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**BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN**

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Application for Grant County Solar, LLC to Construct a New  
Solar, Electric Generation Facility located near Potosi and                      Docket No. 9804-CE-100  
Harrison Townships, in Grant County, Wisconsin

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**REBUTTAL TESTIMONY OF DAVID GIL**

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**Q. Are you the same David Gil who filed direct testimony in this case?**

A. Yes.

**Q. What is the purpose of your rebuttal testimony?**

A. The purpose of my rebuttal testimony is to make a correction to my Direct Testimony and respond to certain portions of the direct testimony filed by Public Service Commission of Wisconsin (“PSCW” or “the Commission”) witness Tyler Tomaszewski and Grant County Intervenor (“GCI”) witnesses Preston and Jennifer Adrian, Daniel Cray, Brianna Eisenstout-Frear and Henry Frear, Ross Reynolds, and Kelsey and Travis Wagner. (collectively, the “GCI Witnesses”). Specifically, I will address the following topics: pre-construction meeting, mitigation measures for non-participating landowners, public outreach and communication, alternatives, and applicable rules to regulations.

**Q. Are you sponsoring any exhibits with your testimony?**

A. Yes. I am sponsoring the following exhibits:

Ex.-Grant County Solar-Gil-3: S. Weckend, A. Wade, G. Heath. “End of Life Management: Solar Photovoltaic Panels.” International Renewable Energy Agency, June 2016.

1 Pre-Construction Meeting

2 **Q. Mr. Tomaszewski suggests a certificate condition requiring Grant County Solar, LLC**  
3 **(“Grant County Solar”) and the selected contractor to participate in a pre-**  
4 **construction meeting with the Wisconsin Department of Natural Resources**  
5 **(“WDNR”) and Commission Staff (Direct-PSC-Tomaszewski- 8-9). Do you agree?**

6 A. Yes. Grant County Solar will participate in a pre-construction meeting with WDNR and  
7 Commission Staff to discuss construction and/or site design, permits and any associated  
8 requirements, including the utilization of best management practices, as applicable. Grant  
9 County Solar will provide meeting materials to the attendees at least 14 days prior to the  
10 pre-construction meeting.

11 Decommissioning

12 **Q. What does Mr. Tomaszewski propose with respect to decommissioning of the Project?**

13 A. Mr. Tomaszewski suggests a certificate condition requiring Grant County Solar to provide  
14 a full decommissioning plan for Commission staff review and approval prior to the  
15 commencement of construction. (Direct-PSC-Tomaszewski-12-13).

16 **Q. Do you agree with the proposed decommissioning certificate condition?**

17 A. Yes. As set forth in Section 1.7.3 of the Application and on pages 16 and 17 of my Direct  
18 Testimony, a final decommissioning plan will be developed and submitted to the  
19 Commission prior to the commencement of construction to fully address anticipated  
20 decommissioning procedures.

21 **Q. GCI witness Cray requests that the Commission require a bond as part of the Grant**  
22 **County Solar’s decommissioning plan. (Direct-GCI-Cray-9). Does Grant County**  
23 **Solar agree to provide a financial instrument as part of its Decommissioning Plan?**

1 A. Yes. As set forth in Section 1.7.3.1 of the Application and my Direct Testimony, in the  
2 final decommissioning plan, Grant County Solar will provide non-binding estimated  
3 decommissioning cost information on a confidential basis. In addition, in order to  
4 demonstrate its financial viability, Grant County Solar will provide security in the form of  
5 a surety bond, letter of credit, parent/corporate guarantee, or other financial instrument in  
6 the amount of the non-binding estimated decommissioning cost upon the commencement  
7 of Project operation.

8 **Q. GCI witnesses Adrian and Reynolds voice concern that a full decommissioning plan**  
9 **has not been filed. (Direct-GCI-Adrian-7; Direct-GCI-Reynolds-2). How do you**  
10 **respond?**

11 A. As stated above, a comprehensive final decommissioning plan will be developed and  
12 submitted to the Commission prior to the commencement of construction to fully address  
13 anticipated decommissioning procedures.

14 As set forth in Section 1.7.3 of the Application and discussed on pages 17 and 18  
15 of my Direct Testimony, at the end of the Project’s useful life, the facilities will be  
16 decommissioned and the Project Site restored to pre-construction condition. In general,  
17 decommissioning activities will include:

- 18 1. Dismantling and removal of all above ground equipment (solar panels, racking,  
19 transformers, Project Substation, etc.);
- 20 2. Excavation and removal of all above ground cabling;
- 21 3. Removal of posts;
- 22 4. Break-up and removal of concrete pads and foundations;

- 1           5.     Pumping and break-up of any septic tank (backfilled with clean soil) and
- 2                     abandonment of leach field (if applicable);
- 3           6.     Abandonment of underground utilities; and
- 4           7.     Scarification of compacted areas within and contiguous to the solar plant facility
- 5                     (including but not limited to internal and external access roadways).

6                     In order to facilitate a return to agricultural use following decommissioning, the

7     land would be tilled to break the new vegetative growth, which will enhance the topsoil

8     condition. Once the Project is fully decommissioned, the property owners can sample the

9     soils and, as needed, add fertilizer to match the crop(s) to be planted. As such, it is very

10    likely the cropland will be returned to pre-construction yields.

11 **Q.     Will the Project solar panels be recycled during the decommissioning process?**

12 A.     Given that decommissioning is not anticipated to occur for 30 to 50 years, no determination

13     has been made on whether the panels will be recycled. However, modern solar panels can

14     be safely disposed of in landfills and can also be recycled. Moreover, photovoltaic (“PV”)

15     solar panel recycling technologies have been implemented over the past decade and have

16     been shown to recover over 95 percent of semiconductor material and over 90 percent of

17     the glass in thin-film panels.<sup>1</sup> The industry is exploring the most cost-effective ways to

18     recycle PV solar panels. Solar manufacturers and developers continue to research reducing

19     use of raw materials, a secondary market for reuse, and recycling technologies.

20                                     Non-Participating Landowners

21 **Q.     Does Mr. Tomaszewski suggest mitigation measures for non-participating**

22     **landowners?**

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<sup>1</sup> See Ex.-Grant County Solar-Gil-3, at 84.

1 A. Yes. Mr. Tomaszewski provides two primary suggestions: (1) communication with  
2 adjacent residents regarding the timing of construction; and (2) analyze the visual impact  
3 of the Project to non-participating landowners and consider vegetation screening.

4 **Q. Will Grant County Solar communicate with adjacent residents regarding the timing  
5 of construction?**

6 A. Yes. Grant County Solar will provide notice of construction to all parties on the  
7 Commission mailing list in this proceeding prior to the commencement of construction.  
8 The notice will include the contact information for a dedicated Project contact person to  
9 answer inquires and receive any complaints. In addition, Grant County Solar will clearly  
10 post contact information at construction site entrances.

11 **Q. Is Grant County Solar willing to consider vegetative screening or other similar  
12 measures if requested by a non-participating landowner?**

13 A. As stated on page 20 of my Direct Testimony, Grant County Solar will consider reasonable  
14 requests for vegetation screening, certain specific setbacks, or other similar measures if  
15 requested by non-participating landowners on a case by case basis where it does not result  
16 in an adverse impact to Project operations. Any evaluation of potential mitigation  
17 measures will include, but not be limited to, existing topography, proximity to the site,  
18 presence of existing vegetation, and any other case specific factors.

19 **Q. In your Direct Testimony you stated that, “[t]o date, Grant County Solar has executed  
20 several Effects Agreements with non-participating landowners that also include  
21 specific setbacks.” (Direct-Grant County Solar-Gil-20). Do you have any corrections  
22 to your testimony?**

1 A. Yes. The statement should be corrected to state that Grant County Solar has executed two  
2 Effects Easements with non-participating landowners. In addition, Grant County Solar has  
3 proposed several other Effects Easements to non-participating landowners.

4 Public Outreach and Communication

5 **Q. The GCI witnesses assert that Grant County Solar has not been responsive to non-**  
6 **participating landowners questions about the Project. (Direct-GCI-Adrian-7-8;**  
7 **Direct-GCI-Frear-5). Do you agree?**

8 A. No. As discussed on pages 18-19 of my Direct Testimony, informal outreach has been  
9 conducted on behalf of the Project since April 2017 through the Project’s land agents and  
10 developers. Since that time, Project representatives have been discussing the Project with  
11 the public by way of phone calls, emails, door-to-door contacts and in-person meetings.  
12 Exhibit 3 attached to the testimony of GCI witness Cray provides an example of  
13 communication between the public (specifically the Crays) and Grant County Solar  
14 representatives. (*See Ex.-GCI-Cray-3.*)

15 Moreover, as the GCI witnesses acknowledge, Grant County Solar hosted two  
16 public open house meetings that were advertised in local print newspapers and presented  
17 at three public Town board meetings to present an overview and update of the Project. The  
18 first open house was held on October 7, 2019 at the Youth and Ag Center in Lancaster, WI,  
19 and the second open house was held on January 13, 2020 at the Holiday Gardens Event  
20 Center in Potosi, WI. Both events were well-attended, with over a combined total of 180  
21 people in attendance at both events.

22 The Project team also attended and presented the Project at the Potosi Township  
23 Board Meeting on November 11, 2019, the Harrison Township Board Meeting on

1 November 12, 2019, and again at the Potosi Township Board Meeting on January 13, 2020  
2 where a solar met station application was voted upon. On February 6, 2020, the Project  
3 team presented an application for a Conditional Use Permit for a solar met station in front  
4 of the Grant County Conservation, Sanitation and Zoning Committee Meeting, and the  
5 permit was granted.

6 Additionally, in order to respond to frequently asked questions about the Project,  
7 on February 26, 2020, a public website was launched specific to the Project  
8 (<https://www.nexteraenergyresources.com/grant-county-solar.html>). The Project website  
9 includes frequently asked questions, information on potential impacts of solar generation  
10 on the environment, health, and property values, as well as general information on Project  
11 decommissioning. The website also allows interested parties to fill out a web form to  
12 receive regular project updates. In addition, on March 10, 2020, a tri-fold brochure was  
13 mailed to all landowners and neighbors within one-mile of the Project to disseminate  
14 additional information. On April 17, 2020, a digital post card was sent to landowners and  
15 stakeholders within one-mile of the Grant County Solar Project as another community  
16 outreach touchpoint. In June of 2020, another letter was mailed to all landowners within  
17 one-mile of the Project Site with an update on the Project.

18 **Q. Has the community expressed support for the Project?**

19 A. Yes. As set forth in Appendix Q to the Application, the Project has received several letters  
20 of community support. As one supporter stated in response to the January 13, 2020 Open  
21 House, “I was impressed with the project itself as well as with the knowledge and  
22 professionalism of the people with whom I spoke. I am pleased that it is a clean, renewable  
23 source of energy and believe that it will be an asset for southwest Wisconsin.” (Ex.-Grant

1 County Solar-Application: Appendix Q). Similarly, another supporter stated that, “[t]he  
2 consultant did a great job of explaining the project and the value of a clean renewable  
3 source of energy that the solar project will produce.” (*Id.*)

4 Grant County Solar also retained EMC to conduct a public opinion survey of 300  
5 registered voters in Grant County to gauge support of the Project. The survey results  
6 showed that a majority of voters support the Grant County Solar Project. A summary of  
7 the results of the survey can be found in Appendix V – Public Outreach to the Application.  
8 (Ex.-Grant County Solar-Application: Appendix V).

9 Alternatives

10 **Q. GCI witnesses Frear asserted that distributed generation utilizing rooftops,  
11 brownfields, and less productive land should be pursued in lieu of the Project.  
12 (Direct-GCI-Frear-7). Is distributed generation a viable option for the Project?**

13 A. No. The Project is a 200 MW utility scale solar generation facility that will be connected  
14 to the bulk electric transmission system at one point of interconnection. From a cost,  
15 performance, and operations perspective, a utility scale solar plant is more practical,  
16 economic and efficient than a collection of 200 MW of separate distributed generation  
17 projects. As such, Grant County Solar did not consider distributed generation as a viable  
18 alternative for the Project.

19 Applicable Rules and Regulations

20 **Q. The GCI witnesses expressed concern “about the lack of rules and regulations in  
21 place” for review of the Project. (Direct-GCI-Adrian-1; Direct-GCI-Frear-6). How  
22 do you respond?**



1 A. Grant County Solar’s Application for a Certificate of Public Convenience and Necessity  
2 (“CPCN”) filed pursuant to Wis. Stat. § 196.491 and Wis. Admin. Code chs. PSC 4 and  
3 111 complies with all applicable statutes, rules, and regulations. As the Commission held  
4 in the Badger Hollow proceeding, the CPCN process applicable to the Project under Wis.  
5 Stat. § 196.491 provided sufficient detailed statutory and regulatory review criteria. *See*  
6 Docket No. 9697-CE-100, *Application for a Certificate of Public Convenience and*  
7 *Necessity of Badger Hollow Solar Farm, LLC to Construct a Solar Electric Generation*  
8 *Facility, to be Located in Iowa County, Wisconsin*, Final Decision issued April 18, 2019,  
9 (PSC REF#: 364425), pp. 8-9. Grant County Solar will continue to comply with all  
10 applicable statutes, rules, and regulations.

11 **Q. Does this conclude your prefiled rebuttal testimony?**

12 A. Yes.