

**BEFORE THE
PUBLIC SERVICE COMMISSION OF WISCONSIN**

Application for a Certificate of Public
Convenience and Necessity of Badger
Hollow Solar Farm, LLC to Construct an
Electric Tie Line, to be Located in
Iowa County Wisconsin.

Docket No. 9697-CE-101

**JEWELL JINKINS INTERVENORS
OUT-OF-TIME MOTION TO INTERVENE AND NOTICE OF APPEARANCE**

Pursuant to Wis. Stat. §227.44(2m) and Wis. Admin. Code § PSC 2.21(1) and 2.21(2), Jewell Jinkins Intervenors (Richard and Patricia Jinkins, Alan and Marcia Jewell, and Wade Wendhausen (hereinafter “Jewell Jinkins Intervenors”) hereby file this out-of-time request to intervene in the above-captioned proceeding. Jewell Jinkins Intervenors have been granted party status in the 9697-CE-100 Badger Hollow solar project docket, and ask to be allowed to participate as a party, with all the rights, duties, and responsibilities of a party in the two other Badger Hollow related dockets, including this above-captioned transmission docket.

Wisconsin law provides that a person whose substantial interests may be affected by the commission's action or inaction in a proceeding shall be admitted as an intervenor, and may intervene in a proceeding or docket if the person's participation likely will promote the proper disposition of the issues to be determined in the proceeding or docket, if the person's interests are distinct from those of other intervenors and that their interests are not represented by other intervenors, and if the person's participation will not impede the timely completion of the

proceeding or docket. Wis. Admin. Code § PSC 2.21(1) and § PSC 2.21(2). The Administrative Law Judge may grant an out-of-time request for intervention.

Richard and Patricia Jenkins, Alan and Marcia Jewell, and Wade Wendhausen have formed “Jewell Jenkins Intervenors” (hereinafter “Jewell Jenkins Intervenors”), and as directly affected landowners satisfy the criteria for intervention as both Intervenors as a matter of right and as permissive Intervenors, and hereby make this Motion to the Wisconsin Public Service Commission to grant out-of-time intervention in the above-captioned docket as a party with all the rights, responsibilities and obligations of party status. Wis. Admin. Code § PSC 2.21(1), (2).

This Intervention Request is admittedly filed out-of-time after the Intervention deadline and they offer this reason: Counsel was first approached regarding the Badger Hollow project the day of the intervention deadline, and at that time retained for the limited purpose of filing an Intervention request in the 9697-CE-100 docket. Counsel subsequently learned of this transmission docket and of the “buy/sell” docket. As of Friday, November 9, 2019, counsel has been retained for the duration of this project to address the big picture presented by all three dockets. Jewell Jenkins Intervenors have interests that require participation in each of these three inter-related dockets, the project docket, 9697-CE-100, this transmission docket, 9697-CE-101, and the “Buy/Sell” docket, 05-BS-228 (the broader interests do intersect with the Two Rivers dockets, but they are not, and will not, request intervention in these other Two Rivers dockets). The inter-related Badger Hollow and “buy/sell” dockets address issues beyond that of solely the solar project docket, and require more attention than afforded by mere participation. For these reasons, they request out-of-time intervention here in the transmission interconnection line docket, and separately in the “buy/sell” docket.

In support of its Motion, Jewell Jenkins Intervenors make the following statements, in

part stated in the solar project docket, which are applicable to the transmission line docket:

I. STATEMENT OF INTEREST

Jewell Jenkins Intervenors will be affected by the transmission line impacts due to the Badger Hollow project and its transmission inter-tie line's proximity and physical intrusion into their established community. After review of the application and responses to Data Requests of PSC staff, they have many concerns. Jewell Jenkins Intervenors have a substantial interest that will be affected by this transmission interconnection proceeding. Wis. Admin. Code §PSC 2.21(1). Further, because the Jewell Jenkins Intervenors are long-time local residents and landowners with generational ties to the community, and as landowners with long-standing agricultural activities, they are concerned about the big-picture issues associated with the three dockets for this project. Intervention should be granted under Wis. Admin. Code §PSC2.21(2).

This Intervention Request for the transmission tie-line docket, and the separate "buy/sell" docket request, are admittedly filed out-of-time after the Intervention deadline and they offer this reason: Counsel was first approached regarding the Badger Hollow project the day of the intervention deadline, and at that time retained for the limited purpose of filing an Intervention request in the 9697-CE-100 docket. Counsel subsequently learned of the transmission docket and "buy/sell" docket. As of Friday, November 9, 2019, counsel has been retained for the duration of this project to address the big picture presented by all three dockets. Jewell Jenkins Intervenors have interests that require participation in each of these three Badger Hollow inter-related dockets, the project docket, 9697-CE-100, this transmission docket, 9697-CE-101, and the "Buy/Sell" docket, 05-BS-228 (the broader interests do intersect with the Two Rivers dockets, but they are not, and will not, request intervention in those other two dockets). Intervention in the two Badger Hollow dockets with a joint hearing are particularly important

because they both address issues directly associated with the solar project docket. These additional dockets require more attention than afforded by mere participation. For these reasons, they request out-of-time intervention here in the Badger Hollow transmission docket, and are separately requesting party status in the “buy/sell” docket.

Jewells Jinkins Intervenors will be affected by the impacts of the transmission line and the transmission line decision due to the Badger Hollow project’s proximity and physical intrusion into their established community. After review of the application and responses to Data Requests of PSC staff, they have many concerns related to the transmission proposed in association with the Badger Hollow solar project. Generally, they are concerned about the extreme close proximity of this project to their land and homes, the removal of agricultural land from production, and the health and safety impacts on the land, water, livestock and property values. They will also be affected by energy rates, which will fund a portion of the costs, yet undisclosed, associated with building, financing, operating, maintaining and providing security for the proposed transmission to service the high capacity solar power generation facility over a period of 25-50 years or more. They are concerned about the long-term implications of the concentration of power generation, industrial facilities, in this case, solar generation literally covering thousands of acres and essentially surrounding their homes. They are concerned about any claim of associated need for transmission line expansion projects in their immediate area and within Wisconsin, and the cost impacts associated with all the implied options and alternatives in this case. They are concerned with the inter-relatedness of this transmission project and the solar project to the local 138 kV line proposed for interconnection, the lack of completed MISO studies for interconnection, and the transmission and solar projects’ relation to the Cardinal-Hickory high voltage transmission project. Transmission interconnection requirement

arrangements through MISO/ATC as cited in the Badger Hollow application and “Eden Outlet” remarks in the Cardinal Hickory Creek transmission application suggest that utility interests are promoting development of a very significant amount of generation in the area, perhaps up to 600MW in the area, not “just” the proposed 300 MW Badger Hollow project.

These cumulative impacts would amplify environmental impacts and the economic impact that local economies in many communities near such plants face in preserving the health and appearances of natural assets. Agriculture is the major economic driver in this area, agriculture and associated direct and indirect business are a major employer, thus protection of prime ag land is a significant concern. Tourism is a growing revenue stream, and the continued attraction of new businesses which take advantage of the significant aspects that these quality of life and values are crucial considerations.

They are concerned about the apparent focus by the PSC on large industrial solar projects rather than growth of distributed generation near load. They are concerned about whether the proposed 138kV interconnection and grid can handle the 300 MW fluctuating load, whether the project is proposed to, or will, utilize the 345kV Cardinal Hickory transmission line, whether the project would be burdened with a portion of the cost of the Cardinal Hickory transmission line, the status of MISO studies and necessary network upgrades, and the potential cost of network upgrades whichever transmission option is utilized. Large industrial solar projects require not only large commitments of land, prime agricultural land, but which also require infrastructure commitments, including the collector system and transmission. This transmission line intertie would not be needed if the solar generation were sited near load. Energy efficiency, energy self-sufficiency investments, load management, and utilization of distributed and dispersed generation -- the path of our energy system -- are significantly impacted by the energy

investment direction selected by the Commission's decision in this transmission docket and the solar project docket.

Jewell Jinkins Intervenors have a substantial interest that will be affected by this transmission intertie proceeding, and should be allowed intervention, as either permissive or as a matter of right or both. Wis. Admin. Code § PSC 2.21(1) and § PSC 2.21(2). Jewell Jinkins Intervenors' interests are distinct from those of other intervenors, no other landowners have requested intervention in this transmission intertie docket, and their interests are not represented by any other party. Jewell Jinkins Intervenors' participation as intervenors will promote the proper disposition of the issues to be determined in the proceeding or docket. They commit to respect of the Commission's schedule and all deadlines and will not impede or delay the timely completion of the proceeding or docket.

II. NOTICE OF APPEARANCE

Carol A. Overland has been authorized by the Intervenors the Jinkins, the Jewelsl and Wade Wendhausen, "Jewell Jinkins Intervenors," to represent them in this matter. Ms. Overland is an attorney licensed in good standing in Minnesota, and Wisconsin licensure is not necessary to practice before the Commission in its administrative venue, and acknowledges that the Wisconsin rules governing practice are applicable in this proceeding.

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III. JEWELL JINKINS INTERVENORS REQUEST OUT-OF-TIME INTERVENTION

For the above reasons, Jewell Jinkins Intervenors respectfully request that they be granted this request to intervene as a party with all the rights, responsibilities and obligations of full party

status in the above-captioned proceeding.

Dated this 12th day of November, 2018.



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