



Wisconsin Public Service Corporation
700 North Adams Street
Green Bay, WI 54301
www.wisconsinpublicservice.com

Public Service Commission of Wisconsin
RECEIVED: 03/11/2020 4:26:44 PM

March 11, 2020

Ms. Steffany Powell Coker
Secretary to the Commission
Public Service Commission of Wisconsin
4822 Madison Yards Way
Madison, WI 53705-9100

RE: Docket 5-BS-228: Joint Application of Madison Gas and Electric Company and Wisconsin Public Service Corporation for Approval to Acquire Ownership Interests in Solar Electric Generating Facilities

Dear Ms. Powell Coker:

Wisconsin Public Service Corporation and Madison Gas and Electric received the enclosed Force Majeure Rescission Notice from NextEra related to the Two Creeks Solar Farm Project. Additionally, enclosed is the corresponding notice that NextEra received from its subcontractor, Blattner Energy, that rescinds its Force Majeure notice to NextEra. Blattner Energy is using NEXTracker as the subcontractor to supply the racking systems for the Two Creeks Solar Farm.

Inquiries regarding this notice can be directed to Rich Stasik at richard.stasik@wecenergygroup.com and (414) 221-3685.

Respectfully submitted,

/s/ Theodore T. Eidukas
Theodore T. Eidukas
Vice President -
State Regulatory Affairs
WEC Energy Group
Wisconsin Public Service Corp.

Enclosures

NextEra Energy Engineering & Construction, LLC
700 Universe Boulevard
Juno Beach, Florida 33408

March 11, 2020

Via United Parcel Service and Electronic Mail

Wisconsin Public Service Corporation
c/o WEC Energy Group, Inc.
231 West Michigan Avenue
Milwaukee, Wisconsin 53203
Attn: General Counsel – Peggy Kelsey
Email: Peggy.Kelsey@wecenergygroup.com

Re: Notice of Rescission of Force Majeure Event Claim

Dear Ms. Kelsey:

This letter makes reference to that certain Engineering, Procurement and Construction Agreement entered into on December 7, 2018 (“Agreement”), between NextEra Energy Engineering & Construction, LLC (“Contractor”) and Wisconsin Public Service Corporation (“Owner’s Representative”), as agent for itself and Madison Gas and Electric Company. Any capitalized term used in this letter and not defined shall have the meaning ascribed the capitalized term in the Agreement.

The purpose of this letter is to update and formally rescind Contractor’s prior notice of the possible occurrence of a Force Majeure event described in and submitted to Owner’s Representative on February 6, 2020 (“February 6 Letter”). Therefore, as of the date of this letter, there is no cost impact or schedule delay to the Project resulting from the events described in the February 6 Letter.

If you have any questions, please feel free to contact me. Thank you for your cooperation in resolving this matter.

Respectfully,



David Tenan
Senior Project Director, Construction

cc: Vincent Scrima (Email Only)
Mitchell Ross (Email Only)
Richard E. OConor, Wisconsin Public Service Corporation, c/o WEC Energy Group, Inc., 231 West Michigan Avenue, Milwaukee, Wisconsin 53203 (Email: Richard.Oconor@wecenergygroup.com)



March 11, 2020

Via United Parcel Service and Electronic Mail

NextEra Energy Engineering & Construction, LLC
700 Universe Boulevard
Juno Beach, Florida 33408
Attn: David Tenan, Director – Construction
Email: David.Tenan@nexteraenergy.com

Re: Notice of Rescission of Force Majeure Event Claim

Dear Mr. Tenan:

This letter makes reference to that certain Engineering, Procurement and Construction Agreement entered into on June 20, 2019 (“Agreement”), between NextEra Energy Engineering & Construction, LLC (“Contractor”) and Blattner Energy, Inc. (“Subcontractor”). Any capitalized term used in this letter and not defined shall have the meaning ascribed the capitalized term in the Agreement.

The purpose of this letter is to update and formally rescind Subcontractor’s prior notice of the possible occurrence of a Force Majeure Event described in and submitted to Contractor on February 4, 2020 (“February 4 Letter”). Therefore, as of the date of this letter, there is no cost impact or schedule delay to the Project resulting from the events described in the February 4 Letter.

If you have any questions, please feel free to contact me. Thank you for your cooperation in resolving this matter.

Respectfully,

A handwritten signature in blue ink, appearing to read "Craig Arneson".

Craig A. Arneson
Project Manager
Blattner Energy, Inc.
CraigA@blattnerenergy.com
(320) 761-0201

CC: Jobsite, Legal File, Operations