)(a).

**DOCUMENTS.** All documents in this docket are filed on the Commission's Electronic Records Filing (ERF) system. To view these documents: (1) go to the Commission's E-Services Portal at <https://apps.psc.wi.gov>, (2) enter "137-CE-212" in the box labeled "Quick Single Docket Search," and (3) select "Documents." To receive electronic notifications when new documents are filed in this docket, go to ERF - [EZ Subscriptions](#) and follow the instructions to subscribe to this docket.

**SCHEDULE.** For the official schedule in this docket, check the notices and orders filed in this docket on the ERF system. For public convenience only, the Commission will maintain the schedule in this docket on the PSC Docket Calendar. To view the calendar: (1) go to the Commission's E-Services Portal at <https://apps.psc.wi.gov>, and (2) select the button labeled "Docket Calendar." From there you may browse or search the calendar and subscribe to a particular docket schedule.

**PUBLIC PARTICIPATION.** A person may participate either as a member of the public, or as a party. The Commission will provide an opportunity for any member of the public to offer an opinion on this matter either in writing, or in person at a public hearing. A member of

the public may participate without becoming a party to the proceeding. Parties participate by intervening (see below) and offering, at a trial-type hearing, expert witnesses and other technical evidence, prepared and filed in advance. A party may also conduct discovery and cross-examine witnesses. The Commission shall provide notice of when, where, and how members of the public and parties may participate in this proceeding at a future date.

**INTERVENTION.** Any person desiring to become a party shall file a request for party status, known as a request to intervene, under Wis. Stat. § 227.44(2m) and Wis. Admin. Code § PSC 2.21 no later than 14 days from the date of service of this notice using the ERF system.

To file such a request, go to the Commission's E-Services Portal at <https://apps.psc.wi.gov>, click on the "ERF Upload Documents" link on the left side menu bar. On the next page, log on if you are a registered ERF user, create a new account if you do not have an existing account, or contact PSC Records Management staff at (608) 261-8521 or via e-mail at [PSCRecordsMail@wisconsin.gov](mailto:PSCRecordsMail@wisconsin.gov) for assistance.

A person desiring to become a party who lacks access to the internet shall make a request to intervene by U.S. mail addressed to:

Docket 137-CE-212 Intervention Request  
Public Service Commission of Wisconsin  
P.O. Box 7854  
Madison, WI 53707-7854

At the time of filing, the person making the request to intervene shall serve a copy of the request on existing parties. An existing party may respond to the request within 5 days of service. A party wishing to request intervenor compensation should do so as soon as practicable.

**WISCONSIN ENVIRONMENTAL POLICY ACT.** This is a Type II action under Wis. Admin. Code § PSC 4.10(2). An environmental assessment will be prepared to determine whether an environmental impact statement is necessary under Wis. Stat. § 1.11.

**ASSESSMENT.** The Commission considers it necessary, in order to carry out its duties, to investigate all books, accounts, practices, and activities of the applicant. The expenses incurred or to be incurred by the Commission that are reasonably attributable to such an investigation will be assessed against and collected from the applicant in accordance with the provisions of Wis. Stat. § 196.85 and Wis. Admin. Code ch. PSC 5.

**AMERICANS WITH DISABILITIES ACT.** The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this docket or who needs to obtain this document in a different format should contact the case coordinator listed below. Any hearing location is physically accessible to individuals with disabilities. The Public Service Commission is located in the Hill Farms State Office Building, which is also physically accessible to individuals with disabilities through the entrances on the first floor. Parking for

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people with disabilities is available on the ground floor of the parking garage. There is also limited, free handicap visitor parking at the front of the Hill Farms State Office Building.

**CONTACT.** Please direct questions about this docket or requests for additional accommodations for the individuals with disabilities to the Commission's case coordinator, Spencer Watson, at (608) 261-9401 or [Spencer.Watson1@wisconsin.gov](mailto:Spencer.Watson1@wisconsin.gov).

Dated at Madison, Wisconsin, the 19<sup>th</sup> day of December, 2024.

By the Commission:

A handwritten signature in black ink, appearing to read "Cru Stubley", written over a circular line.

Cru Stubley  
Secretary to the Commission

CS:arw:hmy DL:02043378

<b>SERVICE DATE</b> <b>Feb 19, 2025</b>
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## PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Public Convenience and Necessity to Construct and Operate the Mill Road-Granville Transmission Line Project, Consisting of Two New 138 kV Transmission Lines, Rebuilding Two Existing Double-Circuit 345/138 kV Transmission Lines, and Constructing the 345 kV Mill Road Substation Located Primarily in the City of Milwaukee, Milwaukee County, and the City of Brookfield and the Village of Menomonee Falls, Waukesha County, Wisconsin

137-CE-212

 Public Service Commission of Wisconsin  
 RECEIVED: 2/19/2025 11:05:01 AM

### PREHEARING CONFERENCE MEMORANDUM

This memorandum orders the following consistent with the prehearing conference held on Tuesday, February 11, 2025, and pursuant to Wis. Admin. Code § PSC 2.04(1):

**I.** The parties are:

Type	Name	Party identifier for use in filings and citations*
Applicant	American Transmission Company LLC	ATC
Intervenors	1. Gail A and Michael P Todd	Todd
	2. CMDM LILLY LLC	CMDM
	3. Marcy Road Property LLC	MRP
	4. Marcy Road Property 2 LLC	MRP
	5. Milwaukee Lawn Sprinkler Corp	Todd
	6. Paul and Jennifer Todd	Todd
	7. Sean O'Brien and Rachael O'Brien	MRP
	8. The Promised Land Ranch and Preserve	PLRP
	9. Weymier Property	WP
	10. Wisconsin Industrial Energy Group	WIEG

The parties listed above that appear with the same party identifier are unified in their interest in this proceeding will participate as one party under that identifier.



## **II. ISSUES**

The issue in this proceeding is:

- A.** Does the proposed project comply with the applicable standards under Wis. Stat §§ 1.11, 1.12, 196.025, and 196.491, and Wis. Admin. Code chs. PSC 4 and 111?

## **III. SCHEDULE**

The schedule in this proceeding is:

- 2/28/2025 1:30 PM Offered Evidence Direct: Applicant
- 4/11/2025 1:30 PM Offered Evidence Direct: Intervenor and Commission Staff
- 5/12/2025 1:30 PM Offered Evidence Rebuttal: Parties and Commission Staff
- 5/27/2025 1:30 PM Offered Evidence Surrebuttal: Parties and Commission Staff
- 5/28/2025 1:30 PM Offered Evidence Other: Errata Testimony and Replacement Exhibits
- 5/29/2025 10:00 AM Hearing: Party Session (Zoom only)
- TBD Hearing: Public Session (Zoom and Project area)
- 6/2/2025 4:00 PM Transcript: Draft Transcript
- 6/3/2025 1:30 PM Offered Evidence Other: Exhibits Offered and Received at Hearing
- 6/3/2025 1:30 PM Offered Evidence Other: Revised Testimony
- 6/3/2025 1:30 PM Offered Evidence Other: Witness Verification Affidavits
- 6/5/2025 1:30 PM Transcript: Proposed Corrections to Draft Transcript
- 6/9/2025 1:30 PM Transcript: Objections to Proposed Corrections to Draft Transcript
- 6/19/2025 1:30 PM Initial Brief
- 7/3/2025 1:30 PM Reply Brief

## **I. OTHER FACILITATION MATERS:**

Other matters necessary to facilitate this proceeding appear in the attached Facilitating Matters Ordered for Contested Case Proceedings and Facilitating Matters Ordered in a Contested Case Proceeding – Zoom Audio-Visual Hearing Supplement.



Michael E. Newmark  
Administrative Law Judge

MEN: : DL:02059674

## Facilitating Matters Ordered in a Contested Case Proceeding

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## Facilitating Matters Ordered in a Contested Case Proceeding

### A. General

1. The Commission provides the following to inform the public of certain details of practice before the Commission in contested case proceedings. The contents of this document become binding procedures for a particular docket when ordered by the presiding Administrative Law Judge (ALJ). The ALJ may adopt the contents of this document in whole, or in part, or modify its content, as necessary, to facilitate processing a particular docket.
2. The assigned Commission staff attorney is the first point of contact for a party on any procedural matter related to the docket.

### B. Documents – Filing, and Service, Formatting, Numbering

#### 1. Filing and Service

- a. The Commission shall receive only Portable Document Format (PDF) files for the record. Documents shall contain no attachments or embedded files. For more information, contact the Commission's Records Management Unit at (608) 261-8521.
- b. File any document by upload to the Commission's Electronic Records Filing System (ERF) (<http://apps.psc.wi.gov/appsHome.html>). Submit no filings by facsimile. See Wis. Admin. Code § PSC 2.06(1). Submit no paper copies. See Wis. Admin. Code § PSC 2.06(2).
- c. If ERF does not accept a document, serve the document, and contact the Commission's Records Management Unit at (608) 261-8521 for assistance.
- d. ERF upload requires the assignment of a "Document Type." Choose the "Document Type" as specified in this document or if not specified herein, choose the "Document Type" that best corresponds with the substance of the document from the following:
  1. Application
  2. Brief
  3. Comments
  4. Correspondence
  5. Data Request/Response
  6. Exhibit - Offered
  7. Motion
  8. Petition
  9. Reply Brief
  10. Request for Intervention / Notice of Appearance (Use for any Request to Intervene, or request to modify the service list, or both)
  11. Testimony - Offered
- e. ERF upload requires the submission of a document "Description." When entering a document description, use the description specified in this document, or if not specified in this document, be concise.

## Facilitating Matters Ordered in a Contested Case Proceeding

- f. Filing constitutes certification of service. *See* Wis. Admin. Code § PSC 2.06(3)(a).
- g. Parties and Commission staff serve by e-mail. Use password protection when serving a document that contains information filed under a request for confidential handling. If size, or format prevents e-mail service, serve by secure file transfer protocol or by physical delivery on storage media.
- h. Parties and Commission staff shall inform, and continuously update each other of any e-mail address, and one physical address to which the requirements of service shall apply.
- i. The ALJ retains a list of party and Commission staff contacts for service of official communication. The ALJ creates the list using the contact information provided in any approved Request to Intervene or any Notice of Appearance filed by a party or Commission staff. Each party shall continuously update its contact information by filing a “Notice of Appearance.” The ALJ will treat a Notice of Appearance as a request under § C.
- j. Serve the Commission docket coordinator any, but, unless otherwise required, file no party to all-party correspondence.
- k. In computing any period that follows service, the day of e-mailing is the day of mailing. *See* Wis. Admin. Code § PSC 2.05(2). This applies regardless of any dated signature or ERF filing date stamp.

### 2. Confidentiality

- a. To protect a record filed during this proceeding from public disclosure, request confidential handling treatment under Wis. Admin. Code § 2.12(3), by:
  - 1. File using the “Upload Confidential Document” webpage at <https://apps.psc.wi.gov/ERF/ERFupload/upload/confident.aspx>.
  - 2. File a confidential version of the document in its entirety and a public redacted version of the document.
  - 3. For the confidential version shade in light gray, no more than all parts of the document to which the request applies. (“The cost was \$2.00 . . .”)
  - 4. For the public redacted version of the document remove and replaced with a black mark no more than all parts of the document to which the request applies. Include no affidavit in the public version. (“The cost was [REDACTED] . . .”)
  - 5. Verify the request under Wis. Admin. Code § PSC 2.12, either by:
    - a. completing the “AFFIANT AND NOTARY OFFICER” section of the webpage, or
    - b. attaching a notarized affidavit at the beginning of the confidential version. No confidential filing shall enter the record if the public version is a complete redaction of the original.
- b. The signatory of an affidavit required under Wis. Admin. Code PSC § 2.12 may not rely on a representation of another with respect to the substantive basis of the request for confidential handling, but shall have actual knowledge of, and personally verify that basis. This means the filer of the document may need to obtain the affidavit from another party, or a third party. But if the document to be filed already exists on ERF subject to confidential handling treatment, the filer's affidavit may meet this requirement by referring to the existing affidavit on file.



## Facilitating Matters Ordered in a Contested Case Proceeding

- c. Any party, or its representative, may review a record filed during this proceeding and protected under Wis. Admin. Code § 2.12, and participate in any *in camera* proceedings in this docket, subject to any protective measures necessary to protect the trade secrets of parties and any information entitled to confidentiality protection. Such measures may be provided by agreement between the parties and without approval of the ALJ or, if agreement cannot be reached, by order of the ALJ.
- d. During a hearing, the Commission shall hear *in camera* any oral testimony and cross-examination that may include information subject to a claim for confidential handling. The Commission shall handle the transcript volume for such hearing as confidential, subject to the post-hearing process provided under § G., to maintain such claim.

### 3. Written Testimony

#### a. Contents

1. Parties and Commission staff produce written testimony in lieu of oral testimony at hearing, according to the schedule established by order.
2. Rounds of written testimony, are defined as:
  - a. The first round of testimony, “direct,” provides each party the opportunity to present its positions and produce evidence to prove the facts needed to support its claims.
  - b. A second round of testimony, “rebuttal,” provides each party the opportunity to present responsive and countervailing evidence to that presented in direct.
  - c. A third round of testimony, “surrebuttal,” provides each party the opportunity to present responsive and countervailing evidence to that presented in rebuttal.
3. Testimony that supplements the contents of testimony the witness already filed requires a request under § C., titled “Request for Leave to Offer Supplemental Evidence.” Submit the request simultaneously, but separately, from the supplemental evidence.
4. The rounds of testimony filed after direct shall introduce no new issues.
5. The scope of written testimony is narrowed with each round of filing such that it addresses only the testimony filed in the previous round.
6. Failure to rebut or surrebut the testimony of another witness does not imply consent to that testimony. A witness must expressly recant any prior testimony. A witness need not repeat or restate prior testimony to retain its position on any matter.
7. The testimony of another witness speaks for itself. A witness should refer to the testimony offered by another witness by citation rather than restating it, whenever possible.
8. Only documentary evidence expressly offered for and duly received for the record will come before the Commission. Therefore, the first citation to a source (other than publicly available case law) not offered as an exhibit shall contain the following disclaimer: “Any information contained in this citation, based solely on this citation, is not record evidence. (NRE)” Subsequent citations shall contain the acronym “(NRE)” after the citation.
9. Cite to a special exhibit according to the directions below and using the naming conventions under § B.3.b.

## Facilitating Matters Ordered in a Contested Case Proceeding

- i. In a Certificate of Public Convenience and Necessity (CPCN) or other Certificate of Authority (CA) proceeding:
    1. Cite to any Commission staff data request or any response thereto as part of the Ex.-PSC-DRR exhibit. Cite to the document using the citation convention for the Ex.-PSC-DRR even if Ex.-PSC-DRR is yet to be filed.
    2. Cite to any application document listed in the Application exhibit using the citation convention for the Application exhibit.
  - ii. In any proceeding other than a CPCN or CA:
    1. Before citing to any Commission staff data request or any response thereto, confirm with Commission staff whether it intends to offer the document to which you plan to cite as part of its Ex.-PSC-DRR exhibit. If so, cite to the document using the citation convention for the Ex.-PSC-DRR. Do so even if Ex.-PSC-DRR is yet to be filed. If not, either offer the document as an exhibit or cite to it using the disclaimer explained above.
    2. Cite to any application document listed in the Application exhibit using the citation convention for the Application exhibit if the applicant has filed one.
  - iii. In any proceeding in which the Commission has issued a Completeness Determination: Cite to the document using the citation convention for the Ex.-PSC-Completeness even if Ex.-PSC-Completeness is yet to be filed.
10. Identify in an errata sheet, any corrections to testimony known before the hearing. After the hearing, refile the testimony that requires corrections as provided in the post-hearing process under § G.

### b. Format

1. Separate the testimony from any:
  - a. Exhibit being offered in that testimony.
  - b. Cover letter.
  - c. Request for an order.
2. Include no cover page.
3. Allow space at the top right corner for the PSC REF# stamp.
4. Structure testimony in question-and-answer format.
5. Page numbers for each filing shall begin at “1” and continue in numerical order for that filing.
6. Use line numbers starting at “1” on the first line of each page.
7. Center page numbers at the bottom of every page.
8. Number each page according to the following convention:

“[identify the round of testimony]-[identify the party]-[identify the witness]-[page #]”
9. If the filing is filed under a request for confidential handling, add “c” to the page number.
10. If the filing is a redacted public version of a document filed under a request for confidential handling, add “p” to the page number.
11. If the testimony offered in the filing supplements a round of testimony already filed, add “s” to the page number.

## Facilitating Matters Ordered in a Contested Case Proceeding

**12.** If the testimony offered corrects a round of testimony already filed, add “r” to the page number.

**13.** If the testimony offered is a subsequent refile add a number to the page number that indicates the version of the filing.

	Initial Filing	1 <sup>st</sup> Revision	2 <sup>nd</sup> Revision
Public only	Direct-PSC-Smith-1	Direct-PSC-Smith-r-1	Direct-PSC-Smith-r2-1
Confidential	Direct-PSC-Smith-c-1	Direct-PSC-Smith-cr-1	Direct-PSC-Smith-cr2-1
Redacted	Direct-PSC-Smith-p-1	Direct-PSC-Smith-pr-2	Direct-PSC-Smith-pr2-1
	1 <sup>st</sup> Supplemental Filing	1 <sup>st</sup> Revision	2 <sup>nd</sup> Revision
Public only	Direct-PSC-Smith-s-1	Direct-PSC-Smith-sr-1	Direct-PSC-Smith-sr2-1
Confidential	Direct-PSC-Smith-sc-1	Direct-PSC-Smith-scr-1	Direct-PSC-Smith-scr2-1
Redacted	Direct-PSC-Smith-sp-1	Direct-PSC-Smith-spr-1	Direct-PSC-Smith-spr2-1
	2nd Supplemental Filing	1 <sup>st</sup> Revision	2 <sup>nd</sup> Revision
Public only	Direct-PSC-Smith-s2-1	Direct-PSC-Smith-s2r-1	Direct-PSC-Smith-s2r2-1
Confidential	Direct-PSC-Smith-sc2-1	Direct-PSC-Smith-s2cr-1	Direct-PSC-Smith-s2cr2-1
Redacted	Direct-PSC-Smith-sp2-1	Direct-PSC-Smith-s2pr-1	Direct-PSC-Smith-s2pr2-1

**14.** Cite to documents in testimony according to the following conventions:

**a.** Cite to any existing pre-hearing testimony offered in this docket by:

1. Using the assigned page or exhibit number.
  2. Include no PSC REF #s.
  3. Refrain from any pinpoint line number citation because refile of the source document may render the citation stale.
- (“As mentioned in Direct-PSC-Smith-15 . . . .”)

**b.** Cite to any existing offered exhibit in this docket by:

1. Using the assigned exhibit number.
  2. Include no PSC REF #s.
- (“I prepared Ex.-PSC-Smith-1 . . . .”)

**15.** Cite to a Commission order or final decision by including:

- a.** The PSC REF#, and
- b.** the title of the document (“Order” or “Final Decision”), and 3) page citation, if applicable to the testimony.  
(“Order at \_\_ PSC REF: XXXXXX” or “Final Decision at \_\_ PSC REF: XXXXXX”)
- c.** If the order or final decision no longer appears on the public facing ERF System, offer the document as an exhibit.

**16.** To cite to an application:

- a.** Cite to the entire set of documents offered as the Application, (the Application in chief, all Appendices, etc...) as:

## Facilitating Matters Ordered in a Contested Case Proceeding

- 1 Ex.-[identify the applicant]–Application  
2 (“Ex.-ATC-Application”)
- 3 **b.** Cite to a full document contained in the Application exhibit as:  
4 Ex.-[identify the applicant]–Application: [Document designation]  
5 Document designation can be; the Application in chief; Appendix #; Exhibit#; etc...  
6 (“Ex.-ATC-Application: Application”)  
7 (“Ex.-ATC-Application: Appendix A”)
- 8 **c.** Cite to a portion of a document contained in the Application exhibit as:  
9 Ex.-[identify the applicant]–Application-[Document designation]: [Portion designation]  
10 Portion designation can be a: page #; figure #; map #; table #; chart #; part #; exhibit #; etc...  
11 (“Ex.-ATC-Application-Application: 25”)  
12 (“Ex.-ATC-Application-Appendix A: Figure 1”)
- 13 **17.** To cite to a Final Environmental Impact Statement (EIS):  
14 **a.** Cite to all documents offered as Final EIS as:  
15 “Ex.-PSC-FEIS”
- 16 **b.** Cite to a full document contained in Ex.-PSC-FEIS as:  
17 Ex.-PSC-FEIS: [Document designation]  
18 Document designation can be; FEIS; Volume #; Appendix #; etc...  
19 (“Ex.-PSC-FEIS: FEIS”)  
20 (“Ex.-PSC-FEIS: Appendix A”)
- 21 **c.** Cite to a portion of a document contained in Ex.-PSC-FEIS as:  
22 Ex.-PSC-FEIS-[Document designation]: [Portion designation]  
23 Portion designation can be a: page #; figure #; map #; table #; chart #; part #; exhibit #; etc...  
24 (“Ex.-PSC-FEIS-FEIS: 25”)  
25 (“Ex.-PSC-FEIS-Appendix A: Figure 1”)
- 26 **18.** To cite to an EA:  
27 **a.** Cite to all documents offered as the EA as:  
28 “Ex.-PSC-EA”
- 29 **b.** Cite to a full document contained in Ex.-PSC-EA as:  
30 “Ex.-PSC-EA-[Document designation]”  
31 Document designation can be EA; Volume #; Appendix #; etc....  
32 (“Ex.-PSC-EA: EA”)  
33 (“Ex.-PSC-EA: Appendix A”)
- 34 **c.** Cite to a portion of a document contained in Ex.-PSC-EA as:



## Facilitating Matters Ordered in a Contested Case Proceeding

Ex.-PSC-EA-[Document designation]: [Portion designation]

Portion designation can be a: page #; figure #; map #; table #; chart #; part #; exhibit #; etc...

(“Ex.-PSC-EA-EA: 25”)

(“Ex.-PSC-EA-Appendix A: Figure 1”)

**19.** Cite to the Commission completeness determination as:”

a. “Ex.-PSC-Completeness”

**20.** Cite to a response to a staff data request offered in a staff data request response exhibit as:

a. “Ex.-PSC-DRR: Response #”

(“Ex.-PSC-DRR: Response 2.02”)

**21.** Cite to public comments offered in the staff public comment exhibit as:

a. “Ex.-PSC-Public Comment: Witness name”

(“Ex.-PSC- Public Comment: Smith”)

### c. Filing

**1.** File according to previously established deadlines.

**2.** Use the ERF Document Type: “Testimony-Offered.”

**3.** ERF Document Description (See table below):

a. Use the page numbering convention but exclude the page number.

b. For supplemental, revised and errata filings, add the designations as indicated in the table below.

	Initial Filing	1 <sup>st</sup> Revision	2 <sup>nd</sup> Revision
Public only	Direct-PSC-Smith	Direct-PSC-Smith-r	Direct-PSC-Smith-r2
Confidential	Direct-PSC-Smith-c	Direct-PSC-Smith-cr	Direct-PSC-Smith-cr2
Redacted	Direct-PSC-Smith-p	Direct-PSC-Smith-pr	Direct-PSC-Smith-pr2
Errata	Direct-PSC-Smith-e	Direct-PSC-Smith-re	Direct-PSC-Smith-r2e
	1 <sup>st</sup> Supplemental Filing	1 <sup>st</sup> Revision	2 <sup>nd</sup> Revision
Public only	Direct-PSC-Smith-s	Direct-PSC-Smith-sr	Direct-PSC-Smith-sr2
Confidential	Direct-PSC-Smith-sc	Direct-PSC-Smith-scr	Direct-PSC-Smith-scr2
Redacted	Direct-PSC-Smith-sp	Direct-PSC-Smith-spr	Direct-PSC-Smith-spr2
Errata	Direct-PSC-Smith-se	Direct-PSC-Smith-sre	Direct-PSC-Smith-sr2e
	2nd Supplemental Filing	1 <sup>st</sup> Revision	2 <sup>nd</sup> Revision
Public only	Direct-PSC-Smith-s2	Direct-PSC-Smith-s2r	Direct-PSC-Smith-s2r2
Confidential	Direct-PSC-Smith-sc2e	Direct-PSC-Smith-s2cre	Direct-PSC-Smith-s2cr2
Redacted	Direct-PSC-Smith-sp2	Direct-PSC-Smith-s2pr	Direct-PSC-Smith-s2pr2
Errata	Direct-PSC-Smith-s2e	Direct-PSC-Smith-s2re	Direct-PSC-Smith-s2r2e

## Facilitating Matters Ordered in a Contested Case Proceeding

### 4. Exhibits

#### a. Contents

1. Only documentary evidence expressly offered for and duly received on the record as an exhibit will come before the Commission.
2. No document cited in an exhibit shall be received into the record unless separately and duly offered. Any exhibit that contains at least one extra-record citation shall include on its cover page the following disclaimer: “Any information contained in a citation that appears in this exhibit, based solely on that citation, is not record evidence.”
3. Only offer as an exhibit a document introduced in testimony as an exhibit. Except to offer an excerpt under Wis. Stat. § 227.45(5), the exhibit offered shall contain no marks or other alterations to the original document in the exhibit sponsor’s possession.
4. Offer documentary evidence by filing:
  - a. All documents, except for those already filed as exhibits in this docket.
  - b. Introduce the documents in written testimony, affidavit, or at hearing.
  - c. If only the portion of the document relates to the purpose of its introduction, offer only the title page and that part of the document.
5. To offer any (non-exhibit) document already filed on ERF in this docket, refile that document as an exhibit.
6. To offer any evidence already filed on ERF in another docket, refile as an exhibit, the final version of the document previously verified by the original sponsor.
7. Any change to an exhibit requires refiling a complete replacement version. When serving the replacement exhibit, in the service email, describe the changes made to the original exhibit.
8. Offer no ‘supplemental’ exhibits. Mark any exhibit offered in supplemental testimony with a new exhibit number.
9. Special Exhibits.
  - a. A special exhibit is an exhibit that offers for the record the most current set of existing EFR filings for one of the following categories:
    - i. Application
    - ii. Commission [completeness determination](#)
    - iii. Commission staff data request responses
    - iv. Final EIS or Environmental Assessment
    - v. Public comments
  - b. A special exhibit takes the form of:
    - i. a list of the categorical documents as they already appear on ERF, and
    - ii. a live link to ERF for each document on the list.

## Facilitating Matters Ordered in a Contested Case Proceeding

- 1 **10.** In a CA or CPCN proceeding the applicant shall, and in all other proceedings the applicant may, offer a docket application
- 2 for the record in the form of an application exhibit
- 3 **11.** To offer a docket application for the record the applicant shall:
- 4 **a.** Submit a draft application exhibit to the Commission docket coordinator that lists all documents with PSC REF#s and
- 5 live ERF links to all the documents filed on ERF that makes up the current version of the application.
- 6 **b.** The live link for any document filed confidentially shall point to the confidential version of the filing.
- 7 **c.** File the draft exhibit no later than two weeks prior to the first deadline to file pre-hearing testimony.
- 8 **d.** File the version approved by Commission staff no later than one week prior to the first deadline to file pre-hearing
- 9 testimony.
- 10 **e.** Mark the exhibit “Ex.-[Applicant identifier]-Application.”
- 11 (“Ex. ATC-Application”)
- 12 **12.** For any proceeding in which a statute requires the Commission to determine the completeness of an application prior to
- 13 processing the application, Commission staff shall file an exhibit that offers for the record that completeness determination.
- 14 **a.** Mark the exhibit as “Ex.-PSC-Completeness.”
- 15
- 16 **13.** In a CA or CPCN proceeding, Commission staff shall file an exhibit that offers for the record all responses to staff data
- 17 requests. In any other proceeding, Commission staff may file an exhibit that offers for the record any number of responses to
- 18 staff data requests.
- 19 **a.** Mark the exhibit as “Ex.-PSC-DRR.”
- 20 **14.** Commission staff shall file an exhibit that constitutes a Final Environmental Impact Statement or Environmental
- 21 Assessment.
- 22 **a.** Mark as “Ex.-PSC-FEIS”/ “Ex.-PSC-EA.”
- 23 **15.** Commission staff shall file an exhibit that lists all public comments received:
- 24 **a.** Mark as “Ex.-PSC-Public Comment”
- 25 **16.** The filer of any special exhibit shall continuously refile the exhibit to keep it updated and complete.
- 26
- 27 **b. Format**
- 28 **1.** Separate exhibits from any:
- 29 **a.** Testimony.
- 30 **b.** Cover letter.
- 31 **c.** Request for an order.
- 32 **2.** Use a cover page.
- 33 **3.** Allow space at the top right corner of the cover page for the PSC REF# stamp.
- 34 **4.** Mark the exhibit at the center bottom of the cover page according to the marking convention:

## Facilitating Matters Ordered in a Contested Case Proceeding

- a. “Ex.-[identify the party]-[identify the witness]-[exhibit #]”
- b. If the exhibit is offered under a request for confidential handling, add “c” to the marking.
- c. If the exhibit offered is a redacted public version of a document filed under a request for confidential handling, add “p” to the marking.
- d. If the exhibit offered corrects a round of testimony already filed, add “r” to the marking.
- e. If the exhibit offered is a subsequent refile add a number to the marking that indicates the version of the filing.

	Initial Filing	1 <sup>st</sup> Revision	2 <sup>nd</sup> Revision
Public only	Ex.-PSC-Smith-1	Ex.-PSC-Smith-1r	Ex.-PSC-Smith-1r2
Confidential	Ex.-PSC-Smith-1c	Ex.-PSC-Smith -1cr	Ex.-PSC-Smith-1cr2
Redacted	Ex.-PSC-Smith-1p	Ex.-PSC-Smith 1pr	Ex.-PSC-Smith-1pr2

### c. Filing

1. File according to previously established deadlines.
2. Use the ERF Document Type: “Exhibit-Offered.”
3. ERF Document Description: Use the exhibit marking.

## 5. Requests for an Order/Briefs

### a. Contents

1. For any post-hearing brief on the merits:
  - a. Cite to the record all noted evidence and assertions of fact.
  - b. Cite to no evidence or assertion of fact outside the record.

### b. Format

1. Include no cover page.
2. Allow space at the top right corner of the first page for the PSC REF# stamp.
3. Use 12-point double-spaced type and one-inch margins.
4. Limit the number of pages as follows:
  - a. Initial post-hearing brief on the merits - 30 pages.
  - b. All other briefs - 15 pages.

### c. Filing

1. File any request for an order under § C using the “Motion” document type even if a brief is attached.
2. File any brief, response, or reply to a request for an order under § C using the “Motion” document type.
3. File any post-hearing initial brief on the merits using the “Brief” document type.



## Facilitating Matters Ordered in a Contested Case Proceeding

4. File any post-hearing reply brief on the merits using the “Reply Brief” document type.

### d. Corrections

1. Any change to a request or brief requires refileing a complete replacement version. Indicate a brief is a replacement by adding “-r” to the title and ERF Document Description.  
 (“Request for an ALJ Order for Leave to Offer Additional Evidence -r”)

### C. Request for ALJ Order

For all requests for an order of the ALJ, including requests under Wis. Admin. Code § PSC 2.21(4):

1. Direct the request to the ALJ.
2. File the request, unless timely made at a hearing.
3. When filing the request, use the “Motion” document type.
4. The following schedule shall apply to any filed requests:
  - a. Respond by 1:30 p.m. 3 days after the filing of the request.
  - b. Reply by 1:30 p.m. 2 days after the filing of the response.
5. File a response or reply using the “Motion” document type.
6. Any request that contains a representation or certification of the affirmative agreement all parties and Commission staff shall take effect immediately upon filing but shall receive reconsideration if ordered within 3 days after filing of the request.
7. Any request to which a response is authorized, but not received, shall take effect immediately after the response deadline, but shall receive reconsideration if ordered within 3 days after the response deadline.
8. The ALJ may issue an order by email to the Service List scheduling either a hearing limited to the request, or an ALJ moderated status conference on the request. The order may also suspend or modify briefing on the request. The conference will be open to the public, subject to confidentiality protections. Only parties subject to the request shall have the right to participate.
9. Wis. Admin. Code § PSC 2.21(3), governs the procedure for requesting timely intervention, unless modified by the notice or order that opens or reopens the docket.

### D. ALJ Communications and Orders

1. Send no e-mails to the ALJ unless otherwise indicated by this document, or at the ALJ’s specific request.
2. Written orders of the ALJ shall be served by e-mail.
3. In computing any period that follows the issuance of an order of the ALJ, the date of the ERF filing date stamp is the date of mailing. *See* Wis. Admin. Code § PSC 2.05(2).

## Facilitating Matters Ordered in a Contested Case Proceeding

### E. Pre-Hearing Procedures

#### 1. Discovery

- a. File any response to a party discovery request or Commission staff data request as information becomes available.
  1. For any request made prior to the deadline to file rebuttal testimony, respond in full no later than 21 days after service of the request, with an exception of 30 days allowed for just cause.
  2. For any request made after the deadline to file rebuttal testimony, respond in full no later than 7 days after service of the request.
- b. Serve all, party discovery requests and notices to object, with the Commission staff docket coordinator, and the Commission staff attorney assigned to the docket.
- c. File no party discovery requests, or notices to object.
- d. Notify a requester of the intent to answer a discovery request or data request solely by objection, or by objection and partial response, notwithstanding the objection.
  1. For any notice related to a discovery request or data request made prior to the deadline to file rebuttal testimony, notify the requester, by 1:30 p.m., 5 days after receipt of the discovery request or data request.
  2. For any notice related to a discovery request or data request made after the deadline to file rebuttal testimony, notify the requester, by 1:30 p.m., 3 days after receipt of the discovery request or data request.
- e. File any request to compel a response to a discovery request or data request under § C.
  1. For any request related to a discovery request or data request made prior to the deadline to file rebuttal testimony, file the request by 1:30 p.m., 5 days after receipt of a notice to answer solely by objection, or by objection and partial response, notwithstanding the objection.
  2. For any request related to a discovery request or data request made after the deadline to file rebuttal testimony, file the request by 1:30 p.m., 3 days after receipt of a notice to answer solely by objection, or by objection and partial response, notwithstanding the objection.
- f. File any request for protective order to a discovery request or data request under § C.

#### 1. Hearing Preparation

- a. Offer any written testimony and exhibits by filing by the deadline established by order.
- b. Follow all format requirements for written testimony and exhibits provided herein
- c. To change the schedule file, a “Request to Change the Schedule for Good Cause” under § C.
- d. To offer supplemental evidence file a “Request for Leave to File Supplemental Evidence” under § C. File the supplement concurrently but separate from the request.
- e. To object to pre-hearing testimony and exhibits, file a “Request to Strike Offered Evidence” under § C, by the deadline of the next round of filing. If no scheduled round of filing remains, object at the hearing before the call of the first witness.

## Facilitating Matters Ordered in a Contested Case Proceeding

- f. Any party who compels a witness to appear at hearing shall create a volume of written testimony for that witness in the form of either a deposition or interrogatory. File the volume of written testimony for any witness being compelled to appear, and corresponding exhibits, by the deadline to file rebuttal testimony.
- g. Parties shall not participate in the public comment process except that the applicant shall make an adequate number of personnel with knowledge of the issues in this docket available at each public hearing session to answer questions from members of the public.
- h. Parties may provide information with respect to this proceeding to its membership and to members of the public. Parties may inform its membership and members of the public about the process by which they may, as individuals, participate in the public comment process. That information shall include the contents of the applicable Notice of Hearing, in full, or in pertinent part. With respect to the Notice of Hearing, used for the above-described purpose, any party that translates it into another language, places it into part of another document, or converts it into another format, shall serve and file a copy of that document, or an accurate representation of the other format, no later than 3 days prior to the first day of the public hearing session.
- i. Form of witness appearance.
  - i. To present a witness on Zoom or by telephone at a party hearing session noticed to take place only at a physical location, file a “Request to Appear [on/by] [Zoom/Telephone]” under § C.
  - ii. To present a witness by telephone at a party hearing session noticed to take place at a physical location and on Zoom, file a “Request to Appear by Telephone” under § C.
- j. File all corrections to pre-hearing testimony (errata) and exhibits (replacement) by one day prior to the party hearing session. Timely filed corrections require no request or pre-approval from the ALJ, but such corrections are subject to objection at hearing.
- k. Parties and Commission staff shall e-mail each other and the ALJ by 1:30 p.m. 1 day prior to the first day of the party hearing session to:
  - 1. Indicate whether any witness requires an appearance at a specific prearranged time.
  - 2. Identify the witnesses that a party or Commission staff intends to cross-examine. This does not waive the right to cross-examine other witnesses.
  - 3. Identify any need to conduct a portion of the hearing *in camera*.
  - 4. Request the scheduling of additional hearing time.
  - 5. Provide as an attachment any document not on previously offer for the record that the party or Commission staff wishes to use at hearing.

## F. Hearing Procedures

- 1. Before the call of witnesses, the ALJ may:

## Facilitating Matters Ordered in a Contested Case Proceeding

- a. Hear any corrections to the Offered Evidence List served by the ALJ prior to the party hearing session.
  - b. Discuss any comments and corrections to pre-hearing written testimony and exhibits noted on the Offered Evidence List.
  - c. Hear any remaining corrections to pre-hearing written testimony and exhibits.
  - d. Rule on any pending request for an ALJ Order.
  - e. Hear oral argument in lieu of briefs with respect to any pending request for an ALJ Order for which the deadline to file briefs would not expire prior to, or on, that day.
  - f. Receive into the record all items listed on the Offered Evidence List, subject to any verification by the witness, pending or allowable objections, and corrections to the list.
  - g. Excuse any witnesses from appearing at hearing subject to the verification of that witness's pre-hearing written testimony and exhibits listed on the Offered Evidence List evidence by affidavit, and any correction to that evidence as listed on the Offered Evidence List.
2. Failure of a witness to appear or be available to appear at the party hearing session renders unacceptable for receipt into the record any offered evidence of that witness.
  3. The sponsor of any pre-hearing testimony or exhibit not received into the record may make such filings an offer of proof.
  4. The sponsor of any oral testimony not received into the record may make a brief oral offer of proof.
  5. The default order of appearances and cross-examination by party shall follow the order of parties as provided in the Offered Evidence list. Commission staff shall follow all parties. Each party and Commission staff may arrange the order of its witnesses.
  6. Prior to cross-examination, any witness may offer brief oral testimony that responds only to the last round of pre-hearing testimony, or any subsequent testimony of another witness received at the hearing. Use best efforts in this matter to avoid undue surprise or prejudice.
  7. Limit cross-examination of a witness by the length and scope required to reasonably investigate matters with respect to the testimony of that witness. To investigate beyond these parameters requires the party to have followed the applicable pre-hearing process for compelling the witness to appear at hearing for direct examination.
  8. Provide an adequate number of copies of any document referred to during the hearing, but not previously filed.

### G. Post-Hearing Procedures

1. The following post-hearing filings require no request for an ALJ Order under § C. To object to one of these filings, file a "Request to Strike" under § C.
  - a. File any document not filed prior to the party hearing session but offered and received at the party hearing session by 1:30 p.m. 3 days after the last day of the party hearing session.
  - b. File documentary evidence not previously filed but identified at the party hearing session and for which offer into the record is delayed until after the party hearing session by 1:30 p.m. 3 days after the last day of the party hearing session.



## Facilitating Matters Ordered in a Contested Case Proceeding

- c. File the affidavit of any witness attesting to the truthfulness and accuracy of that witness's written testimony and exhibits offered into the record in the absence of a live oath or affirmation by 1:30 p.m. 3 days after the last day of the party hearing session. File using "Testimony-Offered" ERF document description.
- d. File a complete replacement version of any written testimony or exhibit corrected by errata or at the hearing by 1:30 p.m. 3 days after the last day of the party hearing session.
2. The opportunity to offer hearing transcript corrections is as follows:
  - a. By the established transcript turnaround time, the court reporter shall serve a draft transcript.
  - b. File any proposed corrections to the draft transcript in the form of an errata sheet by 1:30 p.m. 3 days after service of the draft transcript.
  - c. File using the "Offered Testimony" ERF Document Type.
  - d. An errata may correct a misstatement when necessary to convey the truth, and if the change causes no prejudice.
  - e. Propose a clarification to eliminate confusion, without prejudicially changing meaning.
  - f. File any objection to a proposed transcript correction by 1:30 p.m. 2 days after the filing of the proposed correction.
  - g. Any timely filed objection shall stand unless overruled by the ALJ within 3 days after filing of the objection.
  - h. The ALJ shall instruct the court reporter to make all corrections to the transcript timely filed, unopposed and allowed over objection.
  - i. The court reporter shall create the official version of the transcript by making the corrections provided by the ALJ. The court reporter shall serve the official transcript only to parties and Commission staff.
  - j. The ALJ shall file all official transcript volumes.
3. Maintain a claim to confidential handling under Wis. Admin. Code § PSC 2.12 of an *in-camera* hearing transcript by filing by 1:30 p.m. 5 days after service of the official version of the transcript, a request as described in Wis. Admin. Code § PSC 2.12(3), attached before a copy of the transcript, shaded in light gray, all text to which the request applies. Simultaneously, but separately, file a redacted copy of the official version of the *in-camera* transcript consistent with Wis. Admin. Code § PSC 2.12(4). Omit from the transcript any affirmation of the veracity of the official volume included in the original by the court reporter. File both documents using the "Testimony-Offered" ERF document description. The redacted volume exists only for Commission staff to evaluate the claim and for public convenience. The redacted volume provides no authoritative record of the proceedings. In the case of any discrepancy between the original volume and the redacted volume, the original volume shall control.
4. Receipt into the record of additional evidence requires the contemporaneous but separate filing of:
  - a. A "Request for Leave to Offer Additional Evidence" under § C., demonstrating that 1) the additional evidence is material and 2) good reason exists for failure to present the evidence according to the schedule.
  - b. Any offered evidence; and
  - c. An affidavit verifying any offered evidence.
5. Receipt of into the record of a non-party brief requires the contemporaneous but separate filing of:

## Facilitating Matters Ordered in a Contested Case Proceeding

- a. A “Request for Leave to File a Non-Party Brief on the Merits” Under § C; and
- b. The non-party brief.
6. Respond to a notice by the Commission of its decision to avail itself of any evidence in its possession under Wis. Stat. § 227.45(2) by 1:30 p.m. 3 days after the notice issues. Simultaneously, but separately, file any rebuttal or countervailing evidence verified by affidavit. Reply by 1:30 p.m. 2 days after the filing of the response.
7. Depending on the timing of any request or objection described in this section, a ruling may either issue from the ALJ or the Commission.
8. Any request or objection described in this section does not stay any Commission open meeting discussion with respect to the existing record or the issuance of a final decision by the Commission. Commission action effects a denial of the request unless otherwise indicated by the Commission.

### H. Post-Decision Procedures

1. File any for request rehearing or reopening under Wis. Stat. §§ 196.39 or 227.49.
  - a. File a request using the “Petition” document type.
  - b. Respond by 1:30 p.m. 5 days after the filing of the request.
  - c. File a response using the “Petition” document type.
  - d. File no reply from the requester.
2. The record on review under Wis. Stat. § 227.55 shall contain any offer of proof. But no offer of proof shall enter the evidentiary record unless the Commission or a court overturns the ruling to exclude the evidence and provides an opportunity for cross-examination or the offer of countervailing evidence.

## Facilitating Matters Ordered in a Contested Case Proceeding – Zoom Audio-Visual Hearing Supplement

The following items apply to the conduct of the party hearing session in this proceeding as a supplement to the Facilitating Matters Ordered in a Contested Case Proceeding.

### **I. Attending:**

All party attorneys and witnesses and participating Commission staff shall attend the hearing using the Zoom conferencing platform. (<https://zoom.us><https://www.gotomeeting.com/>).

Zoom allows invitees to attend in a two-way audio-visual connection over the internet, and a two-way audio-only connection over the telephone.

In general, Zoom complies with the technical and operational standards for videoconferencing under Wis. Stat. § 885.54.

Actively participating Commission attorneys, and party representatives shall attend using Zoom with webcam and microphone sharing on at all times, unless otherwise directed by the ALJ.

When called to testify, and until excused, each witness shall attend using Zoom with webcam and microphone sharing on at all times, unless otherwise directed by the ALJ.

Each party is responsible for each of its witnesses making a timely appearance when called to testify.

The court reporter shall attend using the two-way audio-visual connection over the internet, with microphone sharing on at all times and webcam sharing on at the court reporter's discretion, unless otherwise directed by the ALJ.

Non-participating Commission staff, party representatives, and any witness when not testifying, may attend the hearing using:

- The two-way audio-visual connection over the internet, with webcam and microphone sharing off at all times
- The two-way audio-only connection over the telephone with telephone muted at all times
- Listening to the live-stream audio on the Commission's website.

Before testifying, any witness using the Zoom telephone connection or listening to the webcast shall close those connections prior to connecting to Zoom to testify.

The Zoom chat function will not be available during the hearing.

## Facilitating Matters Ordered in a Contested Case Proceeding – Zoom Audio-Visual Hearing Supplement

### II. Joining:

The Notice of Hearing contains all the connection instructions.

Each party shall provide its attorneys and witnesses the connection information.

A party is responsible for each of its witnesses making a timely appearance when called to testify.

All attorneys shall, and any other invitee, may join Zoom no later than 5 minutes before the scheduled start time.

Upon joining the two-way audio-visual connection over the internet, each invitee shall enter their party affiliation and full name when prompted (this name will be shared on screen), and share their webcam and microphone.

Attempts to join Zoom made before the host arrives may be placed in the “waiting room” pending the host’s arrival.

Before the hearing begins, the host will test the connections of all actively participating Commission attorneys, and party representatives.

When called to testify, the host will test the connections of the witness and ensure the witness has turned the webcam and microphone sharing on.

When excused, the witness may “leave the meeting”, or remain to observe the session at their discretion, unless otherwise directed by the ALJ.

## Facilitating Matters Ordered in a Contested Case Proceeding – Zoom Audio-Visual Hearing Supplement

### III. Preparing:

Each party shall use best efforts to ensure its attorneys and witnesses have the proper equipment, internet service and technical assistance necessary to attend with adequate quality and reliability.

For more details and further links on how to get started using Zoom see, Getting Started at <https://support.zoom.us/hc/en-us/articles/201362283-Testing-computer-or-device-audio>.

Each attorney and witness shall:

- Attend from a location that is quiet, adequately lit, free from distractions, and where their joined device can be plugged into electricity.
- Test their microphone and audio output to ensure it is working properly.
- Test their webcam to ensure it captures your face, and an appropriate background.
- Dress in business casual attire.

A party that chooses to place multiple participants on their end of a Zoom connection together in the same room shall ensure it provides a clear audio connection by utilizing a microphone that can adequately pick up the voices of all participants in the room.

A microphone with the following attributes can produce the results required:

- Capability to switch between omnidirectional and unidirectional sound pick-up patterns
- Microphone stand (to prevent thumping or obstruction of the microphone)
- USB connection

Two examples of a microphone that provides all of the attributes listed above are:

- Aluratek USB Omnidirectional Microphone - Model# AUVM01F
- Blue Yeti Nano Premium USB Microphone - Model# 988-000088

Failure to provide adequate sound quality may result in a delay in the hearing process.

For support on joining and participating in a Zoom see, Joining a Meeting at <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-meeting>

## Facilitating Matters Ordered in a Contested Case Proceeding – Zoom Audio-Visual Hearing Supplement

### IV. Conducting:

Conduct at the audio-visual party hearing session will remain as close to an in-person party hearing session as possible. The following items modify the Commission's usual practice to accommodate the special circumstances an audio-visual hearing creates.

Parties and witnesses are expected to have all offered evidence and exhibits in-hand and accessible for their use at the hearing. The ALJ will share the Offered Evidence List, by email to the Service List. For any document not on the Offered Evidence List that a party or Commission staff wishes to use at hearing, the user shall share that document via email to parties, Commission staff, and the ALJ no later than one day before the party hearing session at 1:30 p.m.

The ALJ will present documents, to all participants using the two-way audio-visual connection over the internet, as a screen share. Attorneys should be able to see and hear each other, and the ALJ at all times. Refer to troubleshooting section if you are experiencing connection problems.

For anyone using the two-way audio-visual connection over the internet upon speaking, the image of the speaker will appear outlined in green and the person's name will appear at the top of the screen.

For anyone using the two-way audio-only connection over the telephone, upon speaking, the speaker's name will appear at the top of the screen.

To the maximum extent possible, any connection problems, or distractions will be corrected "off the record."

Unless otherwise directly by the ALJ, for situations such as, appearances, cross-examination, and responses to objections, etc..., the order of speakers shall follow the order of parties as listed in the Offered Evidence List.

While on the record, an attorney or witness, using Zoom may interject by raising their hand in a way that it can be seen on camera.

Wait for the ALJ to acknowledge you verbally before speaking. This does not apply to attorney objections.

Any objection made during the hearing will automatically take the hearing "off the record." The hearing will go "back on the record," only upon the ALJ's direction.

Before the start of any confidential session, the ALJ will place the Zoom connections for each party authorized to participate in the confidential session and for Commission staff into a breakout room. This will suspend public access to the hearing.

After a confidential session ends the ALJ will close the breakout room and reconvene the public session.

## Facilitating Matters Ordered in a Contested Case Proceeding – Zoom Audio-Visual Hearing Supplement

### 1 Troubleshooting:

- 2 • Any attorney or witness who experiences audio or visual connection problems during the hearing should immediately “leave  
3 the meeting” and attempt to re-join using the two-way audio-visual connection over the internet. Leaving the hearing, will  
4 prompt the ALJ to go “off the record” until the person reestablishes a connection. If any attorney or witness cannot reconnect  
5 the two-way audio-visual connection over the internet, that person shall join using the Zoom telephone connection.  
6
- 7 • When disconnected, for assistance in being reconnected, or to relay a message to the ALJ contact:  
8

9 Cru Stublely

10 cru.stublely@wisconsin.gov

11 608-266-3493

**SERVICE DATE**  
**Apr 22, 2025**

**PUBLIC SERVICE COMMISSION OF WISCONSIN**

Application of American Transmission Company LLC, as an Electric Public Utility, for a Certificate of Public Convenience and Necessity to Construct and Operate the Mill Road-Granville Transmission Line Project, Consisting of Two New 138 kV Transmission Lines, Rebuilding Two Existing Double-Circuit 345/138 kV Transmission Lines, and Constructing the 345 kV Mill Road Substation Located Primarily in the City of Milwaukee, Milwaukee County, and the City of Brookfield and the Village of Menomonee Falls, Waukesha County, Wisconsin

137-CE-212

Public Service Commission of Wisconsin  
RECEIVED: 4/22/2025 1:05:01 PM

**NOTICE OF HEARING**

**Public Hearing Session:**

Tuesday, May 27, 2025 - 2:00 p.m. and 6:00 p.m. CT

Sussex Civic Center  
N64W23760 Main Street  
Sussex, Wisconsin

At the Public Hearing session, the Commission shall receive comments from the public. To comment at this session, a member of the public may either:

- (1) Attend any physical location as noticed for this session; or
- (2) Join Zoom at <https://us02web.zoom.us/my/pschearings>  
If no adequate internet connection exists, join Zoom by telephone.  
Dial: +1 312 626 6799  
Enter Meeting ID: 809 513 2930




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**Party Hearing Session:**

Thursday, May 29, 2025 - 10:00 a.m. CT

No Physical Location

At the Party Hearing Session, the Commission shall receive evidence from the parties and Commission staff. Parties and Commission staff shall either:

- (1) Attend any physical location as noticed for this session; or
- (2) Join Zoom at <https://us02web.zoom.us/my/pschearings>




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**Written Public Comment:**

As an alternative to commenting at the Public Hearing Session, a member of the public may comment in writing no later than **Monday, June 2, 2025**, by either:



Docket 137-CE-212

(1) The internet at:  
<https://apps.psc.wi.gov/pages/publicCommentCase.htm?util=137&case=CE&num=212>, or

(2) U.S. Mail at:  
Docket 137-CE-212 Comments  
Public Service Commission  
P.O. Box 7854  
Madison, WI 53707-7854



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### Public Observation:

A member of the public may observe without participation any hearing session by:

1. Attending any physical location as noticed,
2. Watching on YouTube at:  
<https://www.youtube.com/@PSCWI-Hearings>,
3. If no adequate internet connection exists, listening by telephone.  
Dial: +1 312 626 6799  
Enter Meeting ID: 809 513 2930



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### More Information:

**Documents and Schedule.** To access the documents, the current schedule, and other information about this docket, go to the PSC Case Management System at:  
<https://apps.psc.wi.gov/APPS/dockets/content/detail.aspx?id=137&case=CE&num=212>



**Schedule Updates.** To receive email updates to the schedule, subscribe to the docket calendar at: <https://apps.psc.wi.gov/apps/Calendar/External/Subscribe>



**New Filings.** To receive email notices of new filings in this docket go to ERF – EZ Subscriptions at: <https://apps.psc.wi.gov/Pages/ERFhome.htm>



**Contact the Case Coordinator** Kathleen Panak,  
at (608) 267-1471 or [Kathleen.Panak1@wisconsin.gov](mailto:Kathleen.Panak1@wisconsin.gov)



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**NOTICE IS GIVEN** that the Public Service Commission of Wisconsin will hold a hearing in this docket as listed above. The presiding Administrative Law Judge (ALJ) may allot additional time to receive evidence and comments, if necessary.

This is a Class 1 proceeding as defined in Wis. Stat. § 227.01(3)(a).

**PUBLIC COMMENTS.** A person may testify in this proceeding without becoming a party and without attorney representation. A person may submit this testimony in only one of the ways listed above for making a public comment.

A person shall limit a public comment to non-technical personal knowledge or personal opinion. A person may include references to other materials in a comment, but may not include, as part of a comment, any document not written or substantially modified by that person. The Commission shall only accept documents that a person offers to supplement a comment for the purpose of showing the basis of an opinion, not for proof of the matter asserted.

A person shall only make a public comment on that person's own behalf. The Commission shall receive no comment offered on behalf of another person except for a comment that: (1) demonstrates on its face that the commentor freely and knowingly agreed to another person offering the comment on their behalf and agreed to forgo the opportunity to file their own comment, and (2) comes accompanied with a sworn statement by the person offering the comment that explains the process by which the comment was solicited, processed, and retained.

Only one comment may be submitted per person during a comment period. Parties may object to the receipt of a public comment. The Commission may reject a comment that does not comply with the requirements described in this notice.

**PUBLIC RECORDS.** Any material submitted to the Commission is a public record and may appear on the Commission web site. For any hearing session livestreamed over YouTube, a recording will appear on the Commission's YouTube channel.

**AMERICANS WITH DISABILITIES ACT.** The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this docket or who needs to obtain this document in a different format should contact the case coordinator listed above. Any hearing location is accessible to persons with a physical disability. Any hearing conducted with Zoom, and any livestream, conducted over YouTube, will provide: (1) the image of the face of each person speaking, and (2) closed captioning.

A handwritten signature in black ink, appearing to read 'Michael E. Newmark', with a stylized, flowing script.

Michael E. Newmark  
Administrative Law Judge

MEN:jlt:DL:02069340